



Reston Association
12001 Sunrise Valley Drive
Reston, VA 20191

Dear [REDACTED]

Thank you again for bringing your questions to my attention. I apologize that you did not receive responses to your original inquiries. The referendum recently approved by the Reston Association (RA) Board of Directors is the first step toward allowing homeowners currently required to use RELAC as their sole cooling option, to collectively opine as to whether they wish to continue to be bound to do so.

Below, I respond to each of your questions. However, I think it is important to preface the responses by stating that RELAC is not an RA entity, nor is RA empowered to perform oversight over or maintenance on the system. RELAC is a separate, stand-alone entity that operates as a private utility. The answers to your questions follow.

1. Has RA tried to negotiate with the current service provider to establish new terms by which they could continue to operate RELAC and/or go out-to-bid for a new service provider?

RA met with the present owner of RELAC, after the December announcement stating its intention not to operate its cooling system in 2024, to gain a better understanding of the circumstances. It has had several discussions with the leader of the co-op effort for the same purpose.

RA is not involved in the operation of, nor responsible for the efforts of RELAC. It does not control, regulate, nor take part in any of its decisions. Accordingly, RA did not attempt to establish any new terms by which RELAC could continue to operate or provide any other managerial or legal advice.

2. Why didn't RA include sufficient maintenance, repair, and replacement funds in its capital reserve accounts to keep the RELAC system in good repair as mandated by RA Bylaws?

Again, RELAC is a private entity owned and operated by a private LLC. RA is in no way responsible for RELAC operations, funding, or owner decisions. As a regulated utility regulated by the Virginia State Corporate Commission (SCC) these questions would be more appropriately posed to them.

3. By whose authority has the new RELAC Coop been established, and why is it set up as a 'for profit' (.COM) entity?

To our best understanding, a co-op has not yet been formed. The present owner of RELAC signed a Memorandum of Agreement (MOA) with Mr. McKeown, who is leading the co-op effort. RA is not involved in that business transaction.

4. Why did the RA Board choose to endorse the referendum by 'Unanimous Consent' WITHOUT DISCUSSION among board members or give prior notice to RA members about the intended action?

With the rapidly approaching cooling season, the RA Board of Directors voted to authorize a referendum as the first step available to it to provide affected members with a way to collectively decide whether to stay with RELAC or have other alternatives. It was done by unanimous written consent, as the Board felt uniformly that the question had sufficient merit to move forward without debate.



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5. Why did the RA Board's required notice of the upcoming referendum describe **ONLY WHAT WOULD OCCUR** if the referendum passed, but **FAIL TO DESCRIBE** what would happen if the referendum **DOES NOT** pass? It also fails to describe how RA would financially support affected residents if the referendum does pass.

If the referendum does not pass, then the restriction contained within the Deed which forbids individual air conditioning units in areas serviced by RELAC remains in effect. If the referendum does pass, then each unit connected will have to decide whether to remain connected or not and undertake the corresponding steps to carry forward the necessary steps to put their decision into effect in compliance with the present rules governing such decision. RA has no present plans to provide financial assistance to affected residents at this time.

If the referendum **DOES NOT** pass, won't RA remain administratively and financially responsible for RELAC?

No. RA is not responsible for RELAC.

I hope that the foregoing is responsive to your concerns. You may wish to visit the RA website www.reston.org for answers to frequently asked questions (FAQs) on this matter. If you have further questions, please feel free to contact me.

Cordially,

Irwin Flashman
RA Board of Directors
Lake Anne/Tall Oaks District

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