

Powhatan Crossing Homeowners' Association
BOARD POLICIES-PROCEDURES

Resident Violation of Declarations of Restrictions

1. The Board will address violations of the Association's Declarations when a complaint is filed. The Board will not patrol the neighborhood looking for violations. The Board will visually inspect property exteriors prior to a property's sale, noting any violations of the Declarations in the Disclosure Packet.
2. A complaint shall not be made anonymously and must be submitted by a Powhatan Crossing property owner. The Board will not reveal the name of the complainant to anyone outside the Board. A Board member may file a complaint.
3. Complaints may be submitted in the following ways:
 - a. Using the PCHA website *Contact Us* form
 - b. Using the PCHA website *Submit a Concern* form
 - c. By email to the Board, providing name and address of submitter
4. Complaints must be specific and cite the address of the violation.
5. The Secretary will acknowledge receipt of the complaint to the complainant within 48 hours. If a complaint is submitted directly to an individual Board member that Board member will forward the complaint to all members of the Board.
6. The President will assign the complaint to a Board member for investigation. The President will investigate the complaint if no Board member is available.
7. The investigating Board member shall report findings to the full Board, by email or at a regularly scheduled meeting, and recommend action.
8. The Board will consider the matter within 60 days of receipt.
 - a. The Board may take action on the complaint:
 - i. By email
 - ii. At a regularly scheduled meeting
9. The Board will refer the complainant to approved Board Meeting Minutes, available on the Association's website, for the Board's action regarding the complaint.
10. Board action will be documented in meeting minutes. Action taken by email will be reported at the next regular Board meeting and documented in those minutes. Approved minutes of Board Meetings will be posted on the Association's website.

11. If a complaint is deemed valid, the Board may take the following actions:
- a. Notice of Violation will be prepared by the Secretary, signed by the President and mailed. It will contain:
 - i. Declarations section being violated
 - ii. Specific nature of the violation
 - iii. Statement of an acceptable remedy
 - iv. Date for compliance (generally 2 weeks from date of the Notice)
 - b. Notice of Non-compliance will be mailed if the violation is not remedied by date of compliance and will:
 - i. Prepared by the Secretary
 - ii. Signed by the President
 - iii. Be sent by Priority mail with Delivery Tracking
 - iv. Restate items i – iii from Notice of Violation
 - v. Cite issuance of Notice of Violation and notice date
 - vi. Contain date for compliance (2 weeks from the date of the Non-compliance Notice)
 - c. Violation of Non-compliance is triggered if the violation is not remedied by the compliance date stated in the Notice of Non-compliance and will:
 - i. Be referred to PCHA's attorney by a majority vote of the Board in meeting or by email.
 - ii. If referred, be drafted, signed and mailed by PCHA's attorney on behalf of PCHA
 - iii. Restate items i – iii from Notice of Violation
 - iv. Cite issuance of Notice of Violation and Notice of Non-compliance and the dates of those notices
 - v. Outline additional actions PCHA may legally pursue to seek compliance

The authority for the Board to adopt Board policies is granted under the following:

- PCHA Bylaws, Article VII, Sec. 1 (f)
- PCHA Declaration, Sec. 9.2
- Code of Virginia, 55-515, A
- Code of Virginia, 54.1-2351, A

Adopted by Board of Directors, Powhatan Crossing Homeowners' Association
Date: 9/15/2016 Regular Meeting

Amended by Board of Directors, Powhatan Crossing Homeowners' Association
Date: 11/16/2017 Regular Meeting

Attach sample letters:

Notice of Violation

Notice of Non-compliance