

# Guidance for Settlement Firms, Realtors, and Attorneys

Q. Is there a Homeowner's Association or Property Owner's Association for the Blue Mountain Subdivision?

A. The subdivision is administered by the Blue Mountain Property Owner's Association (BMPOA) and is a deed-restricted community: all property owners automatically become members at settlement. The subdivision predates The Virginia Property Owner's Act and is not subject to the act; therefore, a "homeowner's packet" is not required to be provided by the BMPOA. However, protective covenants and bylaws apply, are in force, and copies should be provided to the buyer. You can download these documents from our web site at [WWW.BMPOA.ORG](http://WWW.BMPOA.ORG).

Q. What are the fees or dues for the homeowner's or property owner's association fees?

A. There are no property owner dues or fees per se. However, in addition to Real Estate taxes, there is a separate Blue Mountain Sanitary District (BMSD) tax. Warren County collects both of these taxes in two equal installments on June 5th and December 5th of each year. Like the real estate tax, the BMSD tax varies depending on the county valuation or assessment of the property.

Q. Does the county take care of the roads and recreation areas?

A. No. The county turns over the collected BMSD taxes to the BMPOA to pay for maintaining all 15 miles of private roads, all snow plowing, and all recreation area maintenance, liability insurance, etc. The BMPOA accounts for the expenditure of those tax revenues to Warren County.

Q. What if the property owner fails to pay the BMSD Tax?

A. Like real estate taxes, if it is not paid to Warren County in full by the due date, the county assesses penalties and interest. Further, the County has the authority to put a lien against the property -- possibly leading to forfeiture and sale to pay the taxes.

Q. How can I find out what the payoff numbers are for Real Estate and Sanitary District Taxes?

A. BMPOA does not know what these numbers are and cannot provide them. The settlement firm or attorney must contact the Warren County Treasurer's office on 540-635-2215 with a legal description of the property/properties to determine the payoff numbers for the date of settlement.

Q. What if the current payoff numbers for these two taxes are not accurately reflected in settlement documents?

A. The new owner/owners become fully and finally responsible for any back taxes -- as well as interest and penalties.