

# OFHA, Inc Bylaws

## **Article I: Name**

### **OFHA, Inc. Bylaws**

The name of this organization shall be OFHA, Inc., chartered by the State of Texas doing business as Oak Forest Homeowners Association, Inc. hereinafter referred to as the "Homeowners Association," whose mailing address is P.O. Box 920616, Houston, Texas 77292-0616, organized under the Texas Nonprofit Corporation Act, website: [www.ofha.org](http://www.ofha.org).

## **Article II: Objective**

The Homeowners Association is hereby organized for the purpose of creating a medium for the residents of the Oak Forest Subdivision in Houston, Harris County, Texas, U.S.A., to meet, organize, bring about the enforcement of deed restrictions and promote programs which will help make the Oak Forest Subdivision a better place in which to live.

## **Article III: Policy**

Section 1. The Homeowners Association shall have as one of its purposes the sponsoring of informational meetings with the various candidates for local, state, and national offices, affording a fair opportunity to each candidate to express his/her view, but the Homeowners Association and/or its officers shall under no circumstances endorse or otherwise support any political candidate or party as an organization.

Section 2. This restriction on endorsement and support applies only to the Homeowners Association as an organization, and does not in any way restrict or prohibit individual association members from seeking elective office or endorsing and advocating any candidate or party, as long as such activity does not involve the Homeowners Association and any direct or indirect use of its name.

Section 3. An issue requiring litigations shall be brought to the floor at a general meeting and discussed with no action being taken until the next meeting. A two-thirds (2/3) vote of those members present and voting, a quorum being present, shall be required before the formalization of legal action.

## **Article IV: Membership**

Section 1. Membership in the Homeowners Association shall be open to all property owners of the Oak Forest Subdivision. Each lot of the Oak Forest Subdivision shall be offered one (1) vote.

Section 2. An active member shall be defined as a member in good standing as defined as a dues paying associated member.

Section 3. All resident property owners and/or residents of the Oak Forest Subdivision shall be associate members. An associate member will be entitled to all privileges of membership except that of holding elected offices, making motions, but may serve on committees.

Section 4. Associate business membership is open to any interested area business and, upon payment of dues of one-hundred dollars (\$100.00), that business is entitled to special recognition by OFHA in programs applicable at that time as determined by the board. An associate business member will be entitled to all privileges of membership except that of holding elected office, making motions, and voting privileges.

Section 5. Dues.

The annual membership dues shall be forty dollars \$40.00 per lot.  
Dues become due and payable October 1st of each year.  
Dues received prior to October 1st will be applied to the current fiscal period.  
Fiscal year shall be January 1st through December 31st.

Section 6. Voting.

All current property owners of the Oak Forest Subdivision will have the ability to vote in person or by proxy.  
See Article VII, Section 1. See attached proxy document below.

**Article V: Officers and Their Election**

Section 1. Officers

The elected officers of the Homeowners Association shall be the President, First Vice President, Second Vice President, Secretary, Treasurer, Parliamentarian, Sergeant-at-Arms, Director of Neighborhood Security, Director of Community Relations and the Director of Public Relations hereinafter referred to as the "Executive Board." These officers shall perform the duties prescribed by the Bylaws and by parliamentary authority adopted by the Homeowners Association.

The elected members of the Homeowners Association shall ensure that there is a proper hand-off of outgoing board members to the incoming board by attending the first board monthly meeting in January.

Section 2. Nomination and time of election

The President shall appoint a nominating committee of from three (3) to five (5) members at the November meeting.

The nominating committee shall present a slate of officers at the December meeting.

Members of this committee are not prohibited from being nominated from the floor.

Nominations may be made from the floor.

Only active members may be nominated for office.

Permission of the nominee must be secured before a name may be placed in nomination.

Election shall be at the December meeting.

Section 3. Officers shall be elected for a term of one fiscal year except that they may continue to perform the duties of the role in the event of a vacancy, or until the President appoints and the board ratifies a replacement.

Section 4. The First Vice President shall fill a vacancy in the office of President. The second Vice President shall become the First Vice President and any other vacancy shall be filled by majority vote of the Executive Board.

Section 5. No officer may succeed himself/herself more than once.

**Article VI: Duties of Officers**

The officers are charged with the responsibilities attendant with fulfilling the objectives of the Homeowners Association.

#### Section 1. The President

The President shall preside at all meetings, regular and special, of the Homeowners Association and at all meetings of the Executive Board. The President shall make the appointments specified in these Bylaws. The President shall be ex-officio chairman of all committees, except the Nominating Committee and perform such duties that pertain to the office as may be prescribed in these bylaws and the policies of the Homeowners Association. He/She shall represent the Association at any public function and be responsible for public relations, and shall be an authorized signatory with the Treasurer on the Homeowners Association's checking account.

#### Section 2. The First Vice President

In the absence of the President, the First Vice President shall serve in his/her stead. The First Vice President shall assist the President when so instructed by the President. The First Vice President shall serve as Chairman of the Program Committee, ex-officio Chairman of the Architectural Committee (AC), ex-officio Chairman of the Deed Restriction Committee (DRC). The First Vice President shall be an authorized signatory, with the Treasurer, on the Homeowners Association's checking account.

#### Section 3. The Second Vice President

In the absence of the First Vice President, the Second Vice President shall serve in his/her stead. In the absence of the President and the First Vice President, the Second Vice President shall serve in his/her stead. The Second Vice President shall assist the President and First Vice President when so instructed by the President. The Second Vice President shall be responsible for generating publicity for the Homeowners Association through the use of news media, be responsible for generating educational and volunteer membership programs, establishing special working committees, and serve as ex-officio Chairman of each committee. He/she shall serve as Chairman of the Bylaws Committee, Chairman of Legislative Reform on the local and state level, which benefits the Homeowners Association, and be an authorized signatory with the Treasurer, on the Homeowners Association's checking account.

#### Section 4. The Secretary

In addition to serving as recording officer at all meetings, regular and special, of the Homeowners Association and the Executive Board, the Secretary shall give timely notice of all regular monthly meetings and prior notice as specified in these Bylaws for specially called meetings. He/She shall be a member of the Membership Committee, and perform other secretarial duties as required or assigned by the Executive Board.

The Secretary shall be the custodian of the Homeowners Association's records except those specifically assigned to others.

#### Section 5. The Treasurer

The Treasurer shall be entrusted with the custody of the Homeowners Association's funds, maintaining an account for this purpose in a bank convenient to the neighborhood. The Treasurer shall make a report to the Homeowners Association at each meeting, showing all receipts and disbursements by item since the last meeting. The Treasurer shall countersign all checks drawn on the Homeowners Association's account, together with the President or Vice President. The Treasurer shall maintain a petty cash fund from which she/he is authorized to make expenditures not to exceed twenty dollars (\$100.00). No monies, except petty cash shall be spent by the Homeowners Association without the two-thirds (2/3) vote of those present and voting, a quorum being present. Recurring expenses that have been previously approved by the board do not need to be reapproved. All expenses over \$500.00 will require at least three competitive bids to be

presented and approved by the executive committee. The treasurer is the chief financial officer of the association and as such must understand their fiduciary duty to the association.

The Treasurer shall maintain all records necessary to fulfill the requirements of State and Federal Tax Exempt Status held by the Homeowners Association and file all required applications as necessary to retain such status in a timely manner. The incumbent treasurer needs to insure that the books are audited prior to April 15, and shall be bonded in an amount deemed necessary by the Executive Board. The Treasurer shall maintain an up-to-date list of members, and be the Chairman of the Membership Committee.

#### Section 6. The Parliamentarian

The Parliamentarian shall advise the President and other officers, committees and members of Parliamentary procedure. The Parliamentarian shall be a member of the Bylaws Committee.

#### Section 7. The Sergeant-at-Arms

The Sergeant-at-Arms shall assist the President; shall keep the peace, regulate and control entrance to all sessions, welcome guests and members at meetings. He/She shall assist as required in setting up and clearing meeting rooms and perform other duties as assigned by the President.

#### Section 8. The Director of Neighborhood Security.

The Director of Neighborhood Security shall plan, organize, and direct Oak Forest subdivision security activities; develop and implement policies and procedures to ensure neighborhood effectiveness. He/She shall serve as liaison to external law enforcement agencies and neighborhood security associations; analyze crime trends and incident reports; maintain neighborhood crime statistics, including the compiling and the reporting of the monthly/annual crime statistics.

#### Section 9. The Director of Community Relations

The Director of Community Relations shall be responsible for managing and directing all of OFHA's internal communications and shall organize and assist the designated section leaders of Oak Forest, and be responsible for organizing and planning neighbor events.

#### Section 10. The Director of Public Relations

The Director of Public Relations shall, and shall designate the Oak Forest HOA webmaster who shall be responsible for updating the webpage as required. [www.ofha.org](http://www.ofha.org). He/She may serve as the key spokesperson and media contact, and shall serve as the ex-officio Chairman of the Newsletter Committee.

### **Article VII: Meetings**

Section 1. The regular meetings of the Homeowners Association shall be held on the second Monday of each month from January to December inclusive unless otherwise ordered by the Executive Board.

Section 2. The regular meeting in December shall be known as the annual meeting and shall be for the purpose of electing officers, receiving reports of officers and committees, and for any other business that may arise.

Section 3. Special meetings may be called by the President or by the Executive Board and shall be called upon the written request of ten (10) members of the Homeowners Association. The purpose of the meeting shall be stated in the meeting notice. Except in cases of emergency, at least three (3) days notice shall be given.

Section 4. Two-thirds (2/3) of the average attendance of the active members at the three previous regular meetings shall constitute a quorum.

Section 5. No closed-door meetings shall be conducted by the Homeowners Association including regular meetings, special called meetings, committee meetings and/or Executive Board meetings.

#### **Article VIII: Executive Board**

Section 1. The Executive Board shall have general supervision of the affairs of the Homeowners Association between its business meetings. Additionally, the Executive Board shall fix the hour and place of meetings, make recommendations to the Homeowners Association and perform such other duties as are specified in these Bylaws. The Executive Board shall be subject to the orders of the Homeowners Association, and none of its acts shall conflict with action taken by the Homeowners Association.

Section 2. Unless otherwise ordered by the Executive Board, regular meetings of the Board shall be held on the first Monday of the month prior to the meeting on the second Monday of the month.

Section 3. Recommendations for litigation must be approved by the general membership at a regular monthly meeting.

Section 4. Six (6) members of the Executive Board shall constitute a quorum.

Section 5. The immediate past President may be a member of the Executive Board.

#### **Article IX: Committees**

Section 1. Standing Committees shall be appointed by the newly elected President after the annual meeting, except as noted, and shall include the following:

- A. The Architectural Committee, whose ex-officio chairman shall be the First Vice President, shall be composed of at least three (3) but no more than five (5) members of the Homeowners Association. The purpose of the Architectural Committee is to review all construction and renovation plans that are normally submitted to the City of Houston for permitting process.
- B. The Beautification Committee, whose ex-officio chairman shall be the First Vice President, shall work for the protection and enhancement of the natural beauty of Oak Forest. The Beautification Committee shall hold at least one (1) meeting per quarter. The Beautification Committee Chairman shall compose a group of active volunteers and organize activities to protect or enhance Oak Forest and its surrounding public right-of-ways. The Beautification Committee organized volunteer efforts of property owners for projects, such as planting, painting, clean-up and beautification, primarily of the esplanades, parks and playgrounds, and picnic areas. The Committee shall not alter any physical area of Oak Forest without the express permission of the Executive Board.
- C. The Bylaws Committee, whose chairman shall be the Second Vice President, shall be composed of at least three (3) volunteer members, who will study the bylaws of the association to insure that the wishes of the membership are represented. The Bylaws Committee will propose amendments, or revisions, as they are needed in accordance with.

Section 2. The Bylaws Committee will also insure that all bylaws, amendments and revisions are incorporated into the present bylaws as they are approved.

- A. The Deed Restriction Committee (DRC), whose ex-officio chairman shall be the First Vice President, shall be composed of at least three (3) but no more than thirty-six (36) members of the Homeowners Association.

The DRC shall address the questions and concerns of the residents of the Oak Forest Subdivision in regard to deed restrictions and possible violations, as well as researching and responding to such inquiries. This committee shall review all construction and renovation plans that are normally submitted to the City of Houston for permitting process. Any member or members of the committee shall, when possible, make an on-site inspection of possible violations and make recommendations for response or action to the committee Chairman.

The DRC Chairman shall be responsible for maintaining records of complaints, cataloging research material, keeping a record of all correspondence and document action taken by the Homeowners Association and report to the general membership at the regular monthly meetings.

Correspondence, recommendations, and actions of the committee, relevant to their duties, shall be considered an official response from the Homeowners Association, when endorsed in writing and signed by the Chairman. One copy of all correspondence shall be furnished to the President. Recommendations for litigation must be approved by the general membership at a regular monthly meeting. See Article 3, Section 3.

- B. The Legislative Committee, whose chairman shall be the Second Vice President, shall monitor legislative reform on a local and state level, which benefits the Homeowners Association.
- C. The Membership Committee, whose chairman shall be the Treasurer, shall maintain an accurate and current record of all members of the Homeowners Association.
- D. The Nominating Committee, whose ex-officio chairman shall be the Second Vice President, shall be composed of at least three (3) but no more than seven (7) members of the Homeowners Association, and shall work to compile a list of nominees for the annual election of officers in December.
- E. The Public Relations Committee (PRC), whose ex-officio chairman shall be the Director of Public Relations, shall work to enroll everyone eligible for membership via community involvement, The PRC Chairman shall arrange for programs and speakers. The committee shall be responsible for the compilation and distribution of the Homeowners Association Newsletter.
- F. The Security Program Committee, whose ex-officio chairman shall be The Director of Neighborhood Security, shall work to provide the best security option for the Oak Forest area. The committee can/and shall consider both the operational and financial aspects in the selection of the security solution for Oak Forest. The committee has the ability to recommend a mix of solutions to address the neighborhood's security issues.

### Section 3.

Such other committees, Standing or Special, shall be appointed by the President of the Homeowners Association or the Executive Board as shall from time to time be deemed necessary to carry on the work of the Homeowners Association. The President shall be an ex-officio member of all committees, except the Nominating Committee.

### **Article X: Parliamentary Authority**

The rules contained in the current edition of "Robert's Rules of Order Newly Revised" shall govern the

Homeowners Association in all cases to which they are applicable and in which they are not inconsistent with these Bylaws and any special rules of order the Homeowners Association may adopt.

**Article XI: Amendment of the Bylaws**

These Bylaws may be amended at any regular meeting of the Homeowners Association by a two-thirds (2/3) vote of those present and voting, a quorum being present, provided that the amendment has been submitted in writing at the previous meeting or has been included in the written notice of the meeting.

Oak Forest Homeowners Association

PROXY FORM

**Proxy Form**

Each physical address of Oak Forest may vote on Association elections. Any address wishing to vote by proxy must complete this form. This form may be given either to a neighbor who will attend or to any current Board Member any time prior to a regular or special meeting of the Association. Proxy forms received after such meeting will not be accepted.

*Note: By not returning this proxy or not attending a meeting of the Association, your vote regarding Association business defers to the HOA Executive Board.*

(Homeowner) Name:

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Address:

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Check only ONE of the following:

I assign \_\_\_\_\_ the authority to vote on my behalf regarding Association matters.

I assign the Oak Forest HOA Executive Board the authority to vote on my behalf regarding Association matters.

Signature:

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Date: \_\_\_\_\_