

GOVERNOR'S GROVE HOMEOWNERS ASSOCIATION INC.

HOUSE PET RESOLUTION

RESOLUTION 1-2001

WHEREAS, Article II Section 1, of the Declaration of Covenants, Conditions and Restrictions of Governor's Grove Homeowners Association (Association) states that every Owner shall have a right and easement of enjoyment in and to the Common Area, which shall be appurtenant to and shall pass with the title to every Lot;

WHEREAS, Article VI, Section 7, of the Declaration of Covenants, Conditions and Restrictions of Governor's Grove Homeowners Association (Association) allow for common household pets such as but not limited to Dogs and Cats. Notwithstanding the foregoing, no animals or fowl may be kept on the Property which result in an annoyance or are obnoxious to residents in the vicinity. Pets must be leashed while on the Property and all pet waste collected and disposed of by the Owner;

WHEREAS, Article VII, Section 1(c), of the Bylaws states that The Board of Directors of the Association shall have power to exercise for the Association all powers, duties and authority vested in or delegated to this Association and not reserved to the Membership by Other provisions of these Bylaws, the Articles of Incorporation, or the Declaration;

WHEREAS, for the health, safety, welfare, comfort and convenience of all Members of the Association and their guests, the Board of Directors wishes to establish a policy regarding pets that may equitably and consistently enforce;

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT the Board of Directors for Governor's Grove Homeowners Association establishes guidelines for pets are as follows:

1. **THAT** the Board of Directors extends permission to the Fairfax County Animal Control to enforce all applicable portions of the Fairfax County Leash Law and applicable Code with regard to all animals and pets within the Common area of Governor's Grove.
2. **THAT** all pets are subject to appropriate Restrictions of the Homeowner Documents, Fairfax County and State laws pertaining to pets.
3. **THAT** all pet Owners shall be responsible for any property damage, injury and or disturbances their pet may cause or inflict

4. **THAT** no dog shall be permitted to bark, howl, or make other loud noises for so long a time that it interferes with other residents' peaceful enjoyment of their home or the common area.
5. **THAT** Homeowners who violate any part of this Resolution may be assessed a fee of fifty dollars \$50.00 made payable to the Association.
6. **THAT** this Resolution shall be enforced pursuant to the rules and regulations established by the Board of Directors.

ADOPTED by the Board of Directors of Governor's Grove Homeowners Association, Inc. this 1st day of February 2001.

GOVERNOR'S GROVE HOMEOWNERS ASSOCIATION, INC

By: [Signature] 2-1-01 Leon N. Owens
President Printed Name

By: [Signature] 2-6-01 VINCENT RIVELLESE
Vice-President Printed Name

By: [Signature] 02/01/01 MARY C. HAWKINS
Secretary/Treasurer Printed Name

Governor's Grove Homeowners Association, Inc.

COLLECTION RESOLUTION 2-2001

SUBJECT: Procedures Relative to Collection Of Routine Assessments and Delinquent Payments, Effective April 5, 2001.

WHEREAS, Article VI of the Declaration of Covenants, Conditions and Restrictions ("Declaration") creates an assessment obligation for Lot Owners; and establishes certain provisions for the payment and collection of assessments;

WHEREAS, There is a need to establish orderly procedures for the billing and collection of said assessments;

WHEREAS, Article IV, Section 7 of the Declaration specifies the remedies the Association may exercise against delinquent Lot Owners including accruing a late charge in the amount of fifty percent (50%) of the assessment due in the case by law; foreclosure of the lien against the Lot (including any improvements thereon); and any relief available to the Association pursuant to its maintenance of an action at law;

WHEREAS, Section 55-513.B of the Virginia Property Owners' Association Act ("Act") empowers the Association, after a notice and the opportunity to be heard, to assess monetary charges for violations of the Declaration, the By-Laws, the Association's rules and regulations or the Act;

WHEREAS, Section 55-515.A of the Act provides for the Association's recovery of attorneys' fees and costs incurred in connection with a Lot Owner's violation of the Declaration, the By-Laws, the Associations rules and regulations or the Act;

NOW, THEREFORE, BE IT RESOLVED THAT the following assessment procedures be adopted:

I. ROUTINE COLLECTIONS

- A. All quarterly installments of the annual assessments shall be due and payable in advance on the first day of each calendar quarter: January 1, April 1, July 1, October 1; ("Due Date"). All special assessments and or monetary charges shall be due and payable 30 days after delivery to the Lot Owner of notice of the special assessment or monetary charges.
- B. All documents, correspondence, and notice relating to assessments or monetary charges shall be mailed to the address which appears on the books of the Association or as modified in writing by a Lot Owner.
- C. Non-receipt of an invoice shall in no way relieve a Lot Owner of the obligation to pay the amount due by the Due Date.

- D. Monetary charges assessed pursuant to Section 55-513.B of the Act shall be collected as an assessment or in such manner as shall be determined by the Board.

II. REMEDIES FOR NONPAYMENT OF ASSESSMENT

- A. If payment is not received by the Managing Agent by the thirtieth (30th) day of each assessment period, the account shall be deemed late and a late fee of fifty percent of the assessment (50% or \$57.00 which ever is larger) shall automatically be added to the account until full payment of all outstanding assessments and late fees has been made to the association. While unpaid, the late charge shall be a part of the continuing lien for assessments pursuant to Article IV of the Declaration until all sums due, are paid in full. A "Late Notice" substantially in the form of "Exhibit A" to this Resolution shall be sent to Lot Owners who have not paid their assessments in full by the thirtieth (30th) day of the month.
- B. If payment in full, including late charges, is not received by the Managing Agent by the sixtieth (60th) day after the due date, a "Notice of Intent to Accelerate Installments and File a Memorandum of Lien", by the Association's Legal Counsel substantially in the form of "Exhibit B" to this Resolution shall be mailed to the Lot Owner. The Notice will be sent to the Unit Owner by certified mail, return receipt requested. The cost of the certified mail and a \$10 administrative fee will be added to the delinquent Lot Owners account.
- C. If payment in full, including late charges and the cost of the certified letter, is not received by the Managing Agent within ten (10) days after receipt by the Lot Owner of the "Notice of Intent to Accelerate Installments and File Lien", then the remaining installments of the annual assessment will be accelerated and the Association may request to Legal Counsel to file a lien substantially in the form of "Exhibit C". Counsel will notify the Lot Owner with a copy of the lien. Counsel will also file a civil suit against the Lot Owner in the General District Court for County of Fairfax to recover payment of the assessments. The cost of filing both the lien and the civil suit will be added to the account, plus accrued late fees, interest chargeable by law on the unpaid assessments, and all other costs, including the cost of the certified letters, incurred in the collection process as allowed by Article IV of the Declaration. If a Lot Owner defaults in paying any sum assessed or monetary charges against his lot, which continues for a period in excess of thirty (30) days, interest at the rate of nine percent (9%) per annum may be imposed on the principal amount unpaid from the Due Date until paid. No notice of the imposition of such interest need be provided to the Lot Owner. Such interest shall be part of the continuing lien as provided for in Article IV of the Declaration.
- D. If payment in full, including the cost of attorney's fees, filing charges, late fee, interest payment, delinquent fees and accelerated fees, is not received by the Association's legal counsel within thirty (30) days from the date of filing of a lien, legal counsel may be authorized by the Board to initiate a foreclosure on the Lien(s) filed against any Lot Owner pursuant to Section 55-516. I of the Act and Article IV, Section 7 of the Declaration.
- E. If the Association receives from any Lot Owner, in any accounting year, two or more returned checks for payment of assessments, the Board may require all future payments to be made by certified or cashier's check or money order for the remainder of the fiscal year. A twenty-five dollar (\$25) charge will be made for each returned check.

- F. The Board may grant a waiver of any provision herein upon petition in writing by a Lot Owner alleging a personal hardship. Such relief granted a Lot Owner shall be appropriately documented in the Association files. The documentation shall include, without limitation, the basis for taking such action.
- G. The Board hereby authorizes the Managing Agent to waive the imposition of late fees on payments received by the Managing Agent after the thirtieth (30th) day of the month, if the delinquent Lot Owner has owned the Lot for less than six (6) months at the time of the delinquency and, in the judgement of the Managing Agent, the delinquency was the result of a misunderstanding of the correct procedures relating to the payment of the assessment. Such a waiver may be granted only once to any delinquent Lot Owner. All Lot Owners who are delinquent shall be subject to the provisions of this Resolution and to the provisions of Article IV of the Declaration.
- H. All costs incurred by the Association as a result of any violation of the Declaration, By-Laws, Rules and Regulations or Resolutions of the Association or the Act by a Lot Owner, his family, employees, agents, or licensees, shall be assessed against such Lot Owner.
- I. Payments received from any Lot Owner will be credited against the Lot Owner's Account in the following order of priority:
 - a. Attorneys' fees, court costs and administrative expenses;
 - b. Interest accrued, late fees and return check charges;
 - c. All other charges incurred by the Association as a result of any violation by a Lot Owner, his family, employees, agents or licensees of the Declaration, By-Laws, Rules and Regulations or Resolutions or the Act of including monetary charges assessed pursuant to Section 55-513 (B) of the Act;
 - d. The monthly assessments for each Lot applied first to the oldest amount due; and
 - e. Special Assessments

GOVERNORS GROVE HOMEOWNERS ASSOCIATION

RESOLUTIONS ACTION RECORDED

Resolution Type: _____ No. _____

Pertaining to: Collections

Duly adopted at a meeting of the Board of Directors held April 15, 2001

Motion by: Vincent Rivellese Seconded by: Mary Hawkins

	VOTE:				
	YES	NO	ABSTAIN	ABSENT	
<u>[Signature]</u> President	<u>yes</u>	_____	_____	_____	
<u>[Signature]</u> Vice President	<u>yes</u>	_____	_____	_____	
<u>Mary C. Hawkins</u> Secretary/Treasurer	<u>yes</u>	_____	_____	_____	

ATTEST:

Secretary _____ Date _____

FILE:

Book of Minutes – 2001

Book of Resolutions:

	Book No.	Page No.
Policy	_____	_____
Administrative	_____	_____
Special	_____	_____
General	_____	_____

Resolution effective: July 1, 2001.