



**Houston El Norte Property Owners Association, Inc.
DOCUMENT RETENTION POLICY**

STATE OF TEXAS §
 §
COUNTY OF LIBERTY §

KNOW ALL PERSONS BY THESE PRESENTS:

WHEREAS, the Houston El Norte Property Owners Association, Inc. (“Association”) is charged with administering and enforcing those certain covenants, conditions and restrictions contained in the recorded Declarations for various subdivisions under the stewardship of the Association (referred to collectively as “Declarations”). Houston El Norte Property Owners Association, Inc. is the property owner’s association for multiple subdivisions; and

WHEREAS, chapter 209 of the Texas Property Code was amended effective January 1, 2012, to add Section 209.005(m) (“Section 209.005”) thereto regarding retention of Association documents and records (“Documents”); and

WHEREAS, the Association desires to establish a policy for document retention consistent with Section 209.005 and to provide clear and definitive guidance to owners.

NOW, THEREFORE, the Association has duly adopted the following *Document Retention Policy*.

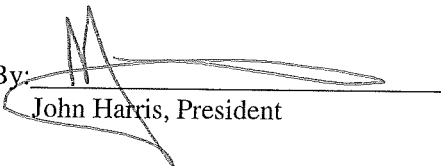
1. Association Documents may be maintained in paper format or in an electronic format this can be readily transferred to paper.
1. Association Documents shall be retained for the durations listed below:
 - a. certificate of formation or articles of incorporation, bylaws, restrictive covenants, other dedicatory instruments and any amendments to same shall be retained permanently; and
 - b. financial books and records, including annual budgets, reserve studies, monthly financial statements and bank statements, shall be retained for seven (7) years (for example the July 2015 financial statements shall be retained until July 31, 2022); and
 - c. account records of current owners shall be retained for five (5) years (for example, invoice, payment and adjustment records on an owner’s account with a transaction date of 03/24/2015 will be retained until 03/24/2020 subject to section (d) below); and
 - d. account records of former owners shall be retained as a courtesy to that former owner for one (1) year after they no longer have an ownership interest in the property; and
 - e. contracts with a term of one year or more shall be retained for four (4) years after the expiration of the contract term (for example, a contract expiring on 06/30/2015 and not extended by amendment must be retained until 06/30/2019); and
 - f. minutes of meetings of the owners and the Board shall be retained for seven (7) years after the date of the meeting (for example, minutes from a 07/20/2015 board meeting must be retained until 07/20/2022); and
 - g. tax returns and CPA audit records shall be retained for seven (7) years after the last date of the return or audit year (for example, a tax return for the calendar year 2015 shall be retained until 12/31/2022); and

- h. decisions of the Architectural Control Committee or Board regarding applications, variances, waivers or related matters associated with individual properties shall be retained for seven (7) years from the decision date (for example, an application for a swimming pool approved on 10/31/2015 must be retained until 10/31/2022).
2. Any Documents not described above may be retained for the duration deemed to be useful to the purpose of the Association, in the discretion of the Association, its attorney or its managing agent.
3. Upon expiration of the retention period listed above, the Documents shall no longer be considered Association records and may be destroyed, discarded, deleted, purged or otherwise eliminated.

This Policy is effective upon recordation in the Public Records of Liberty County, and supersedes any policy regarding document retention which may have previously been in effect. This policy may be amended at any time by a majority vote of the board of directors. Except as affected by Section 209.005 and/or by this Policy, all other provisions contained in the Declarations or any other dedicatory instruments of the Association shall remain in full force and effect.

Approved and adopted by the Association on this 3 day of April, 2017.

Houston El Norte Property Owners Association, Inc.

By: 
John Harris, President

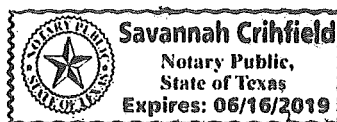
STATE OF TEXAS §
COUNTY OF MONTGOMERY §

Before me, the undersigned authority, on this day personally appeared John Harris, President of Houston El Norte Property Owners Association, Inc., a Texas non-profit corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he/she had executed the same as the act of said corporation for the purpose and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this 3 day of April, 2017.


Notary Public, State of Texas

After recording, please return to:
Beard & Lane, P.C.
12841 Jones Road, Suite 100
Houston, Texas 77070
brent@beardlane.com



FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Paulette Williams

Paulette Williams, County Clerk
Liberty County, Texas



April 04, 2017 01:10:37 PM

FEE: \$20.00 CMACIAS
POLICY

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