



*Laura Richard*

Laura Richard, County Clerk  
Fort Bend County Texas  
Pages: 6      Fee: \$36.00



**CERTIFICATE OF COMPLIANCE AND ESTOPPEL CERTIFICATE  
POLICY-For Properties with Recently Built Improvements  
Sienna Business Association  
Sienna Property Owners Association**

STATE OF TEXAS      §  
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COUNTY OF FORT BEND §

**I. PURPOSE**

The Certificate of Compliance Inspection is a process whereby Association Staff Members inspect all properties within Sienna that have been recently built. The inspection focuses on issues of compliance with the plans approved by the Sienna Architectural Review Committee, as well as the deed restrictions and the Sienna Non-residential & Commercial Design Guidelines. The purpose of this inspection is to inform both the Owner and Contractor of any outstanding violations that currently exist on that Property.

**II. APPLICABILITY AND AUTHORITY**

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

1. Sienna Plantation Business Association, Inc., sometimes doing business as Sienna Business Association (“SBA”) as referenced in the Sienna Plantation Commercial Amended and Restated Master Covenant (Sienna Plantation Business Association, Inc.), filed under Clerk’s File No. 2016024161 in the Official Public Records of Fort Bend County, Texas (“SBA 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 SBA
  
2. Sienna Plantation Property Owners Association, Inc., sometimes doing business as Sienna Property Owners Association (“SPOA”), as referenced in the First Amended and Restated Declaration of Covenants, Conditions and Restrictions for Sienna (Sienna Property Owners Association) recorded under Clerk’s File No. 2022016010 in the Official Public Records of Fort Bend County, Texas (“SPOA 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 SPOA.

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 SBA Covenant or the SPOA 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 Owner, or Contractor on behalf of the Owner, has the responsibility of notifying Sienna Association Staff when the construction on the Property is complete. Association Staff will also accept requests for inspections from the project Architect. A Certificate of Compliance inspection must be requested in writing by use of the attached form and the Inspection Fee (see request form for schedule of fees) must accompany the request. Association Staff must receive this request at least seven (7) business days prior to the scheduled construction completion of the Property, although earlier requests are encouraged.
- 2) Upon receipt of the request for inspection, Association Staff will go out to the Property and perform a visual inspection. This inspection will be limited to the exterior portions of the Property that are visible from public view. Areas of focus, as example, will relate to the condition of the building exterior (i.e. brick, stucco, siding, roofing and roof top vents, stacks, etc., gutters, windows, trim, shutters and doors); signage (building, window and ground mounted); landscaping (parking lot screening, building screening, as well as proper maintenance); site improvements (lighting, dumpster enclosures, parking lot striping, mechanical equipment screening, 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 of the report was issued, the Property is in Compliance with the approved plans, deed restrictions and regulations of the Sienna Associations.
  - (b) Certificate of Compliance With Conditions - signifies that, as of the date of the report was issued, the Property is in Compliance with the approved plans, deed restrictions and regulations of the Sienna Associations with the exception of the items specifically noted on the report. It will detail the violations and explain what needs to be done to bring the Property into full compliance.
  - (b) Certificate of Non-Compliance - signifies that, as of the date of the report was issued, the Property is not in Compliance with the approved plans, the deed restrictions and regulations of the Sienna Associations. 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 Property into full compliance.
- 4) The inspection report will be issued within five (5) business days after Association Staff has received an official written request. The report will be sent to the Owner, with a copy going to the Owner's Contractor or Architect.

- 5) If the report issued is either a Certificate of Compliance with Provisions or a Certificate of Non-Compliance, and after the violations have been cured, if the Owner wants a "clean" Certificate of Compliance report to be issued, a re-inspection may be requested. A Re-inspection Fee (see request form for schedule of fees) will be charged. The inspection confirms all violations have been cured and if a Certificate of Compliance report can be issued. An additional Re-inspection Fee will have to be paid for each subsequent re-inspection requested.
- 6) If all of the violations have not been fully cured within 2 weeks of notice (the issuance of the CoC will be the notice), Association Staff will proceed through the deed restriction enforcement process, 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 Owner to remedy the violations, or to remedy the violations on the Association Staff's own initiative and assess the costs thereof to the Purchaser, or filing a lawsuit.
- 7) If Association Staff fails to issue an inspection report within the five (5) business day period, the Owner shall notify Association Staff in writing of its failure to issue a report on a timely basis and Association Staff shall then issue the inspection report within two (2) business days from Association Staff's receipt of the notice.
- 8) If Association Staff fails to issue either an inspection report after the receipt of both an initial request, a notice of its failure to respond to the initial request and payment of all applicable fees, an inspection will not be required and the Owner shall be entitled to a refund of the inspection fee (if paid).
- 9) Association Staff can expedite the process with payment of an Emergency Inspection Fee (see request form for schedule of fees). Once the fee is paid and after receipt of the written request, Association Staff will then issue a report of its findings within one (1) business day.
- 10) If the Owner would like another inspection report issued within six (6) months of the last report issued, Association Staff will charge another Inspection Fee, since a new inspection will be required. If Ownership has changed since the inspection report was issued, a new inspection must be requested and paid for.
- 11) Inspection and Re-inspection Fees are based on the size and type of the property. Please see the request form for a list of fees. Total fee will be determined upon Association Staff's receipt of request for Inspection.

Request for Certificate of Compliance must be made on the approved request form and submitted to the Sienna Associations at 9600 Scanlan Trace, Missouri City, Texas 77459 or email at [communitystandards@clubsienna.com](mailto:communitystandards@clubsienna.com) . Payment is required with the request form. No inspections shall be conducted without the completed form and payment of fees. See the request form for schedule of fees. For additional information, call 281-778-0778.

**ESTOPPEL CERTIFICATE (Optional)**

If an Estoppel Certificate is desired, Association Staff will prepare one using the standard Sienna Estoppel Certificate form. Please see the request form for details on fees. Should use of another form be required, additional fees will be required. In order to have a completed Estoppel Certificate, a Certificate of Compliance inspection is required. The appropriate request form and fees must be received in order for Association Staff to complete the Estoppel. Requests for Estoppel Certificates should be submitted to the Sienna Associations, attention Community Standards, or via email to [communitystandards@clubsienna.com](mailto:communitystandards@clubsienna.com).

<b>Policy Name</b>	<b>Approved/Finalized</b>	<b>Revised</b>
Certificate of Compliance and Estoppel Certificate Policy-For Properties with Recently Built Improvements		February 7 & 8, 2023
Certificate of Compliance and Estoppel Certificate Policy for Properties with Recently Built Improvements		February 28, 2017
Certificate of Compliance and Estoppel Certificate Policy for Properties with Recently Built Improvements		March 7, 2014
Estoppel Certificate		September 29, 2009
Estoppel Certificate		February 6, 2006
Certificate of Compliance and Estoppel Certificate Procedures for Properties with Recently Built Improvements	May 9, 2005	

[SIGNATURE PAGES FOLLOW]

CERTIFICATION

SIENNA BUSINESS ASSOCIATION/TOLL-GTIS PROPERTY OWNER, LLC

I hereby certify that, as President of the Sienna Plantation Business Association, Inc., the foregoing Policy was approved on the 8<sup>th</sup> day of February, 2023, at a meeting of the Board of Directors at which a quorum was present.

DATED, this the 8<sup>th</sup> day of February, 2023.

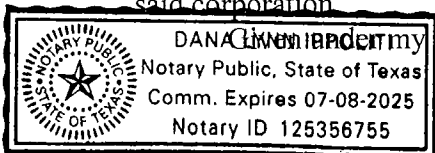
By: [Signature]  
Print Name: Jimmie F. Jenkins  
Title: President

STATE OF TEXAS

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COUNTY OF FORT BEND

BEFORE ME, on this day personally appeared Jimmie F. Jenkins, the President of Sienna Plantation Business Association, Inc., known by me to be the person whose name is subscribed to this instrument, and acknowledged to me that s/he executed the same for the purposes herein expressed, in the capacity herein stated, and as the act and deed of said corporation.



[Signature] hand and seal this the 8<sup>th</sup> day of February, 2023  
Dana Ippoliti  
Notary Public - State of Texas

APPROVED, this the 8<sup>th</sup> day of February, 2023

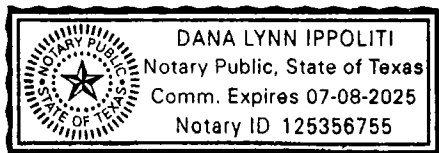
TOLL-GTIS PROPERTY OWNER, LLC, a Texas limited liability company

By: [Signature]  
Printed Name: Jimmie F. Jenkins  
Title: Authorized Representative

THE STATE OF TEXAS §

COUNTY OF Fort Bend §

This instrument was acknowledged before me this 8<sup>th</sup> day of February, 2023, by Jimmie F. Jenkins, Authorized Rep of Toll-GTIS Property Owner, LLC, a Texas limited liability company, on behalf of said company.



Dana Ippoliti  
Notary Public - State of Texas

CERTIFICATION  
SIENNA PROPERTY OWNERS ASSOCIATION

I hereby certify, as Secretary of Sienna Plantation Property Owners Association, Inc., the foregoing Policy was approved on the 7<sup>th</sup> day of February, 2023, at a meeting of the Board of Directors at which a quorum was present.

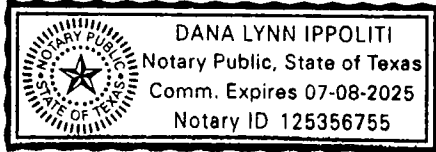
By: [Signature]  
Print Name: Derek Goff  
Title: Secretary/Treasurer

STATE OF TEXAS      §  
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COUNTY OF FORT BEND §

BEFORE ME, the undersigned authority, on this day personally appeared Derek Goff, the Secretary of the Sienna Plantation Property Owners Association, Inc. known by me to be the person whose name is subscribed to this instrument and acknowledged to me that s/he executed the same for the purposes and consideration therein expressed, and in the capacity therein expressed.

Given under my hand and seal of office, this the 7<sup>th</sup> day of February, 2023

[Signature: Dana Lynn Ippoliti]  
Notary Public – State of Texas



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