

QUAKER HILL COMMUNITY ASSOCIATION, INC.

POLICY RESOLUTION NO. 2025-01

COVENANT AND RULE ENFORCEMENT: NOTICE AND HEARING PROCEDURES

WHEREAS, Quaker Hill Community Association, Inc. (“Association”) is a property owners’ association organized and operating pursuant to the Virginia Property Owners’ Association Act (“POA Act”); and

WHEREAS, Section 4.01 of the Bylaws of Quaker Hill Community Association, Inc. (“Bylaws”) grants to the Association’s Board of Directors (“Board”) the right to exercise all the powers of the Association, except such as are, by the laws of Virginia, the Association’s Articles of Incorporation, the Declaration of Covenants, Conditions Restrictions and Reservation of Easements (“Declaration”), or Bylaws conferred upon or reserved to the Members;

WHEREAS, Section 2.01(c) and Section 2.01(d) of the Declaration provide that the Board has the authority to suspend the right of any Owner or Resident of a Lot to use the Community Facilities (i) for a period not to exceed 60 days for a violation of the Declaration or Board-adopted rules and regulations (“Rules and Regulations”), and (ii) for so long as any annual General Assessment, Services Assessment or Special Assessment for such Lot remains unpaid and overdue;

WHEREAS, Section 2.01(e) and Section 13.04 of the Declaration grant to the Board the right to impose charges or sanctions for violations of the Declaration or any Rules and Regulations adopted by the Board;

WHEREAS, Section 2.01(a) of the Declaration and Section 55.1-1819 of the POA Act provide that the Board may establish, adopt and enforce Rules and Regulations pertaining to areas of Association responsibility;

WHEREAS, Section 13.04 of the Declaration and Section 55.1-1819 of the POA Act require the Association to first follow certain minimum procedural safeguards before assessing violation charges or suspending the right to use Association-provided facilities or services;

NOW THEREFORE, IT IS RESOLVED THAT the Board of Directors hereby adopts, as part of the Association’s Rules and Regulations, the following policies and procedures for assessing violation charges and for suspending use rights in accordance with the POA Act and the Declaration:

Definitions. Unless otherwise defined in this Policy, the words, terms or phrases used in this Policy will have the same meanings as defined in the Declaration.

A. Application of this Policy.

1. This Policy applies to:
 - (a) Alleged violations of the Declaration or the Association's Rules and Regulations (collectively, the "Governing Documents") for which the Board is contemplating imposing, or wishes to preserve the right to impose, violation charges against an Owner (other than related to nonpayment of assessments); and
 - (b) Suspending the right to use Association-provided facilities or services pursuant to the Declaration or the POA Act (for nonpayment of assessments or the violation of the Association's Rules and Regulations).
2. Except as provided above, the procedures in this Policy are not mandatory prerequisites for taking any other type of enforcement action available to the Association.
3. *Owners are responsible for their own violations and for violations by their family members, tenants, guests, customers, employees, agents and invitees, as may be applicable.*

B. Complaints Alleging Noncompliance.

1. Submission of Written Complaint. Any Owner or other person who requests that the Association take action against an Owner to enforce the Governing Documents must submit a signed and dated written complaint to the Association's management agent ("Managing Agent"). The complaint should identify the offending person (Owner, resident, tenant, etc.) and the applicable address, and describe the condition, act or omission that constitutes (or is believed to constitute) a violation of the Governing Documents. The complaint should be as specific as possible as to time(s), date(s), and person(s) involved. However, the failure to submit such a complaint does not prevent the Association from taking enforcement action in response to a violation of the Governing Documents that otherwise comes to the attention of the Board or the Managing Agent.
2. Initial Review of Complaint. The submitted complaint will be reviewed by the Board (or the Managing Agent) for a determination as to whether the complaint is sufficiently complete and whether further investigation or proceeding with the below notice and hearing procedures is appropriate based on that complaint. The Board (or Managing Agent) may request additional information or documentation to determine the sufficiency of the complaint.

C. Informal Resolution of Complaints/Reminder Letters

1. The Association's directors, officers, Managing Agent and other authorized representatives of the Association have the authority to request an Owner, resident, guest or other person within the Property to cease or correct a violation of the Governing Documents for which that person is directly or indirectly responsible. Such informal requests may be made before formal action is initiated by the Association.
2. The Board or the Managing Agent may send "friendly reminders" or other communications to a non-compliant person prior to taking more formal action as set forth below.

D. Notice of Violation.

1. Delivery of Notice. Subject to Board guidance, the Managing Agent may initiate formal enforcement action on behalf of the Association by sending a written "Notice of Violation" to the responsible Owner by registered or certified United States mail, return receipt

requested, to the Owner's address of record on file with the Association. In addition, a copy of the Notice may also be sent by email if the Owner has provided an email address to the Association. If the violation is by a known tenant, the Notice of Violation may also be sent to the tenant by registered or certified United States mail, return receipt requested, to the Lot address or by email. Notices sent by mail per this Policy are deemed effective as of the date of mailing (as evidenced by the postmark).

2. **Content.** The Notice of Violation must contain the following minimum information:
 - a. The Owner's name;
 - b. The alleged violation(s) of the Governing Documents;
 - c. A demand that the alleged violation not occur again, or for continuing violations, that it be abated or corrected within 14 days after the date of the Notice or such other time period as may be deemed appropriate under the circumstances, in the discretion of the Board or Managing Agent;
 - d. *For either (i) a violation of a continuing nature, or (ii) a non-continuing (single offense) violation if the same type of violation previously occurred and was cited in a prior notice to the same Owner within the past 12 months,* a statement to the effect that the Owner is entitled to a hearing, if desired, for purposes of contesting the citation or the imposition of sanctions (e.g., violation charges or suspension of use rights). The Notice will indicate that if the Owner fails to submit a written hearing request so that it is received by the Managing Agent within 14 days from the date of the Notice, it will be deemed a waiver of the right to a hearing on the matter, and sanctions or other enforcement action may thereafter be imposed or taken without a hearing.
3. **Temporary Compliance / Repeated Violation.** Notwithstanding anything in this Policy to the contrary, if the same type of violation occurs again at any time within 12 months from the date of the prior violation-related notice to the same Owner, then the reoccurrence of the same type of violation within that 12-month period will be deemed to be a failure to cure the previously cited violation, and that temporary compliance will not be considered sufficient to require or trigger the need for the Association to provide yet another opportunity to cure the same violation before proceeding with a hearing or other enforcement action. In these circumstances, for instance, the Association is not required to send another Notice of Violation but may instead proceed directly with a Notice of Hearing as referenced below.

E. Failure to Request a Hearing.

1. In the event the responsible Owner ("Respondent") fails to timely request a hearing in response to the Notice of Violation as outlined in Section D above, sanctions may be imposed by the Board against the Respondent without holding a hearing if the violation has not yet been cured or if it is a repeated violation (per Section D(3) above). However, even if the Respondent fails to timely request a hearing, the Board reserves the right to schedule a hearing on the matter if it deems it appropriate under the particular facts and circumstances presented.
2. If violation charges or suspensions of use rights are imposed without a hearing, as described above, the Managing Agent will promptly notify the Respondent in writing of any

sanctions imposed (with the notice being sent by certified mail, return-receipt requested and by first-class mail, postage prepaid).

3. **Board Authorization to Managing Agent.** When the previously specified deadline has passed and no hearing is timely requested by the Respondent (and unless the Board has informed the Managing Agent to refrain from taking action on the matter or to schedule a hearing even if a hearing is not requested by the Respondent), then in the circumstances described below, sanctions are automatically assessed or imposed without the need for a case-by-case vote by the Board, and the Managing Agent is authorized to post the charges on the Respondent's account and/or implement the suspension of use rights in accordance with the following:
 - a. *In cases of nonpayment of assessments*, if the Association's records indicate that the Respondent's assessment account remains more than 60 days past due, the Board hereby authorizes and directs the Managing Agent to notify the Respondent (by first-class mail and by certified mail, return-receipt requested) that the right to use the Community Facilities are suspended, effective immediately and lasting until the account is paid in full. The Board also reserves the right to take legal action to collect the delinquent assessments.
 - b. *In cases of continuing violations of the Governing Documents (not related to nonpayment of assessments)*, if the Managing Agent confirms that a previously cited violation has not been corrected, the Board hereby approves the assessment of per diem violation charges (starting from the compliance deadline specified in the most recent prior notice) at a rate of \$10.00 per day for as long as the violation continues (up to a period of 90 days), and authorizes and directs the Managing Agent to post the charges to the Respondent's account and to promptly notify the Respondent (by first-class mail and by certified mail, return-receipt requested) of the imposition of the violation charges. The Board also reserves the right to take any other available enforcement measures permissible under the Governing Documents or applicable law, including legal action, to enforce the Governing Documents.
 - c. *For a repeated violation of a non-continuing nature of the Governing Documents (not related to nonpayment of assessments)*, if the Managing Agent determines that the violation cited in the most recent notice is the same type of violation that was cited in a prior notice sent to the same Respondent within the previous 12-months, then the Board hereby approves the assessment of a violation charge in the amount of \$50.00 per cited violation and authorizes and directs the Managing Agent to post the charge(s) to the Respondent's account and to promptly notify the Respondent (by first-class mail and by certified mail, return-receipt requested) of the imposition of the violation charge(s). The Board also reserves the right to take any other available enforcement measures permissible under the Governing Documents or applicable law, including legal action, to enforce the Governing Documents.
- F. **Request for a Hearing.** If the Respondent desires a hearing, the Respondent must request a hearing in writing so that it is received by the Managing Agent within the time period stated in the Notice of Violation pursuant to Section D above.
- G. **Notice of Hearing.**

1. Scheduling/Continuances. The hearing will be scheduled at a reasonable time and place within the discretion of the Managing Agent (in consultation with the Board). The Board or the Association's president may grant a continuance of the hearing if a written continuance request is received by the Managing Agent prior to the hearing date. A continuance request must describe the reasons for the request. If a continuance is granted, notice of the new date, time and place will be mailed by first-class mail and by certified mail, return-receipt requested, to the Respondent at his or her address of record (or with the Respondent's consent, it may be sent by email). However, it is ultimately the Respondent's responsibility to contact the Managing Agent prior to the originally scheduled hearing date to determine whether a continuance request was granted.
2. Delivery of Hearing Notice/Content. After receipt of a timely request for a hearing (or if the Board otherwise decides to hold a hearing), the Managing Agent will send the Respondent written notice of the date, time and place of the hearing, which notice will be sent by mailing it by first-class mail and by certified mail, return-receipt requested, to the Respondent's address of record with the Association. In addition, the Managing Agent may also send a copy of the Notice by email to the Respondent if the Respondent has provided an email address to the Association. This Notice of Hearing must be sent at least fourteen (14) days prior to the hearing and in addition to the date, time and place of the hearing, must state the alleged violation, the potential for violation charges (and/or suspension of use rights, as applicable), and that the Respondent may be represented by his/her own legal counsel at the hearing.

H. Hearing Procedures.

1. If a hearing is requested and/or scheduled as set forth above, a hearing will be conducted by the Board to afford the Respondent a chance to present his or her position regarding the alleged violation(s) of the Governing Documents and whether sanctions should be imposed. However, if the Respondent fails to appear at the hearing at the scheduled time, the Board may deem the allegations to have been admitted. Any defects in the hearing notice will be deemed waived by the Respondent if the Respondent appears at the hearing (either in person or by legal counsel) for any purpose other than to object to the validity of the notice.
2. The hearing will be conducted in executive session, but witnesses and/or complaining parties present at the hearing will be allowed to make presentations during the hearing. The presiding officer at the hearing may determine the particular manner in which the hearing will be conducted, such as setting reasonable time limits on presentations, so long as the procedures are otherwise consistent with the Act and the provisions of this Policy.
3. Right to Legal Counsel. Respondents have the right to have their own legal counsel represent them at the hearing, but attorney-representation is not required. Respondent's failure to have an attorney at the scheduled hearing will constitute a waiver of such right for purposes of the hearing.
4. Decision and Notice of Hearing Results.
 - a. After all presentations have been made within the allotted time period, the Board will request others who are present to leave the room (except for the Managing Agent and/or the Association's legal counsel, if applicable) and, while still in executive session,

discuss whether it believes that there is satisfactory evidence of the violation and whether sanctions should be imposed.

- b. After reconvening into open session, the Board will decide the matter by majority vote; however, if additional time is needed to reach a decision, the Board may continue the hearing to an announced date and time for purposes of additional deliberation, with no further written notice required.
 - c. Within seven (7) days of the hearing (including any continuances), the Managing Agent must send written notice of the hearing results to the Respondent by first-class mail and by certified mail, return receipt requested, to the Respondent's address of record with the Association.
5. Appeal of Decisions of Covenants Committee. Within ten days after the date of action by the Covenants Committee and upon receipt of a written request for an appeal, the Board of Directors may afford any Person deemed by the Board to have standing as an aggrieved party the right to appeal to the Board, and the Board may reconsider, review, modify or reverse any action taken by the Committee.
- I. Sanctions. After complying with the procedures in this Policy, the Board has the authority to impose the following sanctions (in addition to, or instead of, other remedies available to the Association):
- 1. Impose violation charges for violations other than nonpayment of assessments. In accordance with the POA Act and the Declaration, the Board may assess charges for violations of the Governing Documents (other than related to nonpayment of assessments, the consequences of which are addressed in other sections of the Governing Documents). Violation charges are treated as an assessment against the Respondent and the Respondent's Lot for the purposes of collection and filing liens. As of the date this Policy was adopted, the Act provides that for each single offense, a charge of up to \$50.00 can be assessed; or for a violation of a continuing nature, a charge of up to \$10.00 per day can be assessed for up to 90 days or until the violation ceases, whichever occurs first.
 - 2. Suspension of Use Rights.
 - a. *For Respondents more than 60 days' past due in the payment of assessments,* the Board may suspend the right to use the Community Facilities in accordance with Section 2.01(d) of the Declaration. The suspension remains in place until the account is paid in full, unless a different arrangement is agreed to by the Board in writing as part of an approved payment plan to settle the debt. Once parking privileges are suspended and written notice of the suspension is delivered or mailed to the Respondent, vehicles in violation of the suspension become subject to towing, after 24 hours' notice, at the vehicle owner's sole risk and expense.
 - b. *For continuing or repeated violations of the same provision of the Association's Governing Documents,* the Board may suspend the right to use the Community Facilities in accordance with Section 2.01(c) of the Declaration.
 - c. Suspensions apply not only to the Respondent but also to all occupants of, and visitors to, the Respondent's Lot. It is the Respondent's obligation to notify tenants, guests and household members of the suspension; however, the Association may notify them too.

- J. **Other Remedies.** This Policy is not to be interpreted to require the use of the above notice and hearing procedures prior to the Association exercising any available remedies other than assessing violation charges or suspending use rights. The exercise of any one or more remedies will not constitute an election of remedies. Remedies may be cumulative and also include, without limitation, the following:
1. **Entry Onto Lot.** The Association (acting through its authorized agents, representatives and/or contractors) has the authority, subject to other conditions set forth in the Declaration, to enter the Lot (excluding any dwelling) on which, or as to which, a maintenance violation exists and to abate and remove, at the expense of the defaulting Owner any noncompliant maintenance condition that may exist therein;
 2. **Resale Certificate.** Pursuant to the Virginia Resale Disclosure Act, violations of the Governing Documents may be disclosed in any resale certificate issued by the Association in conjunction with the sale or other transfer of a Lot; and/or
 3. **Reporting to Government Officials.** Violations that appear to violate local, state or federal laws, ordinances or regulations may be reported to the appropriate government official, agency or department.
- K. **Records.** The Managing Agent will keep copies of all correspondence related to violations in the Owner's file or in a separate file specifically for violations, as well as a record of each hearing (including proof of notice or indication whether the Respondent appeared at the hearing). For the record of the hearing, the sample form attached as Exhibit A may be used.

EFFECTIVE DATE OF POLICY

The effective date of this Policy will be October 23, 2025.

QUAKER HILL COMMUNITY ASSOCIATION, INC.
EXHIBIT A
Policy Resolution (Covenant and Rule Enforcement: Notice and Hearing Procedures)

RECORD OF HEARING

Hearing Date and Time: _____

Owner(s): _____

Lot Address: _____

Mailing Address if other than Lot: _____

Alleged Violation(s): _____

Provision(s) of Declaration/Rules Allegedly Violated:

Persons in Attendance: _____

Date Notice given: _____ (by certified mail, return-receipt requested)

Decision of Board and Reasoning:

Sanctions Imposed (date commencing):

Additional Comments:

QUAKER HILL COMMUNITY ASSOCIATION, INC.
RESOLUTION ACTION RECORD

Resolution Type: Policy No. 2025-01

Pertaining to: Covenant and Rule Enforcement: Notice and Hearing Procedures

Duly adopted by the Board of Directors on 10/23, 2025, by [check applicable]:

☐ majority vote at a Board meeting, or

☐ by unanimous written consent through an action without a meeting.

Motion by: Rose Gillespie Seconded by: Laura Evans

VOTE:

DIRECTOR: (printed name)	YES	NO	ABSTAIN	ABSENT
Dominique Mack	X			
Laura Evans	X			
Rose Gillespie	X			
Ashley McCurry	X			
Lester Simpson	X			

ATTEST:

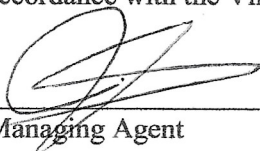
Ashley C. McCurry
Secretary

10/23/2025
Date

Policy's Effective Date: date of adoption.

CERTIFICATE OF MAILING

I hereby certify that on the 1st day of November, 2025, a copy of the above-referenced Policy was published or distributed to the Lot Owners in accordance with the Virginia Property Owners' Association Act.


Managing Agent