

# VILLAGE EAST HOMEOWNERS' ASSOCIATION GUIDANCE FOR NEIGHBORHOOD COMPLIANCE

## **Introduction:**

It has come to the attention of the Village East homeowners board of directors that some property owners have incurred violations of the neighborhood's protective covenants and bylaws, including our Architectural Guidelines in one way or another in the past. Most of these infractions are minor, but we have also encountered some major infractions, and for the most part the Board has little to no recourse in these matters. The Board is now preparing to add a change to the VE Bylaws. The purpose of this Bylaw change is to enable the board to manage such infractions and leverage our position short of placing a lien on a property which will always be the last resort if an infraction that is encountered is not resolved. The following is the wording we propose to add to the Bylaws of Village East. Additionally, we may detail out specific infractions with associated fines and timeframes.

In the ensuing months we will be working to finalize this proposed change. When this work is completed, we plan to send it out to the full membership for a vote.

“Under Virginia law HOA’s can fine property/homeowners for violating its rules. The HOA must give the property/homeowner notice and an opportunity to correct the violation. Charges or fees may not exceed \$50 for a single offense or \$10 per day, for up to 90 days, for any *continuous* offense. If fees or assessments go unpaid for 60 or more days, an HOA may suspend a member’s access to facilities or services. These can include utility services, provided directly through the association if the suspension does not endanger the health, safety, or property of any owner.

## **Action:**

1. Any member/owner that believes another member/owner has broken a rule of compliance can address the committee chair Board member responsible for a particular category and provide their grievance in writing to said board member chair.
2. The Board member will then review the grievance and determine its validity. If the Board member is in agreement a violation has occurred, they will then attempt to resolve the issue with said member.
3. If no resolution to the specified grievance is agreed upon verbally, then a formal letter shall be mailed to the offending property owner requesting compliance with the Village East governing documents by a specified date.
4. Should the member not respond by the specified date and the violation remains, another letter will be sent via certified mail requesting compliance.
5. Should the member not respond by the specified date and the violation remains, the committee chair shall reach out to the Board of Directors to make them aware of the noncompliance, the outreach performed to date, and make a case for alternative solutions or seek a board vote for concurrence to formally issue a fine for noncompliance. The fine shall be issued by certified letter and signed by the committee chair and president. All fines will be within the above guidelines.”