

**THE GROVE AT HUNTLEY MEADOWS
HOMEOWNERS ASSOCIATION, INC.
POLICY RESOLUTION NO. 2017- 01**

(Creation of Procedures to Ensure Due Process)

WHEREAS, under Article VII, Section I(c) of the Bylaws: The Board of Directors shall have all powers to conduct the affairs of the Association; and

WHEREAS, Article VII, Section I (a) of the Bylaws: The Board is empowered to adopt and enforce a set of rules and regulations; and

WHEREAS, Section 55-513 of the Virginia Property Owners Act requires the Board of Directors to formally adopt and publish a written resolution to enact the statutory power to assess monetary charges against owners for violations of the rules and regulations of the Association; and

WHEREAS, for the benefit and protection of all of the owners within 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 Association's governing documents that are consistent with principles of due process and Virginia law.

NOW, THEREFORE, BE IT RESOLVED THAT, this resolution enacts the following policy and procedures for enforcement of all covenant enforcement and non-compliance issues for the Association:

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

1. An Initial Notice of Violation shall be issued in writing and delivered to the owner by hand or by regular mail to the owner at his/her address listed in the Association's records, or to the property address, if the owner's listed address is different from the property address.
2. The Initial Notice of Violation shall generally advise the owner of the nature of the offense, cite the specific provision within the Association's governing documents that have allegedly been violated, specify the remedy required and state the number of days within which corrective action must be completed.
3. The Initial Notice of Violation shall advise if said violation reoccurs within twelve (12) months of the date of this notice, the Board reserves the right to call the owner to a hearing to determine whether monetary charges should be assessed to each future instance that said violation is repeated.

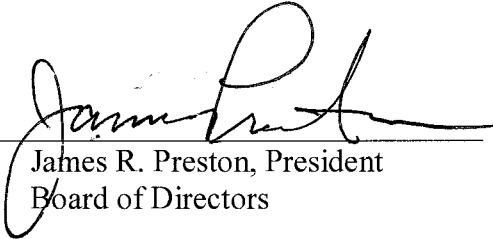
4. If the offense is not remedied within the number of days requested in the first notice of citation, the Association shall issue in writing a Notice of Hearing. Written notice of the time, date and place of the hearing shall be delivered to the owner by hand or by certified mail, return receipt requested and first class mail at least fourteen (14) days prior to the hearing. The notice shall inform the owner of the owner's right to be represented by counsel and if he/she fails to attend the hearing will be held in their absence. Additionally, the notice shall disclose the possible outcomes of the hearing to include, but not limited to the Board's power to impose monetary charges and suspend the owner's privileges pursuant to the authority granted in Section 55-513 of the Virginia Property Owners' Association Act and the Association's governing documents.
5. 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 has the right to be represented by counsel before the Board of Directors or other tribunal specified in the documents.
6. 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 or any other action empowered to the Board of Directors.
7. After issuing its ruling during open session, the Board shall send a written notice of its ruling to the owner. The hearing result shall be hand delivered or mailed by certified mail, return receipt requested and first class mail, to the owner within seven (7) days of the date of the hearing.
8. The Board shall undertake the administrative actions required to affect the monetary charges as an assessment against the owner's lot. The amount of any charges so assessed shall not exceed fifty (\$50.00) dollars for a single offense or ten (\$10.00) dollars per day (for up to ninety days or such longer period of time permitted by Virginia law) for any offense of a continuing nature and shall be treated as an assessment against the member's lot. The member will also be held responsible and liable for any court cost and attorney's fees incurred by the Association in connection with enforcement of the cited violations of the Association's governing documents.
9. The Board of Directors reserves the power to hold owners legally responsible for ensuring that their family members, renters/tenants, guests, or invitees comply with the Association's governing documents.
10. The procedures outlined in this Resolution may be applied to all violation of the Association's governing documents, but do not preclude the Association from exercising other enforcement procedures and remedies authorized by the Association's governing documents, including, but not limited to, the initiation of suit or self-help remedies.

This policy shall supersede and replace Policy Resolution 05-03 and all previously adopted policies concerning the Association's due process procedures.

I hereby certify that the foregoing Resolution was duly adopted by the Board of Directors of The Grove at Huntley Meadows, this 15th day of June, 2017.

This Resolution will become effective immediately.

THE GROVE AT HUNTLEY MEADOWS
HOMEOWNERS ASSOCIATION, INC.

By: 
James R. Preston, President
Board of Directors