

BROOKLAND HEIGHTS

ADMINISTRATIVE RESOLUTION NO. 2001-1

**(Creation of Procedures to Ensure Due Process in
Enforcement Cases)**

WHEREAS, the Virginia Property Owners' Association Act provides the Board of Directors with the power to assess monetary charges against members of the Association who are responsible for violations of the regulations of the Association;

WHEREAS, the Virginia Property Owners' Association Act requires the Board of Directors to formally adopt and publish a written resolution to enact the statutory power to assess monetary charges against members for violations of the regulations of the Association; and

WHEREAS, for the benefit and protection of all of the members of the Association, the Board of Directors deems it desirable to formally adopt a resolution to enact the statutory power to assess monetary charges and to establish a procedure for enforcement of the regulations of the Association, which are consistent with principles of due process and Virginia law.

NOW, THEREFORE, BE IT RESOLVED THAT:

On behalf of the Association, the Board of Directors may issue a citation to any owner whose behavior or use of property does not conform to the Association's regulations.

A first notice of citation shall be issued in writing and delivered by regular mail to the owners at his/her address listed in the Association's records, and to the property address, if the owner's listed address is different from the property address.

The first notice of citation shall generally advise the owner of the nature of the offense, cite the specific provision within the Association's regulations which has allegedly been violated, specify the remedy required, and state the number of days within which corrective action must be completed.

If the offense is not remedied within the number of days requested in the notice of citation, the Board of Directors reserves the power to issue a second notice of citation, which shall follow the basic form of the first notice of citation, and include any additional information deemed important by the Board of Directors concerning the offense.

The second citation shall also warn the owner of the Board's power to impose monetary charges for offenses of the Association's regulations and shall inform the owner of his/her right to request a hearing before the Board of Directors to contest the citation. The notice of citation shall request the owner to confirm in writing by a certain date his/her desire for a hearing to contest the citation.

The second notice of citation shall be delivered by hand or mailed by registered or certified mail, return receipt requested, to the owner at his/her address listed in the Association's records, and to the property address, if the owner's listed address is different from the property address. Notification will be deemed effective if any owner fails or refuses to sign for any registered or certified mailing from the Association.

If the offense is not remedied within the number of days requested in the second notice of citation, and the owner has not requested a hearing in writing by or before the hearing confirmation date, the owner shall be deemed to have waived the right to a hearing and the Board of Directors shall have the power to impose monetary charges. The Board of Directors shall not be required to conduct a hearing unless the owner formally requested a hearing in writing by or before the deadline set forth in the second notice of citation.

When a hearing is requested by the owners in writing by or before the deadline, the Board of Directors shall set the time, date and place of the hearing at its discretion.

Written notice of the time, date and place of hearing shall be delivered to the owner by hand or mailed by registered or certified mail, return receipt requested, to the owner at least 14 days in advance of the hearing date. At the hearing, the Board of Directors shall provide the owner with a reasonable amount of time to present any and all defenses to the citation. The owner may have counsel present at the hearing.


Following the hearing, the Board of Directors shall meet in executive session to determine whether satisfactory proof of the alleged violation was presented, and if so, whether monetary charges should be imposed.

When the Board's judgment is unfavorable to the owner, the Board shall undertake the administrative actions required to effect the monetary charges as an assessment against the owner's lot. Monetary charges may not exceed \$ 50.00 for a single offense or \$ 10.00 per day for any offense of a continuing nature. The maximum amount for accrued charges is \$900.00 per Virginia Property Owners Act.


The Board of Directors reserves the power to hold owners legally responsible for ensuring that their tenants, guests, or invitees comply with the Association's regulations.

The procedures outlined in this Resolution may be applied to all violations of the Association's Regulations, but do not preclude the Association from exercising other enforcement procedures and remedies authorized by the Association's legal documents, including, but not limited to, the initiation of suit or self-help remedies. The Board of Directors reserves the power to assign all of its powers and responsibilities herein to a standing or special committee of its choice.

Adopted this day _____ 2001, by the Board of Directors of Brookland Heights Homeowners Association.



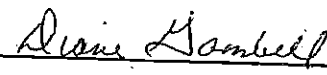
President



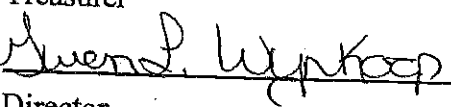
Vice President



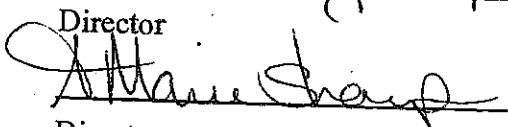
Secretary



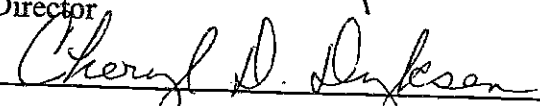
Treasurer



Director



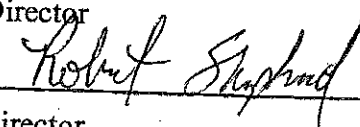
Director



Director



Director



Director

BROOKLAND HEIGHTS ASSOCIATION

POLICY RESOLUTION 2001-2

Collection Policy

WHEREAS, the Declaration of Deed, requires the Association to be managed by a Board of Directors, and

WHEREAS, the Declaration empowers the Board of Directors with the authority to collect the assessments on every lot owned by the Membership, and

WHEREAS, the Declaration requires every lot owner to pay all assessments owed to the Association, including Special Assessments, and

WHEREAS, the assessments owed by each lot owner are to be used by the Association for the maintenance and capital improvement of the common areas.

THEREFORE, BE IT RESOLVED, the Board of Directors of Brookland Heights Homeowners Association accept and enforce the following collection policy.

1. All lot / unit owners are required to pay uniform "common assessments" as set by the Board of Directors, per the Association's governing documents.
2. All assessments are due and payable on the first day of the quarter of the year. (Every three months) Any payments that are not received by the thirtieth (30) day of the month will be considered late and will be subject to an eighteen percent (18%) per annum late fee.
3. Any account that exceeds \$400.00 in past due assessments, including late fees, returned check charges or violation charges will be turned over to the Association's attorney for collection actions.
4. Any account given to the attorney for collection will pay all reasonable attorney's fees, court costs, costs of collection -- including postage and processing fees.
5. The attorney will be directed to collect past due assessments through any legal means as becomes necessary, these include but are not limited to; court judgments, wage garnishments, account garnishments or foreclosures.

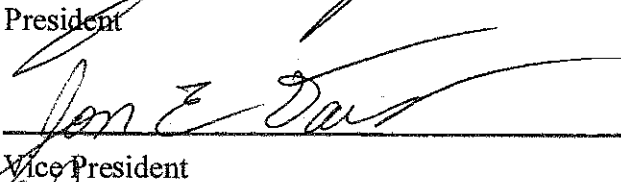
If an account is given to the attorney for collection, all communications and correspondence regarding the account must go through the attorney. Board Members, Managing Agents or other Association representatives will not be allowed to discuss the financial status of the accounts.

Brookland Heights Collection Policy - continued

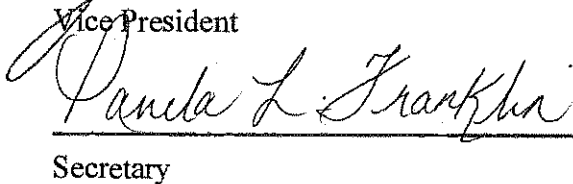
Accepted this _____ day of _____, 2001.




President



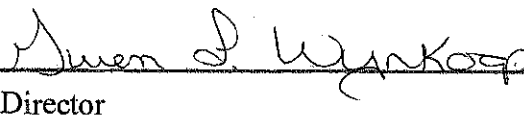
Vice President



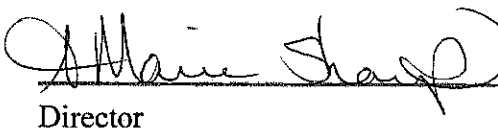
Secretary



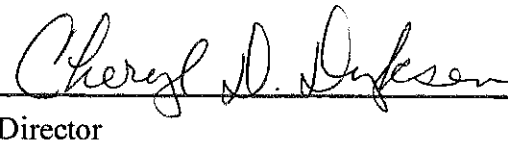
Treasurer




Director



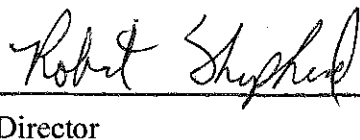
Director



Director



Director



Director

BROOKLAND HEIGHTS HOMEOWNERS ASSOCIATION

POLICY RESOLUTION NO. 03-_____

(Policies and Procedures Regarding the Collection of Assessments)

WHEREAS, Article 11 of the Declaration personally obligates each Owner to pay annual and special assessments to fund the common expenses of the Association; and

WHEREAS, the Board of Directors deems it necessary and in the best interests of the Association to establish orderly procedures for the billing and collection of assessments.

NOW, THEREFORE, BE IT RESOLVED THAT the following procedures regarding the collection of assessments shall be adopted.

I. ROUTINE COLLECTIONS

- A. All installments of the annual assessments shall be due and payable on the first day of the applicable month ("Due Date").
- B. The Association will attempt to mail a notice to every Owner which will inform the Owner of the amount of the installment; however, no Owner will be excused of the obligation to pay the assessment if a notice is not received. Each Owner is under a legal duty to seek out information about the assessment if a notice is not received.
- C. Non-resident Owners must furnish the Association with an address and telephone number where they can be contacted; otherwise, all notices shall be sent to the property address and the Owners shall be responsible for the information contained therein.
- D. If any installment of the annual assessment is not paid within thirty (30) days of the due date, the Association will send a letter or notice of the delinquency to the Owner advising the Owner that an installment has not been paid. The Association may send such other letters and notices to owners with delinquent accounts as the Board of Directors may deem appropriate.
- E. Questions regarding assessments should be directed to the Association's management company which is currently:

Koger Management Group, Inc.
612 E. Market Street, Suite C
Leesburg, Virginia 20176
(703) 771-3995

RESOLUTION ACTION RECORD

Duly adopted at a meeting of the Board of Directors held on March 20, 2003

Motion by: [Signature]

Seconded by: [Signature]

VOTE:

	Yes	No	Abstain	Absent
<u>[Signature]</u> President	✓	_____	_____	_____
<u>[Signature]</u> Vice President	✓	_____	_____	_____
<u>[Signature]</u> Treasurer	✓	_____	_____	_____
<u>[Signature]</u> Secretary	✓	_____	_____	_____
<u>[Signature]</u> Director	✓	_____	_____	_____
<u>[Signature]</u>	✓	_____	_____	_____

ATTEST:

[Signature]
Secretary

3-20-2003
Date

I hereby certify the that this resolution was sent to all owners of record this 21st day of

March, 2003.

[Signature]

BROOKLAND HEIGHTS HOMEOWNERS ASSOCIATION

POLICY RESOLUTION NO. 05- _____

(Policies and Procedures Regarding the Covenant and Rules Violation)

WHEREAS, Article VII of the Bylaws grants the Board of Directors the power to adopt and publish further rules and regulations governing the use of the Common Area and facilities, and the personal conduct of the members and their guests thereon and to establish penalties for the infraction thereof; and

WHEREAS, Section 55-513 (B) of the Virginia Property Owners' Association Act provides the Association with the power to suspend a member's right to use facilities or services and to assess charges against members for violations of the governing documents

WHEREAS, the Board of Directors deems it necessary and in the best interests of the Association to establish orderly procedures for the suspension of privileges and the assessment of charges against Members for violations of the governing documents

NOW, THEREFORE, BE IT RESOLVED THAT the following procedures shall be adopted to enforce violations of the governing documents.

I. ACTIONS PRIOR TO INITIATION OF FORMAL RESOLUTION PROCESS

Any Member, Owner or Agent of the Association has the authority to request that a Member, Owner or their family members, guests or invitees cease or correct any act or omission which appears to be in violation of the governing documents.

The Board of Directors, an Association Committee or the Managing Agent may make initial attempts to secure compliance verbally, by leaving a notice on the door or mailbox to the property, or through correspondence.

II. NOTICE OF HEARING

A. If the Board or a Committee determines a hearing is necessary, a notice of hearing shall be sent. The Board of Directors or a Committee shall serve a Notice of Hearing on the charged Member at least fourteen (14) days prior to the hearing by hand delivery or certified mail, return receipt requested, at the address of record with the Association.

B. The Notice of Hearing shall be substantially in the following form, but may include other information.

You are hereby notified that a hearing will be held before the Board/Committee at _____ (place) _____ on _____ (date) _____, at _____ (time) _____. The charge that you are in violation of _____ the governing documents / architectural guidelines. You may be present at the hearing, may be represented by counsel, and may present any relevant evidence regarding the alleged violation. If the Association finds that a violation has occurred or has not been remedied, you may be assessed up to fifty dollars (\$50.00) for a single offense or ten dollars (\$10.00) per day for any offense of a continuing nature.

C. If the charged Member advises the Association that he cannot attend the hearing on the scheduled date and indicates times and dates when they would be available, the Association may reschedule the hearing and deliver notice of the new hearing date and time.

III. HEARING

A. The hearing need not be conducted according to technical rules of evidence applied in a court of law. The hearing shall provide the alleged violator with an opportunity to be heard and to be represented by counsel.

B. The hearing may be conducted in private.

C. At the hearing, the charged party may do the following:

- (a) make an opening statement;
- (b) introduce evidence, testimony and witnesses;
- (c) rebut evidence and testimony;
- (d) make a closing statement.

D. Within seven (7) days of the hearing, the Association shall notify the alleged violator of its decision, the assessment of any charges, and the date from which those charges shall accrue and be due, which date shall not be earlier than the date of the first demand letter or the notice of hearing.

IV. SANCTIONS

Disciplinary action imposed by the Association may include, but is not limited to (a) the assessment of charges against the Member in accordance with Section 55-513 (B) of the Virginia Property Owners Association Act and (b) the suspension of the Member's right to use the Association's facilities and services in accordance with Section 55-513 (B) of the Virginia Property Owners Association Act.

The Board of Directors duly adopted this resolution this 20th day of May, 2005.

Brookland Heights Homeowners Association

By: Robert Shepherd
President

RESOLUTION ACTION RECORD

Duly adopted at a meeting of the Board of Directors held on May 20, 2005.

Motion by: Melinda Shepherd

Seconded by: Michael Zerv

VOTE:

	Yes	No	Abstain	Absent
<u>Robert Shepherd</u> President	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Michael Zerv</u> Vice President	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Treasurer</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Melinda Shepherd</u> Secretary	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Director</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ATTEST:

Melinda Shepherd 5/20/05
Secretary Date

I hereby certify the that this resolution was sent to all owners of record this 26th day of

May, 2005.

Ramona Pruitt

**RESOLUTION OF THE BOARD OF DIRECTORS
OF BROOKLAND HEIGHTS HOMEOWNERS ASSOCIATION**

(Policies and Procedures Regarding Parking)

WHEREAS, Article VII, Section 1 of the Bylaws grants the Board of Directors the power to adopt and publish rules and regulations governing the use of the common properties and facilities and the personal conduct of the Members and their guests thereon; and

WHEREAS, Article VII, Section 1 of the Bylaws grants the Board of Directors all powers, duties and authority vested in or delegated to this Association, and except those reserved to the Members; and

WHEREAS, the Board of Directors deems it necessary and in the best interests of the Association to assign parking spaces and to establish orderly rules and procedures regarding those assigned parking spaces.

NOW, THEREFORE, BE IT RESOLVED THAT the following rules and procedures shall be adopted regarding the assignment of parking spaces.

I. ASSIGNMENT OF PARKING SPACES

1. The Association will assign two (2) parking spaces to each Lot in the Association. The Association will number all assigned spaces according to a plan approved by the Board of Directors. Owners may allow their tenants, guests or invitees to use the parking spaces assigned to their Lot.
2. The Association may revoke the privilege of assigned parking spaces for Lot Owners not in good standing with the Association for violations of the governing documents or nonpayment of assessments. The Association will mail a letter to the owner of a Lot advising the Owner that the Association intends to revoke the resident's privilege of assigned parking space prior to doing so. The Association will revoke an assigned parking space by painting over the assignment identification. The Owner or resident of a Lot must pay the Association a fifty dollar (\$50.00) reinstatement fee before the Association will restore the privilege of assigned parking.

II. OPEN SPACES

1. All parking spaces bearing no mark indicating as assignment to a Lot will be considered an open space.
2. Open spaces should be considered available for use by both residents and guests on a first come, first serve basis.
3. No vehicle may be parked in an open space for more than forty-eight (48) hours.
4. Residents are responsible for ensuring that their visitors or guests are fully aware of all parking restrictions and regulations.

III. PROHIBITED VEHICLES

1. No commercial vehicles may be parked in resident or visitor parking spaces. This prohibition includes any and all vehicles used for commercial purposes. (i.e.: Panel trucks, vans or any vehicles with lettering, vehicles with equipment mounted on the exterior, taxi cabs, and other similar vehicles which are used for commercial purposes.)
2. There shall be an exception to this rule for commercial vehicles belonging to a business actively doing service or repairs to a resident's home or property, which vehicles may be parked in a resident's parking space during normal business hours or in the event of an emergency, outside normal business hours. In no event will a commercial vehicle be permitted to park in said parking space overnight.
3. Vehicles which display expired license plates or state inspection stickers or are otherwise not roadworthy may be towed without warning.
4. Inoperable vehicles and vehicles which are not intended for regular use which are located in parking spaces may be towed without warning.
5. Any vehicle which exceeds seven (7) feet in height, nine (9) feet in width or nineteen (19) feet in length is prohibited from parking within the Common Area parking lot and may be towed without warning.

IV. ASSOCIATION ENFORCEMENT

1. Vehicles which do not comply with this policy may be towed by the Association. All towing and storage expenses will be the sole responsibility of the vehicle's owner.
2. Any vehicles parked in a Fire Lane or designated "No Parking Area" will be towed without warning.
3. Any vehicle which is not parked in a designated parking space or is double-parked will be towed without warning.
4. Vehicles which are illegally parked in an assigned parking space may be towed at the direction of the Lot Owner or tenant residing in the Lot to which the parking space is assigned.
5. All expenses of towing, including the expense of vehicle storage will be the sole responsibility of the vehicle's rightful owner.

V. RESIDENT ENFORCEMENT

1. The Owner or Occupant of a Lot is authorized to tow a vehicle parked in a parking space assigned to their Lot provided that the Owner or Occupant utilizes the towing company authorized by the Association.
2. The Owner or Occupant requesting a tow must be physically present at the time of the tow and must provide sufficient proof to the driver of the tow truck that the parking space in question is reserved for that Owner's or Occupant's exclusive use. The method of proof must be one of the following:
 - a. A driver's license of the Lot Owner or Occupant showing the address of the appropriate Lot.
 - b. A formal picture ID issued by the state or local municipality which shows the Lot Owner's or Occupant's name and the address of the appropriate Lot.
 - c. A deed which shows ownership of the Lot along with a picture ID and name.
 - d. A lease with the Occupant's name and address along with a picture ID and name

The towing company will not tow any vehicle if the Lot Owner or Occupant requesting the tow does not provide the type of proof listed above

IV CONDITIONS OF APPROVAL

1. The Owners acknowledge that assigned parking may be revoked at any time by the Board of Directors and that the Owners have no ownership interest in any assigned parking space.
2. When the Owners list a Lot for sale they must advise all prospective purchasers that the Owners have no ownership interest in any assigned parking space.
3. If the Association retains an attorney to enforce the terms of this agreement, the Owner will pay all costs and attorney's fees incurred by the Association related to the enforcement of this Agreement.

This resolution was duly adopted by the Board of Directors this 29 day of June, 2006.

Brookland Heights Homeowners Association

By: Robert D. Shepherd
 , President

RESOLUTION ACTION RECORD

Duly adopted at a meeting of the Board of Directors held on 6/29/06

Motion by: Michael Terry

Seconded by: Melinda K. Shepherd

VOTE:

	Yes	No	Abstain	Absent
<u>Robert D. Shepherd</u> President	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Michael Terry</u> Vice President	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Treasurer</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Melinda K. Shepherd</u> Secretary	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Director</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ATTEST:

Melinda K. Shepherd 6/29/06
Secretary Date

I hereby certify that I mailed a copy of the foregoing resolution to all owners of record.

BROOKLAND HEIGHTS HOMEOWNERS ASSOCIATION

POLICY RESOLUTION NO. 2012 – 01

ASSOCIATION COMPLAINT PROCEDURES **(for resolving certain complaints from members and others)**

WHEREAS, pursuant to Section 55-530(E) of the Virginia Code, the Virginia Common Interest Community Board (“CICB”) has promulgated final regulations imposing a requirement that each common interest community (including condominiums, property owners’ associations and cooperatives) adopt a reasonable procedure for the resolution of certain written complaints from the members of such association and other citizens; and

WHEREAS, within 90 days of the effective date of the CICB regulations, all common interest communities must adopt a complaint procedure that is compliant with the CICB regulations;

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT the BROOKLAND HEIGHTS HOMEOWNERS ASSOCIATION (“Association”), acting through its Board of Directors, hereby adopts and establishes the following CICB-mandated Association complaint procedure **for handling written complaints concerning actions or inactions allegedly inconsistent with state laws and regulations governing common interest communities**:

- A. **Definitions.** Unless otherwise defined in this Resolution, the words, terms or phrases used in this Resolution shall have the same meanings as defined in the CICB regulations and/or in the Association’s recorded covenants.
- B. **Complaint Form.** If a member of the Association, a resident or other individual alleges that an action, inaction or decision of the Association, the Board of Directors (“Board”) or the Association’s management agent (“Managing Agent”) is inconsistent with state laws or regulations governing common interest communities, then that individual must submit a formal written complaint (“Complaint”) to the Board using the attached Complaint Form (Exhibit A) in order to trigger the formal procedures described below. If the individual does not wish to trigger these formal procedures, then the individual should submit their questions, concerns or issues to the Managing Agent or the Board without using the attached form.
 - 1. **Complaint Form Instructions and Attachments.** A completed Complaint Form must include a description of the specific facts and circumstances relevant to the individual’s Complaint, and the specific action, result or resolution that is being requested. If the individual submitting the Complaint Form (the “Complainant”) knows the law or regulation that has been allegedly violated or is otherwise applicable to the Complaint, then the Complainant must provide a reference to that law or regulation on the Complaint Form. The Complainant must also attach to the Complaint Form a copy of any documents that Complainant believes support the validity of the Complaint (not including laws, regulations or the Association’s governing documents).

A copy of these complaint procedures (including the required Complaint Form) will be available upon request from the Association by contacting AMERICAN MANAGEMENT OF VIRGINIA @ 703-771-3995.

BROOKLAND HEIGHTS HOMEOWNERS ASSOCIATION

- C. **Mailing or Delivering Complaint to Board of Directors.** The fully completed, signed and dated Complaint (including the Complaint Form and all attachments) shall be mailed or otherwise delivered to the Board at the following address:

By Mail: Board of Directors, Brookland Heights Homeowners Association
 ___ c/o American Management of Virginia
 ___ 7900 Sudley Rd. #600
 ___ Manassas, VA 20109

By Hand-Delivery: Board of Directors, Brookland Heights Homeowners Association
 ___ same as above ___

- D. **Means of Providing Notices to Complainant.** All written acknowledgments or other notices required by these procedures to be provided by the Association to the Complainant shall be hand-delivered or mailed by registered or certified mail, return receipt requested, to the Complainant at the address provided on the Complaint Form, or by facsimile transmission or email if the Complainant has previously provided the Association with the Complainant's written consent to communicate with him/her by electronic transmission. The Managing Agent shall retain in the Association's records proof of the mailing, delivery or electronic transmission of the acknowledgments and notices per Section H below.

- E. **Acknowledging Receipt of Complaint.** Within seven (7) days of receipt of a Complainant's Complaint Form, the Managing Agent shall provide the Complainant with written acknowledgement of the Association's receipt of the Complaint.

1. Incomplete Complaint. If it appears to the Managing Agent that the submitted Complaint is missing the required minimum information, then the acknowledgment of receipt shall include notice to the Complainant of the identified problem(s) with the Complaint and advise the Complainant that he/she will need to submit a revised/corrected Complaint before it can be accepted and forwarded to the Board for consideration.
2. Forwarding to the Board. If it appears to the Managing Agent that the submitted Complaint includes the required minimum information, then on the same day that acknowledgment of receipt of the Complaint is provided to the Complainant, the Managing Agent shall provide the Board with a copy of the Complaint for consideration.

- F. **Formal Action – Consideration of Complaint by Board.** All completed, signed and dated Complaints forwarded to the Board shall be considered by the Board at a meeting, and the Board shall decide what action, if any, to take in response to the Complaint.

1. Meeting at which Complaint will be Considered. Complaints will be considered by the Board at a regular or special Board meeting held within 90 days from the date on which the Complaint was forwarded to the Board for consideration.
2. Notice to the Complainant. At least fourteen (14) days prior to the Board meeting at which the

BROOKLAND HEIGHTS HOMEOWNERS ASSOCIATION

Complaint will be considered, the Managing Agent shall provide the Complainant with notice of the date, time, and location of the Board meeting at which the matter will be considered by the Board. This Notice may be combined with the acknowledgment of receipt referenced in Section D above.

3. **Board's Decision on Complaint.** The Board shall make a decision on the Complaint by an appropriate vote of the members of the Board at the meeting pursuant to the Association's governing documents. The Board's decision at the meeting shall fall into one of the following two categories:
 - (a) A decision that there is *insufficient information* on which to make a final determination on the Complaint *or that additional time is otherwise required* to make a final determination, in which case the Board shall postpone making a final determination on the Complaint until a later scheduled Board meeting (announced at the meeting or by giving at least 14 days notice to the Complainant) and, if needed, make a written request for additional information from the applicable party(s), specifying a deadline by which time the additional information must be received by the Managing Agent for forwarding to the Board; or
 - (b) A *final determination* on the Complaint, indicating whether the Complainant's requested action or resolution is, or is not, being granted, approved or implemented by the Board. A final determination may include, for example, a decision that no action will be taken on the Complaint due to the Complainant failing to timely provide additional information that was requested by the Association. No appeal process is available; the Board's rendered decision is final.
- G. **Notice of Final Determination.** Within seven (7) days after the final determination is made (per subsection F.3.b. above), the Managing Agent shall provide the Complainant with written notice of the Board's final determination. The notice of final determination shall be dated as of the date of issuance and include:
 1. Specific citations to applicable provisions of the Association's governing documents, laws or regulations that led to the final determination;
 2. The Association's registration number as assigned by the CICB, and if applicable, the name and CICB-issued license number for the Managing Agent; and
 3. Notice of the Complainant's right to file a "Notice of Final Adverse Decision" with the CICB via the CIC Ombudsman (providing the applicable contact information).
- H. **Records.** The Managing Agent shall retain, as part of the Association's records, a record of each Complaint (including the Complaint Form and attachments, related acknowledgments and notices, and any action taken by the Association or Board in response to such Complaint) for a period of at least one (1) year from the date of the Association's final action on the Complaint.
- I. **Resale Disclosure Packet.** A copy of this Resolution (including the Exhibit A Complaint Form) shall be included as an attachment to Association-issued resale certificates.

BROOKLAND HEIGHTS HOMEOWNERS ASSOCIATION

EXHIBIT A

(POLICY RESOLUTION NO. 2012-01___: "ASSOCIATION COMPLAINT PROCEDURES")

Brookland Heights HOA

Mailing: 7900 Sudley Road #600 Delivery: Same
Manassas, VA 20109

Phone #: 703-771-3995

ASSOCIATION COMPLAINT FORM

(for Complaints Against Association, Board or Managing Agent)

Pursuant to Section 55-530(E) of the Code of Virginia, 1950, as amended, the Board of Directors ("Board") of the Brookland Heights HOA (the "Association") has established this complaint form for use by persons who wish to register written complaints with the Association regarding the action, inaction or decision by the Association or its Board or managing agent inconsistent with applicable laws and regulations.

1. Legibly describe your complaint in the area provided below, as well as the requested action or resolution of the issues described in the complaint. Include references to the specific facts and circumstances at issue and the provisions of Virginia laws and regulations that support the complaint. If there is insufficient space, attach a separate sheet of paper to this complaint form. Also, attach any supporting documents, correspondence and other materials related to the complaint (not including copies of laws, regulations or the Association's governing documents).

2. Sign, date & print your name and address below and submit this completed form to the Association at the above address.

<hr/> <div style="text-align: center;">Printed Name</div>	<hr/> <div style="text-align: center;">Signature</div>	<hr/> <div style="text-align: center;">Date</div>
<hr/> <div style="text-align: center;">Mailing Address</div>		
<hr/> <div style="text-align: center;">Lot/Unit Address</div>		
<hr/> <div style="text-align: center;">E-mail Address</div>	<hr/> <div style="text-align: center;">Phone Number</div>	Contact Preference <input type="checkbox"/> Phone <input type="checkbox"/> E-mail <input type="checkbox"/> Other _____

If, after the Board's consideration and review of the complaint, the Board issues a final decision adverse to the complaint, you have the right to file a notice of final adverse decision with the Common Interest Community Board (CICB) in accordance with the regulations promulgated by the CICB. The notice shall be filed within 30 days of the date of the final adverse decision, shall be in writing on forms provided by the Office of the Common Interest Community Ombudsman (Ombudsman), shall include copies of any supporting documents, correspondence and other materials related to the decision, and shall be accompanied by a \$25 filing fee. The Ombudsman may be contacted at:

Office of the Common Interest Community Ombudsman
Department of Professional and Occupational Regulation
9960 Mayland Drive, Suite 400
Richmond, VA 23233
804/367-2941 CICombudsman@dpor.virginia.gov

BROOKLAND HEIGHTS HOMEOWNERS ASSOCIATION

RESOLUTION ACTION RECORD


Resolution Type: Policy No. 2012-01

Pertaining to: CICB-mandated Association Complaint Procedures

Duly adopted by the Board of Directors of the Association on NOVEMBER 1, 2012.

Motion by: MICHAEL TERRY

Seconded by: KIM STOUT

NAME	TITLE	YES	NO	ABSTAIN	ABSENT
	Director <u>President</u>	<input checked="" type="checkbox"/>			
<u>Michael Terry</u>	Director <u>vice President</u>	<input checked="" type="checkbox"/>			
	Director				
	Director				
	Director				

Attest: _____ (Secretary)

Date: NOVEMBER 1, 2012

Resolution effective as of date of adoption.

BROOKLAND HEIGHTS HOMEOWNERS ASSOCIATION

ADMINISTRATIVE RESOLUTION NO. 2012 -02

Cost Schedule for Providing Copies of Books and Records

WHEREAS, Brookland Heights Homeowners Association (the "Association") is a property owners' association organized and operating pursuant to the Virginia Property Owners' Association Act ("POA Act") and the Declaration for the Association (the "Declaration"); and,

WHEREAS, Section 55-510 of the POA Act provides that certain books and records of the Association must be made available for examination and copying by Members in good standing, and provides that, prior to providing copies of any books and records, the Association may require the Member to pay a charge to cover the costs of material and labor; and

WHEREAS, Section 55-510(D) of the POA Act, as amended and effective July 1, 2012, provides that charges for providing copies may be imposed only in accordance with a cost schedule adopted by the Board.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby adopts the following cost schedule policy pursuant to Section 55-510(D) of the POA Act:

1. When a Member in good standing requests copies of Association books and records pursuant to Section 55-510 of the POA Act, the Association's Management Agent ("Management Agent") shall not provide the Member with any requested copies until or unless the Management Agent receives from the Member payment in full of the applicable charge as calculated by the Management Agent in accordance with the then current cost schedule specified in the attached Exhibit A, as may be revised from time to time as set forth below ("Cost Schedule").

On an annual basis or as otherwise needed, the Management Agent is authorized and directed by the Board to prepare and implement an updated Cost Schedule to replace the existing Cost Schedule attached as Exhibit A to this Resolution, so that the material and labor costs specified in the Cost Schedule correspond to the applicable costs charged by the Management Agent pursuant to its contract with the Association. A Cost Schedule updated by the Management Agent pursuant to this provision is effective immediately upon being so updated.

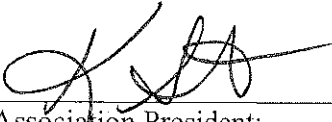
2. The Cost Schedule applies equally to all Members in good standing.

Members not in good standing are not entitled to inspect or copy books records. For purposes of this Resolution, a Member is not in "*good standing*" if that Member is delinquent in the payment of any regular or special assessment of the Association as a result of not having paid such assessment within five (5) days of the applicable due date.

3. The Management Agent will provide a copy of the Cost Schedule to a requesting Member at the time the request is made by the Member to inspect/copy Association books and records.

Resolved this _____ day of _____, 2012, by the Board of Directors of
Brookland Heights Homeowners Association.

By:



Association President:

BROOKLAND HEIGHTS

**EXHIBIT A
TO
ADMINISTRATIVE RESOLUTION NO. 2012-02**

COST SCHEDULE - 2012 **FOR PROVIDING COPIES OF BOOKS AND RECORDS**

1. Labor Charges:	(in minimum 60-minute increments) \$150.00/hr – Officer or Director \$125.00/hr – PCAM Community Manager \$100.00/hr – AMS/CMCA Community Manager \$75.00/hr – Administrative Staff
2. Materials Charges:	\$<u>0.20</u> per page copied (black & white copies) <i>and (if applicable)</i> Postage: <u>Actual cost</u>

BROOKLAND HEIGHTS HOMEOWNERS ASSOCIATION

RESOLUTION ACTION RECORD

Resolution Type: Administrative No. _____

Pertaining to: Cost Schedule for Providing Copies of Books and Records

Duly adopted at a meeting of the Board of Directors of Brookland Heights Homeowners Association, held _____, 2012.

Motion by: _____ Seconded by: _____.

VOTE:

	YES	NO	ABSTAIN	ABSENT
<u>K. J. [Signature]</u> President, Director	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Michael Zeng</u> Vice President, Director	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____, Director	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____, Director	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____, Director	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ATTEST:

Secretary

Date

Book of Minutes - 2012

Book Resolutions:

Resolution effective as of date of adoption.