



CERTIFICATE OF COMPLIANCE PROCEDURES
New Homes (Builder to Homeowner)
Sienna Community Association
Sienna Residential Association

STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

I. PURPOSE

The Certificate of Compliance Inspection is a process whereby Association Staff Members inspect all new homes within Sienna that are on the market to be sold. The inspection focuses on issues of compliance within our deed restrictions and new construction guidelines. The purpose of this inspection is to inform both the builder (owner & seller) and the purchaser of any outstanding violations that currently exist on that property, and to inform the purchaser that deed restrictions are strictly enforced.

II. APPLICABILITY AND AUTHORITY

This Policy pertains to the following entities and encumbers that property restricted by the SCA Covenant and the SRA Declaration:

1. Sienna Plantation Community Association, Inc., sometimes doing business as Sienna Community Association (“SCA”) as referenced in the Sienna Plantation Amended and Restated Master Covenant (Sienna Plantation Community Association, Inc.), filed under Clerk’s File No. 2019035843 in the Official Public Records of Fort Bend County, Texas (“SCA Covenant”), as same has been or may be amended from time to time and any other property which has been or may be subsequently annexed thereto and made subject to the authority of SCA.
2. Sienna Plantation Residential Association, Inc., sometimes doing business as Sienna Residential Association (“SRA”) as referenced in the Second Amended and Restated Declaration of Covenants, Conditions and Restrictions for Sienna Plantation (Sienna Plantation Residential Association, Inc.) recorded under Clerk’s File No. 2012104699 in the Official Public Records of Fort Bend County, Texas (“SRA Declaration”), as same has been or may be amended from time to time, and any other property which has been or may be subsequently annexed thereto and made subject to the authority of SRA.

Any reference in this Policy to “Board”, “Boards”, “Association” or “Associations” applies to all of the above-mentioned entities. Any reference in this Policy to “Owner” has the corresponding meaning ascribed to that term in the SCA Covenant or the SRA Declaration, as applicable

Each Board is authorized by its respective dedicatory instruments to adopt policies pertaining to the governance of the Association that it serves.

Invalidation of any one or more of the covenants, restrictions, conditions, or provisions contained in this Policy shall in no way affect any of the other covenants, restrictions, conditions, or provisions which shall remain in full force and effect.

III. PROCEDURE

- 1) The Certificate of Compliance Inspection Fee must be paid to the Sienna Residential Association at the time of closing. This amount should be collected from the builder. See the request form for schedule of fees.
 - a) The builder has the responsibility for notifying Association Staff when there is a proposed sale. A Certificate of Compliance inspection must be requested in writing by use of the Certificate of Compliance Builder Request form. The Association Staff must receive this request prior to the scheduled sale or conveyance of the property, with earlier requests encouraged.
 - b) If the builder does not own the property (i.e., the homeowner owns the land and the builder is a contractor for the homeowner), then the Certificate of Compliance inspection must be requested not later than five (5) days after the occupancy occurs. The Association Staff will accept requests for the inspection from the builder or owner.
- 2) Upon receipt of the request for inspection, Association Staff will go out to the house and perform a visual inspection. This inspection will be limited to the exterior portions of the house. Areas of concern are the following, but not limited to, the elevation, landscaping, screening of mechanical equipment, fencing, correct placement of driveways, flatwork, etc.
- 3) As a result of the inspection, one of three reports will be issued:
 - a) Certificate of Compliance – signifies that, as of the date the report was issued, the house appears to be in Compliance with all of the deed restrictions and regulations of SRA and SCA.
 - b) Certificate of Compliance With Conditions - signifies that, as of the date of the report was issued, the house appears to be in Compliance with all of the deed restrictions and regulations of SRA and SCA with the exception of the items specifically noted on the report. It will detail the violations and list what needs to be done to bring the house into full compliance.
 - c) Certificate of Non-Compliance – signifies that, as of the date the report was issued, the house is not in Compliance with all the deed restrictions and regulations of SRA and SCA. This generally means that there are one or more significant deed restriction violations. This report will also detail the problems and explain what needs to be done to bring the house into full compliance.
- 4) The inspection report will be issued within five (5) business days after the Association Staff having received an official request. The report will be sent to the builder, with a copy going to the designated title company if so requested. It is the owner's

responsibility to make sure that all of the information in the report is fully disclosed to the buyer or prospective buyer.

- 5) If the report is a Certificate of Compliance With Conditions or Certificate of Non-Compliance, after the violations have been cured, a re-inspection may be requested. A re-inspection fee will be charged, and an inspection made to determine if all violations have been cured to determine if a Certificate of Compliance report can be issued. An additional fee will have to be paid for each subsequent re-inspection requested. If a title company is requesting the re-inspection, Association Staff will accept the name and address of the title company and the applicable GF number so that the fee may be collected at closing and transmitted to the Association Staff with the transfer fee and any other assessments, fines, fees, etc. It is the preference of the Association Staff to bill the Builder at the end of each month, as this is a builder fee and not the responsibility of the purchaser.
- 6) If all the violations have not been fully cured before closing, it will be up to both the seller and the buyer to work out arrangements as to who will be responsible for bringing a house into full compliance. If the buyer takes possession of a house that is not in full compliance, then they become responsible for curing all the outstanding violations.
- 7) If the property is sold without the builder requesting a Certificate of Compliance inspection, the property purchaser shall be responsible with the builder for the violations and subject to any and all remedies available to the Sienna Associations for violations, including but not limited to, the power to impose fines, to require the property owner to remedy the violations, or to remedy the violations on the Sienna Association's own initiative and assess the cost thereof to the property seller and/or the purchaser.
- 8) If Association Staff fails to issue an inspection report within the five (5) business day period, the property owner shall notify Association Staff in writing of its failure to issue a report on a timely basis, and the Association Staff shall then issue the inspection report within two (2) business days from the Association Staff's receipt of the notice.
- 9) If the Association Staff fails to issue either an inspection report after the receipt of both an initial request, and notice of its failure to respond to the initial request, an inspection will not be required and the seller shall be entitled to a refund of the inspection fee (if paid).
- 10) Association Staff can expedite the process with rush fees. See the request form for the schedule of rush fees.
- 11) The COC inspection reflects the condition of the Property as of the date of the inspection report. The Sienna Associations do not require another COC within six months of the last request unless the ownership has changed. If a new COC is not requested and violations have developed, the Property Owner and Buyer understand the COC report may not be accurate. If the owner would like another inspection report issued within six (6) months of the last report issued, Sienna Associations will charge another fee since a new inspection will be required. See the request form for schedule of fees.

Requests for Certificate of Compliance must be made on the approved request form and submitted to the Community Standards Department via e-mail or brought to the Sienna Association Office. For additional information, please contact the Community Standards Department at 281-778-0778, or email at communitystandards@clubsienna.com .

Policy Name	Approved/Finalized	Revised
Certificate of Compliance Procedures New Homes (Builder-to-Homeowner)		February 7 & 8, 2023
Certificate of Compliance Procedures New Homes (Builder-to-Homeowner)		January 23, 2017
Certificate of Compliance Procedures New Homes (Builder-to-Homeowner)		January 20, 2014
Certificate of Compliance Procedures New Homes (Builder-to-Homeowner)		August 26, 2009
Certificate of Compliance Procedures New Homes (Builder-to-Homeowner)	June 28, 2006	

[SIGNATURE PAGES FOLLOW]

**CERTIFICATION
SIENNA RESIDENTIAL ASSOCIATION**

I hereby certify that, as Secretary of the Sienna Plantation Residential Association, Inc., the foregoing Policy was approved on the 7th day of February, 2023, at a meeting of the Board of Directors at which a quorum was present.

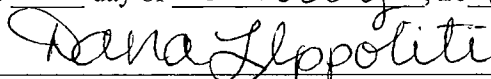


Derek Goff, Secretary

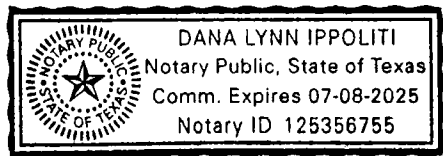
STATE OF TEXAS §
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BEFORE ME, on this day personally appeared Derek Goff, Secretary of the Sienna Plantation Residential Association, Inc., known by me to be the person whose name is subscribed to this instrument, and acknowledged to me that he executed the same for the purposes herein expressed, in the capacity herein stated, and as the act and deed of said corporation.

Given under my hand and seal this the 7th day of February, 2023



Notary Public – State of Texas



After Recording, Return To:
Dana Ippoliti
Sienna Plantation Residential Association, Inc.
9600 Scanlan Trace
Missouri City, TX 77459