

Heritage Grand Living

Following is a collection of information concerning living in the Heritage Grand HOA (HG) and where to find additional information on various subjects.

Purpose: Vision

The reason for a Heritage Grand homeowners association is stated in the *Declaration* (our most senior internal governing document, published in 2002):

"The purpose of our HOA [and therefore the mission of the Board] is to protect the value and desirability of the real property for the benefit of all owners."

Stated a little differently:

Homeowners can sell their homes for market-based values and in market-based timing. And, during this sale, neighborhood factors are helpful versus detrimental to the sale.

Macro-Issues

To deliver to the HOA purpose, we must collectively strive to make the "positives" of Heritage Grand living significantly overcome the "negatives." And this analysis/effort must be for the full community, not only for a subset of the community.

What negatives (real or perceived) might we have? By looking at other neighborhoods and their perceived negatives, we can make assumptions:

- We are an older community (over 20 years now of opportunities to grow mold and mildew); people can buy "new" (equals fresh?) in 55+ communities in Fulshear and other Houston suburbs.
- We could stay with the original (20-year old) landscaping designs versus upgrading to "present-day" designs. (Twenty years ago, long, common hedges were "the thing." We no longer see that design with our newer competitors.)
- Other common area facilities can become worn or old-looking: Allowing fencing to become distressed makes the community look distressed; Letting ponds look distressed (swampy); Grassed areas becoming bare; Allowing the clubhouse facilities to become thread-bare turns new buyers off.
- We could ignore or poorly manage our ever-enlarging tree canopies. These trees will either be assets to our community or detractions that make the community presentation look ignored.
- Our monthly homeowner assessments rate could be perceived as "excessive." This could happen if the value delivered by those dollars are not clear and obvious to potential buyers; we have to educate them to value added. (A previous homeowner/realtor stated this.)
- Delivering the wrong amenities – not keeping up with buyer expectations (We are a 55+ active adult community, not a rest home.)
- Others?

Community

- The Heritage Grand community will be strongest when all individuals show courtesy to one another and also work to include others in activities (in other words, work to reduce or eliminate "clique-only" interactions). Although there are certain events that operate with pre-arranged teams (trivia is an example) other events (monthly breakfasts as an example) allow newer homeowners to fit in and feel at home... or not.

When rules and regulations were last updated, homeowners requested that a rule stating HG badges be worn in the clubhouse be included, so it is. Although this delivers a certain amount of security benefit, knowing "who is who" greatly benefits newer individuals in becoming connected here.

- This HOA provides more activities than most competing communities, and most are administered through homeowner volunteers. If volunteers with necessary skill-sets don't step up, two less-preferred options then exist: the HOA can quit providing the activity, or the HOA can hire out the previously volunteer provided service at an increased dues cost.

Note: we have volunteer positions that well-match the skill-sets we individually bring to the community;

no one is exempt from being able to join in volunteer service. And since most of us can claim to either be retired or have already “been there, done that,” these arguments are not beneficial defenses.

Rules Compliance

HG is formed around certain governing documents (found on the heritagegrand.org website, filed with Fort Bend County, and in a notebook at the clubhouse desk) that all homeowners have legally agreed to comply with.

- The Association conducts routine inspections to confirm compliance with those requirements that can be observed from a “windshield audit” from the street. Other compliance issues are self-reported or addressed by neighbors to the Board through HG staff.
- Homeowner-to-homeowner issues arise from time to time (as with any community with closely located housing), and no HOA involvement is provided for solving these non-rules issues – just as one would expect in a non-HOA environment.

The HOA is required to become involved in potential rules violations.

- A homeowner’s back yard is generally administered by the Board as a private homeowner area with significant autonomy. With this said, however, there are limitations (rules requirements) in back yards to support “good neighbor” interactions.

For these requirements, see the entire *Architectural and Landscaping Rules & Regulations* document but specifically focus on the “Zero Lot Line” information on page 8, “Trees” information on pages 9-10, and back yard plantings on page 17.

See also the “Easement for Entry” section in the *Declaration* on page 31. A neighboring property owner who desires to inspect his/her home foundation or treat his/her foundation for insects is expected to be allowed entry into his/her neighbor’s back yard enclosure at a jointly convenient time for this inspection/treatment. (In addition to this being a rule requirement, it is also “neighborly.”)

Guidelines Documents

- HG has published documents presenting “routine operating practices” (called “guidelines”) that are found both on the heritagegrand.org website and in a notebook at the clubhouse desk.

No HOA rules requiring homeowner compliance are found in guidelines; instead HOA typical responses to repetitive processes are documented.

Amenities Provided

- A record of amenities currently provided or specific items not provided may be found in the guideline titled “Provided Amenities.” If in doubt as to whether the Association provides an amenity or not, contact clubhouse desk personnel for clarification.
- Homeowners have commented that what was stated by the realtor when the home was being bought does not align with Board communications, however HG has no control over realtor communications.
- Because house painting is an amenity of the Association, requirements limiting individual painting options are in place to minimize maintenance costs.
- Front yard tree maintenance (with one exception – maintaining a six-foot working clearance for yard crews) is not provided by the Association. Homeowners are independently responsible (work scheduling and pay) to maintain the tree canopy in their front yard area.

Safety and Security

- There is recurring confusion between HG “rules compliance” and law enforcement issues.
HG does not have (and does not want) law enforcement capabilities. Just as with any homeowner living in Fort Bend County, homeowners independently contact either the Sherriff or Constable with law enforcement concerns.

Board Specifics

- The five-member Board is homeowner-elected to 3-year terms; elections held as part of the HOA's annual meeting currently held late in June of each year.
- *Individual* Board members have no more authority than any other homeowner, but a majority vote of the Board defines HOA management actions.
- Governing documents specify that the current Board may change rules requirements or operational procedures without homeowner prior notice. Rules changes may become enforceable after filing the rule with Fort Bend County.

Although not required, the current Board communicates potential rules or amenity changes per a multi-month process found in the guideline titled "Board Actions Concerning Amenities Changes." (Board vote determines the ultimate action to be taken.)

- The HOA Board currently holds routine open meetings on the second Monday of each month per an agenda emailed to homeowners, and standing committees of the Board (Maintenance, Finance, Operations, Activities, Architectural, Voting) report on activities they are managing. Once Board-approved, minutes of the meeting are available through email or at the clubhouse desk.
- Homeowners have two agenda-defined opportunities to speak at open Board meetings: once in response to agenda items, and again on any homeowner-desired subject. Having "voice" at other meeting times is only at the direction/agreement of the Board facilitator.

If homeowner issues/comments weren't previously anticipated, no Board response to those inputs should be expected – the Board must first discuss issues presented so as to determine the collective position of the Board before sharing that collective position.

Petition actions are permissible for limited situations as spelled out in the guideline titled "Association Vote Requested by the Members," a text that summarizes governing documents information.

The petitions process initiated by homeowners is not allowable (by Texas law) to reverse "operational decisions" of the Board.

Homeowners may remove a Board member(s) without cause through utilizing the petition process..

- Any "homeowner vote" (either for petition action or other authority limited to the Association) must be of all 650 homes and meet Texas Property Code notification requirements. "Straw votes" that indicate the position of a sub-group of the 650 homes is many times helpful but is not binding on the Board.
- Although it is preferable to hold all Board votes in an open meeting, sometimes more timely votes are needed and these are done through email voting as specified in the By-Laws.

Email vote actions are communicated to the community at the next Board meeting.

Association Fiscal Discipline

- The Board's assumed fiscal situation: some homeowners desire and can afford additional amenities (at an increased dues amount); some homeowners can barely afford current dues and wish for cost reductions (even at the expense of reducing amenities).
The Board must make financial decisions for the entire community, not one or the other end of the assumed spectrum.
- Annual budgets for the following year are developed with committee assistance (but under Board direction) for approval typically at the November open Board meeting. Once approved, homeowners may, if desired, petition for disapproval of the presented budget.

Homeowner dues required to fund the budget (and the reserve fund) are communicated at this November meeting, and begin in the following January for the annual period.

- HG maintains a "reserve fund" based on an every-five-year update of a 30-year professional projection of repair and replacement cost of our facilities based on each component's reasonable operating life. Maintaining reserve funds supports a "pay as you go" funding program where current homeowners pay

their component share of future anticipated expenditures.

The alternate to this funding plan for these type expenses would be to require "special assessments" as required for whomever happens to live here at any time.

- All spending is per the direction of the Board and approved before being spent.
- Since HG operates on an annual budget based on current plans and projects, projects approved for spending in a previous year but not in-process (a Board determination) must be reapproved to become a component of the current budget.

General Information

- Gate operation here is defined in the guideline "Gates and Gate Operation."
- Water ponding at street curbs (the ponding is referred to as "birdbaths") is managed per the following HOA process as described in the guideline titled "Street Subsidence Maintenance."
- HG is established, per HUD requirements, as an age "55+" community. Although we strive to maintain a 100% home-by-home age compliance, the Board may not restrict home ownership to only those age 55 or more if over 80% of the 650 homes (= 520 homes) currently has one resident age 55 or above. A residence census is required every two years to maintain this required database.

Individuals age 18 or younger may live here a maximum of 60 days in a calendar year.

- Understanding Americanas duplex property insurance coverage is challenging due to interactions of available coverage vehicles, HOA-supplied "shell" coverage, etc. See the guideline titled "Americanas (Individual) Property Insurance" and associated documentation for assistance with this individual decision.
- Homeowners are welcome to attend any committee meeting without leadership notice. Most committees desire and welcome new volunteers. Two standing committees however – Architectural Review Committee (ARC) and Voting Committee – are appointed by Board action.

Contact clubhouse staff for specifics of where/when committees meet.

- Inframark provides water and sewer utility services to our homes (but not electrical or natural gas). Service issues with these outside-the-home utilities might be assisted by Inframark. (Inside-the-home issues are handled just like any other owned home response to these issues: call a repair person.)
- Trash pickup is supplied through our municipal utility district (MUD-14) and not the HOA.

This guideline was ratified by majority Board vote on 6/12/23 .



Board Secretary