

**Lake Manassas Residential Owners Association**

**Policy Resolution No. 2010-02**

**(Relating to Procedures for Enforcement of Yard Maintenance Violations)**

WHEREAS, Article III, Section C.17 of the Bylaws provides that the Board of Directors shall be responsible for the affairs of the Association and shall have all the powers and duties necessary for the administration of the Association's affairs and, as provided by law, may do all acts and things as are not by the Declaration, Articles, or these By-Laws directed to be done and exercised exclusively by members; and,

WHEREAS, Article IV, Section 4, and Article XII, Section 6 of the Declaration requires each Owner to maintain his or her Yard in accordance with the maintenance program submitted to and approved by Prince William County, and to prevent the development of any unclean, unhealthy, unsightly or unkempt condition on his or her lot.

WHEREAS, Article IV, Section 4 further states that in the event an Owner does not maintain his yard as required herein, the Association will provide the Owner notice of such failure and afford such Owner a reasonable period of time to cure such failure. In the event the owner does not cure such failure within such time period, the Association shall have the right to undertake to maintain such Owner's Yard so as to ensure compliance with the requirements of the maintenance program, and all costs of such maintenance shall be allocable to such Owner. The Association may impose Maintenance Assessments upon such Owner for such costs, including a reasonable administrative costs, legal fees, accounting costs and overhead of the Association associated therewith.

WHEREAS, the Board of Directors has previously adopted policies establishing certain procedures to ensure due process in enforcement of the Association Documents, which policies and procedures shall not be superseded or replaced, but which shall remain in full force and effect; and,

WHEREAS, the Board of Directors believes it to be in the best interests of the Association to establish procedures to ensure due process in the enforcement of Rules and Regulations relating to the mowing of grass and weeding of mulch beds on the Lots;

NOW THEREFORE, be it resolved, that the Board of Directors hereby adopts the following.

1. Rule: All grass and mulch beds shall be maintained in a neat and orderly appearance, including regular weeding of mulch beds as well as mowing and trimming of grass. Grass shall not exceed 6 inches in height.
2. Notice of Violation: If grass exceeds 6 inches in height, or if the condition of the grass and/or mulch beds is otherwise in violation of the Association Documents, the Board of Directors or its designee shall send written notice to the Lot Owner of such violation. This notice of violation shall contain the following: (1) notice of the violation of this Rule and the Declaration; (2) a demand for the Owner to mow the

grass and/or weed mulch beds to bring the grass and mulch beds into compliance within **10 days** of the date of the notice. The notice of violation shall be hand delivered or sent by first-class mail, to the Lot address or such other Lot Owner's address on file with the Association.

3. 48 HOUR Notice of Intent to Mow and/or weed mulch beds: If the Owner fails to correct the violation within 10 days of the date of the notice of violation, then the Board of Directors or its designee shall give the Owner 48 hours notice of its right to enter the Lot to mow the grass and/or weed mulch beds to correct the violation, and to charge all costs of mowing and correcting the violation to the Lot Owner. This notice of intent to mow shall be hand delivered, posted at the front door of the residence on the Lot or sent by first-class mail to the Lot address or such other Lot Owner's address on file with the Association.
4. If the Lot Owner fails to mow the grass and/or weed mulch beds within 48 hours of the Notice of Intent to Mow and/or Maintenance the Board of Directors or its designee may enter the Lot to mow and trim the grass and/or weed mulch beds. All charges incurred in mowing the grass and/or weeding the mulch beds shall be charged to the Lot Owner's assessment account, and may be collected by the Association in the same manner as all other Association assessments.
5. Failure or refusal to accept delivery of any Association notice shall not defeat these notice requirements, but shall be considered acceptance of such notice.
6. In the event that the same yard maintenance violation occurs more than two (2) times within a calendar year, on the third (3<sup>rd</sup>) such violation, the Association may forego the sending of the initial Notice of Violation.
7. This Resolution shall not be considered an election of remedies. The Association reserves all its rights and remedies to enforce the provisions of its Association Documents, including but not limited to, the imposition of monetary charges and the suspension of membership privileges, following all requisite due process procedures.

**LAKE MANASSAS RESIDENTIAL OWNERS ASSOCIATION  
RESOLUTION ACTION RECORD**

Resolution Type: Policy No. 2010-02  
 Pertaining to: Yard Maintenance duly adopted at a meeting of the Board  
 of Directors held May 12, 2010.

Motion by: TB Seconded by: ww

	YES	NO	ABSTAIN	ABSENT
<u>Errol Unikel</u> President	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Henry Lopez</u> Treasurer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Ted Brewer</u> Director	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Warren Watkins</u> Director	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Ed Long</u> Director	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Errol Unikel  
 \_\_\_\_\_  
 President

5/14/10  
 \_\_\_\_\_  
 Date

ATTEST: [Signature]  
 \_\_\_\_\_  
 Secretary

5/17/10  
 \_\_\_\_\_  
 Date

Resolution effective: June 1, 2010