

DRY RUN COMMONS HOMEOWNERS ASSOCIATION, INC.

REGULATORY RESOLUTION NO. 15-2

Rule Violations: Complaint and Due Process Procedures

WHEREAS, Article II, Section 2.01, para (a) of the Declaration and Article VI, Section 4.01 of the Bylaws of the Dry Run Commons Homeowners Association, Inc. ("Association") grant the Board of Directors the power to make and amend Rules and Regulations respecting the use of Common Areas of the Association and the personal conduct of the owners and their tenants and guests thereon and to establish the penalties for the infractions thereof; and

WHEREAS, Section 55-515 of the Virginia Property Owners' Association Act ("Act") and Articles VI and IX of the Amended Declaration charge all owners and their tenants, licensees, invitees, servants, agents, and employees with compliance with the Declaration, the Bylaws, and the Rules and Regulations of the Association, as amended; and

WHEREAS, Section 55-513 of the Act provides the Association, through its Board of Directors, with the power to assess charges against owners for violations of the Declaration or the Rules and Regulations adopted pursuant thereto (together, the "Governing Documents") for which the owner or his family members, tenants, guests, or other invitees are responsible; and

WHEREAS, Section 55-513 of the Act further provides that certain procedures must be followed before such charges may be assessed; and

WHEREAS, it is the intent of the Board of Directors, pursuant to Section 55-513 of the Act, to adopt by Resolution the authority to suspend privileges for nonpayment of assessments and to assess charges for violations of the Act and the Governing Documents of the Association; and

WHEREAS, it is the intent of the Board of Directors to enforce the Governing Documents for the benefit and protection of the Association's owners and residents by establishing procedures that ensure due process and consistency of enforcement.

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT the Board of Directors by the Act, the Governing Documents, and this resolution are adopting the ability to suspend members' privileges to use facilities or services for assessments that are past due for more than sixty (60) days as well as assess charges for any violation of the Act or the Governing Documents and are hereby further empowered to suspend such privileges and assess such charges pursuant to Section 55-513 of the Act, which will be done only after the following procedures have been followed:

I. Complaint.

A. Any owner, tenant, employee, or Board member who requests that the Board take action to enforce the Governing Documents shall submit a written complaint that includes the date, specific complaint, and signature of complainant.

B. The complaint shall be submitted to the Management Agent for a determination as to whether it is likely that a provision of the Governing Documents has been violated based upon the allegations.