

BALMORAL GREENS HOMEOWNERS ASSOCIATION
Policy Resolution No. 99-06-08

(Due Process Procedures in Enforcement Cases)

WHEREAS, the Virginia Property Owners Association Act and Article 12, Section 12. 1(h) of the Balmoral Greens Declaration provides the Board of Directors with the power to assess monetary charges against members of the Association who are in non-compliance or determined to be responsible for violations of the Governing Documents and the Rules and 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 Governing Documents and Rules and 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 Rules and 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 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.

The first notice of citation shall advise the owner of the nature of the offense, cite the specific provision within the Association's regulations which have 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 15 calendar days after the first notice of citation, then a second notice will be sent by certified mail, return receipt requested, to the owner

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.

The effective date of this resolution shall be July 15, , 1999.

BALMORAL GREENS HOMEOWNERS ASSOCIATION

RESOLUTIONS ACTION RECORD

Policy Resolution No. 99-06-08

Pertaining to: Creation of Procedures to Ensure Due Process in Enforcement Cases
Duly adopted at a meeting of the Board of Directors held June 9, 1999.

Motion by: Director Riddle

Seconded by: Director Rettew

	Yes	No	Abstain	Absent
Director: _____	_____	_____	_____	_____
Director: _____	_____	_____	_____	_____
Director: _____	_____	_____	_____	_____

ATTEST: _____

Date: _____

Resolution effective: July 15, 1999