

# The Villages at Rippon Landing Architecture Guidelines



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#### 1. INTRODUCTION

Welcome to Villages at Rippon Landing ("VRL"), a very special community of townhomes located in Woodbridge, Virginia. Villages at Rippon Landing was developed as a "planned community." Essential to that planning are the legally enforceable restrictive covenants that were drafted to preserve the community's unique character, enhance its amenities, and protect the investment of its homeowners.

#### 1.1 Purpose and Objectives.

The purpose of the Villages at Rippon Landing Architecture Guidelines (the "Guidelines") is to serve as a guide to aid Owners/Residents and members of the Architectural Control Committee (ACC) in maintaining and enhancing the Villages at Rippon Landing environment. The Guidelines described in this publication address the modifications that Owners/Residents are most likely to make to their properties. While the guidelines cannot be all-inclusive, any modifications that affect the exterior appearance of the properties within VRL are governed by the principles set forth herein. Please note that ACC review is not limited to major alterations, such as adding a room or deck, but also includes review of changes in color and materials, or anything else that alters the original appearance of homes and surrounding property or that is visible from the exterior. ACC Review is also required for removing existing items.

In implementing the Guidelines, the Villages at Rippon Landing Homeowners Association, Inc., (the "Association") and the ACC will always attempt to be fair and equitable to every applicant, provide prompt answers to specific questions, and give every consideration allowed.

The objectives of this publication are:

- 1. To increase VRL Owners'/Residents' awareness and understanding of the restrictions set forth in the Villages at Rippon Landing, Declaration of Covenants, Conditions, and Restrictions;
- 2. To illustrate design principles that will aid Owners/Residents in planning modifications to their properties that are in harmony with the immediate neighborhood and the community as a whole;
- 3. To provide uniform criteria for ACC review and approval of applications for property modifications;
- 4. To describe the organizations and procedures involved in the process of review, approval, and appeal of applications for any property alterations; and
- 5. To assist Owners/Residents in preparing complete applications for ACC consideration.

The Association assumes no responsibility for the quality or safety of alterations or modifications by virtue of approval under the Guidelines, nor does such approval relieve the Owner/Resident of the responsibility for obtaining Prince William County approval and/or permits for alterations or modifications to their property. County and Association approvals are entirely separate, distinct, and unrelated.

#### 1.2 Covenants.

The Association's authority to ensure the quality of design and community environment in VRL derives from the:

- 1. Villages at Rippon Landing, Declaration of Covenants, Conditions, and Restrictions (the "Declaration")
- 2. Articles of Incorporation of Villages at Rippon Landing Homeowners Association

The covenants set forth in the Declaration (hereinafter the "Covenants") are binding for every Owner. Articles VIII, IX, and X of the Declaration as well as Article VIII of the Association's Bylaws serve as the basis for the Guidelines contained in this publication and set forth the Association's authority to establish and operate the ACC. The intent of Covenant enforcement is to assure Owners/Residents that the community standards will be maintained. This, in turn, protects property values and enhances the community's overall environment.

## 1.3 Role of the Association, the ACC and the ACC Chairperson.

The role of the Association, of which every Owner in VRL is a member, is to conserve and enhance the resources of the overall VRL community and to own and maintain the open space within VRL. The Association accomplishes these functions in a variety of ways, one of which is ensuring, through the ACC, the retention of harmonious design qualities within VRL. The ACC applies standards and interprets the Guidelines for modification of VRL properties, processes applications for those modifications, and, through periodic inspections of the community (with the assistance of Sequoia Management Company), monitors compliance with the Guidelines.

#### 1.4 The Architectural Control Committee.

- 1. Committee Memberships. Any member in good standing of the Association is eligible to apply for service on the ACC. All applications for service shall be forwarded to the President, who shall consider all such applications before submitting to the Board a recommended list of appointees to the ACC, including a recommendation for an appointee to serve as Chairperson. The Board of Directors (BOD) shall retain the power to approve or disapprove potential appointees and determine the size of the ACC, which shall never be less than three (3). The term of each member of the ACC shall expire annually on the date of the first monthly BOD meeting that follows the Annual Meeting of the Association. If the President of BOD takes no action to change the status of an existing ACC's membership or service at such meeting, then the terms of existing ACC members (and Chairperson) shall be deemed to have been renewed for an additional year. The President, with the concurrence of the BOD, retains the power to remove an ACC member at any time with or without cause.
- 2. **Quorum.** A minimum of three (3) ACC members must participate in reviewing specific requests; approval or disapproval will be taken by majority vote of three (3) ACC members (except in the case

of incomplete applications). Only members of the ACC (including the Chairperson) may participate in the review of, and decision on, submitted ACC applications.

# 1.5 Property Modifications Requiring ACC Approval.

Any change, permanent or temporary, to the exterior appearance of properties and structures within VRL requires compliance with these Guidelines and, generally, the prior written approval of the ACC (unless otherwise specifically stated in these Guidelines). However, certain types of changes don't always require an application or written approval. For example, holiday decorations normally do not require an application or written approval of the ACC. (Consult the relevant paragraphs of the appropriate section for specific exceptions.) The requirement for ACC approval is not limited to major alterations, such as adding a room or deck to a house, but also includes such items as changes in color or materials. Review and approval are also required for removing existing items. Each application for ACC approval is reviewed by the ACC on an individual basis. An Owner who wishes to construct, for example, a deck that is identical to one that already exists in VRL is still required to seek ACC approval for the construction. An existing modification to a neighboring home that an Owner may wish to copy may not have been approved by the ACC, and the Owner may be unintentionally copying a violation of the Guidelines. The best rule regarding applications is: "When in doubt, apply for ACC approval."

#### 1.6 Amendments to the Guidelines.

The Guidelines reflected in this publication may be amended. The Guidelines and any amendments thereto cannot conflict with Covenants. The ACC will conduct a periodic evaluation of the Guidelines to determine if amendments are required. Association members in good standing may submit to the ACC or BOD requests for additions or changes to the Guidelines not later than January of each year. The ACC shall make recommendations on each requested change to the BOD. Changes to the Guidelines will become effective upon adoption by the BOD.

# 2. APPLICATION, REVIEW, APPEAL, AND ENFORCEMENT PROCEDURES

# 2.1 Applications for Architectural Control Committee Approval.

Prior written approval of the ACC is required for most property modifications in VRL (see appropriate sections of this publication for guidelines on specific modifications). All requests for architectural changes must be submitted in writing to the ACC on approved application forms. The ACC application forms are available through Sequoia Management. All applications shall be mailed or email to the Association's Community Manager (Sequoia Management) at the address listed on the application or hand deliver to the Association's club house. The Community Manager will perform an initial review of the application for completeness and forward complete applications to the ACC. Incomplete applications will be returned to the applicants as not submitted.

Every Owner is responsible for abiding by the Guidelines and the Association's final decision regarding an ACC application. If an Owner disagrees with the ACC's decision, the Owner may request reconsideration by the ACC, or may appeal one time to the BOD (as detailed in Section 2.5, below), subsequent to receipt of the ACC's decision. The BOD's decision shall be final

ACC approval of architectural changes does not relieve an Owner's obligation to comply with applicable State and Prince William County laws and zoning restrictions.

The Burden rests with applicant to demonstrate the acceptability of the proposal. Applicants must submit a complete alteration application form along with any additional information the ACC has indicated it needs to make an informed decision (See Paragraph 6, below). Applicants may submit with their application any additional materials such as exhibits, petitions, photographs, experts' statements and the like that applicant deems appropriate. Applicants may request an opportunity to appear before the ACC, along with any witnesses the applicant desires to speak on his/her behalf.

All applications must, at a minimum, describe the nature of the change; its shape, height, materials, colors and location. In addition to a complete written description, sketches, drawings, photographs or illustrations of the type required for Prince William County building permit approval must be included. When submitted to the ACC the application form must be complete.

- 1. <u>Site Plan.</u> A site plan is required for most applications. A site plan is a drawing of a lot that reflects the dimensions of the property and that depicts the proposed modifications and their relationship to the house, other existing structures on the property, and property boundaries. Contour lines are required where drainage is a consideration. In most cases, the site plan can be developed from the plat plan provided to you when you purchased your home. For complex applications the ACC may require larger scale blowups of the plat plan, including depictions of adjacent lots and structures. A site plan is usually not required for color change or minor modifications.
- 2. Architectural Plans. The application shall include detailed drawings and plans including exterior elevations and dimensions. The ACC may require detailed architectural drawings for some changes. The application shall also include a description of materials to be used, including such items as type of deck or walkway material, compatibility of colors between existing and new structures, compatibility of brick, siding, or roofing materials, the location of exterior lighting, etc.
- 3. <u>Screening Plans</u>. When landscaping is proposed as a screening measure (e.g., to screen under deck storage) it shall include the type, number and description of the plants to be used.
- 4. **Start and Completion Dates.** The application shall provide an estimate of the start and completion dates of the proposed modifications. **Actual work on the project shall not commence until written ACC approval is received**. The alteration authority granted by approval of the application will be revoked automatically if the alteration requested has not been completed within one (1) year of the approval date of the application or such other date as specified by the ACC.
- 5. <u>Signatures of Owners</u>. The application shall contain complete information and the signature of at least one (2) Owner of the property. Applicants **must** seek signatures from adjacent or nearby Owners who are likely to be most affected by the proposed modifications.
- 6. <u>Insufficient Information</u>. Some types of construction or modifications may require that additional information be included in the application. Any time the ACC requires additional information for proper evaluation of an application, the application shall be disapproved and returned requesting the necessary information. Such applications must be resubmitted and will begin a new 30-day time period for completion of the ACC action upon receipt of the revised application by the ACC at its monthly meeting.
- 7. Owner/Resident Input on Application. ACC applications are available for review by Association members in good standing. All interested Owners/Residents are encouraged to bring any concerns they may have regarding a pending application to the attention of the applicant and/or the ACC. To be taken into consideration, such concerns should be sent to the Association's Community Manager at their mailing address, and must be received prior to ACC consideration of the application. Association members in good standing desiring to comment on any pending application may write a letter to the ACC as described above or attend an ACC meeting in person. While presentation and

discussion of applications at ACC meetings are open to all members in good standing, votes by the ACC to approve or disapprove an application may be held in closed session. However, the results of such votes shall be reported in open session and area matter of public record.

8. <u>Changes to Approved Applications</u>. If, after receiving ACC approval, an application desires to make changes to the approved proposal, a revised application, which shall be subject to the normal ACC review and approval process, must be submitted to the ACC.

## 2.2 Incomplete Applications.

The Association's Community Manager will return to the applicant as not submitted, any applications that are incomplete. The applicant shall revise the application so that it is complete and resubmit it as a new application.

#### 2.3 ACC Review Criteria.

The ACC evaluates all submissions on the individual merits of the application. Besides evaluation of the particular design proposal, consideration is given to the characteristics of the housing type and the individual site, since what may be an acceptable design of an alteration or improvement in one instance, may not be in another. Judgments of acceptable design are based on the following general criteria that represent in more specific terms the general intent of the Covenants.

- 1. **Open Space.** The ACC shall consider proposed property modifications in relation to the VRL open space concept. Fencing and walls, in particular, can have damaging effects on open space. Other factors such as removal trees, disruption of the natural topography, and changes in the rate or direction of storm water run-off can also adversely affect VRL's environment.
- 2. **Validity of Concept**. The basic modification concept shall be sound and appropriate to its surroundings.
- 3. <u>Design Compatibility</u>. The modification shall be compatible with the architectural characteristics of the applicant's house, adjoining houses, and the neighborhood setting. Compatibility is defined as similarity in architectural style, quality of workmanship, similar use of materials, color, and construction details.
- 4. <u>Location and Impact on Neighbors</u>. The modification shall relate favorably to the landscape, the existing structure, and the neighborhood. The primary concerns are access, view, sunlight, ventilation, and drainage.
- 5. <u>Scale</u>. The size (in three dimensions) of the proposed alteration shall relate well to adjacent structures and surroundings. For example, a large addition to a small house may be out-of-scale and inappropriate.

- 6. <u>Color.</u> Color may be used to soften or intensify visual impact. Parts of the modification that are similar to the existing house, such as roofs, windows, shutters, gutters, and trim, etc., shall be matching in color and style.
- 7. <u>Materials</u>. Continuity is established by use of the same or compatible materials as were used in the original house. The options may be limited somewhat by the design and materials of the original house. For instance, wood or aluminum siding on the original house shall also be used on an addition. On the other hand, an addition with wood or painted aluminum siding may be compatible with a brick house.
- 8. **Workmanship Quality.** ACC approval of applications is based on the understanding that the quality of workmanship in the proposed modification will be at least equal to the quality of workmanship in the house and other original structures on the property.

#### 2.4 ACC Review Procedures.

- 1. Upon receipt of an application by the ACC, the date of receipt of the application shall be recorded on the application. This date commences the period of time available for ACC review of the application.
- 2. In situations where information in addition to that required for a complete application is needed for the ACC to make its decision, the applicant will be notified and asked to provide additional information or may be requested to attend the ACC meeting at which his or her application will be considered. The application will be treated as **not** submitted until the necessary information is provided to the ACC.
- 3. In the event the ACC fails to act on a complete and properly submitted application within thirty (30) days of receipt by the ACC, the application will be deemed disapproved. The 30-day time period refers to the period of time within which the ACC must review the application once the ACC received it. The time the application is mailed by the Owner to the management company to the time a written response in received by mail may exceed thirty (30) days. The burden rests with the Owner to maintain contact with the management company or the ACC if the time frame of the application review process is of particular concern. This 30-day provision does not apply to applications determined by the ACC to be incomplete or insufficiently prepared to render a decision. In such, cases, the application will be disapproved and returned to the applicant noting that the application contains insufficient information. Upon receipt of a resubmitted application that is complete and sufficiently prepared, a new 30-day review period will begin.
- 4. Approval: At least two (2) of the three (3) reviewing ACC members must approve an application for it to be officially approved. Action will be completed within the 30-day time period. Approved applications will be signed by the Chairperson or reviewing ACC members and notification sent to the Owner.

- 5. Disapproval: At least two (2) of the three (3) reviewing ACC members may disapprove an application. Alternatively, any application not approved within thirty (30) days of receipt, shall be deemed to have been disapproved.
- 6. If the applicant's request is disapproved by the ACC, the applicant may either appeal the decision to the BOD, pursuant to Section 2.5, or may first request reconsideration by the ACC under Subparagraph 7, below.
- 7. Prior to an appeal of the ACC's decision to the BOD, the applicant may request reconsideration by the ACC if new or additional information that might clarify the request or demonstrate its acceptability can be provided. A request for reconsideration must be submitted in writing within sixty (60) days following the ACC's disapproval. The ACC shall respond to a request for reconsideration of a decision within a new 30-day time period from the date of receipt of such request.
- 8. If the applicant is denied again upon reconsideration by the ACC, the applicant may appeal the decision to the BOD, pursuant to the procedures for appeal set forth in Section 2.5, below.
- 9. Special Exceptions: Neither the ACC nor the BOD is authorized to grant exceptions to the Covenants or Guidelines. However, changes to the existing Guidelines may be accomplished through the amendment process described above in Section 1.6.
- 10. The ACC Chairperson shall submit a monthly summary of actions taken to the BOD.

## 2.5 Appeal of Committee Decision to Board of Directors.

- 1. **Rights of Owners.** A final ACC decision pertaining to an alteration application may be appealed to the BOD <u>one time</u> if such action is taken within sixty (60) days following the final decision of the ACC.
- 2. **Petition Format.** All appeal petitions must be in writing and received by the Association's Community Manager a minimum of one (1) week prior to the next scheduled meeting of the BOD and be in substantially the following form:
  - I/We hereby petition the Board of Directors to hear an appeal of the decision of the Architectural Control Committee regarding the application for (requested alteration/change) by (name) (address) (phone#).
- 3. <u>Background Materials</u>. Appellants shall bring to the meeting at which their appeal will be heard copies of their disapproved applications and any supplementary materials they may wish the BOD to consider.

- 4. <u>Hearing.</u> Appeals will be heard at the monthly BOD meeting. The Owner shall contact the Association's Community Manager to confirm the date and time of the hearing, which shall be set by the BOD. Note that neither the ACC nor the BOD is empowered to grant exceptions to the Covenants or Guidelines. The only issue that is appealable is whether the ACC applied the Guidelines and Covenants correctly in reaching its decision on the application. However, changes to the existing Guidelines may be accomplished through the amendment process described above in Section 1.6.
- 5. **Board Decision.** The BOD will promptly consider an appeal following receipt of a complete and property submitted appeal petition and notify the appellant and ACC Chairperson of the BOD's decision.

#### 2.6 Inspections.

The Covenants require that the ACC and BOD ensure that all VRL properties comply with the Covenants and Guidelines, including those that require properties and structures to be properly maintained. To help meet in this obligation, the ACC Chairperson or Association's Community Manager (or other Association representative) shall periodically (normally, twice a year) survey the community for compliance with the Guidelines (in accordance with the provisions specified in the Covenants). Please see Appendix E for inspection guidelines.

# **2.7 Enforcement Procedures.** (Non-compliance)

Refer to Regulatory Resolution Number 2011-1 as shown in Appendix D.

#### **Architecture Guidelines: Overview**

The following regulations and guidelines set by the BOD and ACC are presently the only acceptable changes to properties within VRL. Other changes and additions may be possible upon request and approval. Any change or addition made to the exterior of the unit or lot from the original construction including placement of objects thereon, **must have prior written approval** of the ACC or the BOD.

To gain approval for your exterior home alteration before commencing on the project, submit a *Structural/Landscaping Change or Addition Form* (see Appendix A) with detailed plans and specifications to the applicable management company listed on the Form.

#### 3.0 General Rules Regarding the Alteration of VRL Home Exteriors

- 1. No exterior alteration, modification, or installation shall be allowed, constructed or altered upon any lot or townhouse until the plans and specifications of such have been approved by the ACC and/or the BOD as to concept, design, color, materials, size, location and impact on neighboring properties and compatibility with the existing community and harmony of the same to the project as a whole.
- 2. No front yard fence, wall(s), or other similar type of structures shall be allowed.

- 3. No exterior clotheslines or similar hanging devices shall be allowed on any townhouse lot.
- 4. The ACC shall be appointed by the BOD and shall consist of three (3) or more members.
- 5. Applications for approvals of any item covered within the Guidelines section shall be made to the ACC in writing, accompanied by complete plans and specifications. The ACC is empowered to reject any plans and/or specifications which it does not deem adequate. The ACC's approval or disapproval shall be in writing, and included in the ACC's records. In the event the ACC, or its designated representative, fails to approve or disapprove within thirty (30) days after complete plans and specifications have been submitted, then the application shall be deemed to be disapproved. A call to the applicable management company is encouraged, however, only if you have not been notified in writing.
- 6. Plans for the constructions of decks, patios, sheds, and other structures must meet the Prince William County building codes and the appropriate building permits must be obtained before beginning construction. The procurement of these permits and list of code requirements is the sole responsibility of the Owner. All projects must be completed in a timely manner.
- 7. All approvals are given based on projects being completed as they are presented on the *Structural/Landscaping Change or Addition Form*. If an Owner makes changes in the design after the ACC and BOD has approved it, the Owner must resubmit the request. The Owner will be found in violation if the project is not completed following the plans submitted and approved.

#### I. Fences

#### 1. Location

Fences are required to have prior written approval from the ACC or BOD, even for exact replacements. Fences are not to extend past the property line in any direction. No side-yard fence for an end-unit townhouse may extend ten (10) feet from the front corner of the unit. *No front yard fences are allowed.* See Figure 1.

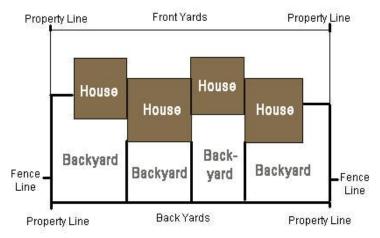


Figure 1. Where to build your fence.

# 2. Style

Fences must be shadowbox board-on-board, board-on-batten, or straight board-on-board in style using cedar or pressure-treated lumber. Trex fences are authorized. Only single gates are acceptable and they must match the fence.

#### 3. Height

Fence height must be six (6) feet as measured from ground level at any point along the fence. There are no exceptions to this height restriction. Fence posts must not be more than 6" higher than the top of the fence.

#### 4. Color

Only the natural wood color is permitted.

#### **Ongoing Maintenance for fences:**

Residents must preserve wood decks and fences with stain or clear water sealant/repellant and must periodically wash fence and decking materials for prolonged long life. Also, Residence must maintain fence and remove mold and mildew.

# II. Doors

#### 1. Front

- The ACC and BOD must approve replacement front doors in advance
- No plastic covering is permitted on any door.
- Noticeably cracked, broken or damaged doors must be replaced within forty-five (45) days.
- All doors must be stain/painted see approved colors below. Peeling or chipping of varnish/paint, broken windows, or frames are considered disrepair and subject to monetary penalties.
- Some examples of acceptable replacement doors are shown in Figure 2 below; however, prior written approval by the ACC or BOD is required.

#### **Original Stain Colors**



#### **Door Styles**



Figure 2. Replacement Door Styles

#### 2. Storm and Screen Doors

- When submitting a request for storm/screen door approval, please enclose a picture or pamphlet of the door to be purchased.
- Front storm doors must be full-view, modified-full-view or cross-buck. Front door must have clear, unfrosted, uncolored glass and must be free from excessive ornamentation. No mullions or security bars are permitted.
- Examples of acceptable screen and storm doors are presented in Figure 3 below.



Option 1

Option 2

#### 3. Rear

- The ACC and BOD must approve replacement rear doors in advance of their replacement. Doors should be replaced with an original builder style door. Rear doors may be replaced only upon the prior written consent of the ACC or BOD.
- No plastic covering is permitted on any door.
- Noticeably cracked, broken or damaged doors must be replaced within forty-five (45) days.
- All doors must be stained/painted in accordance with the home's existing color or trim. Peeling or chipping of varnish/paint, broken windows, or frames are considered disrepair and subject to monetary penalties.

#### **Ongoing Maintenance for doors:**

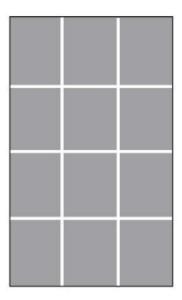
Residents must preserve doors with stain or clear water sealant/repellant and must periodically wash doors and siding around doors for prolonged long life. Also, Residence must maintain doors and remove mold and mildew.

## **III.** Windows and Shutters

#### 1. Standard Windows

- No plastic covering will be permitted on the exterior of any window of the dwelling.
- Window air conditioners are not permitted.
- Noticeable cracked or broken windows must be replaced within forty-five (45) days.
- The ACC or the BOD must approve replacement windows in advance.
- Mullions (Grid pattern) must match original windows. See the accepted mullion style in Figure 4.
- Window treatments must be maintained and not broken or in disrepair.

Figure 4. Original style of mullion.



#### 2. Shutters

- Noticeably cracked, broken, missing or damaged shutters must be replaced within forty-five (45) days.
- The ACC or the BOD must approve replacement shutters in advance.
- Shutters must adhere to the color palettes presented in IV Exterior Paint.
- There are two accepted styles of shutters, louvered and paneled. Examples of acceptable shutter styles are presented in Figure 5 below.
- Shutters need to be maintained and not faded.



#### **IV.** Exterior Paint

The exterior of all homes must be painted and/or vinyl sided in the approved colors provided in Appendix B of this Architecture Guide. There are 36 approved color palettes for all VRL homes.



Figure 7. A VRL paint palette is shown above. The areas where the color must be applied on the home are highlighted in yellow.

#### 1. General Guidelines

- Only colors identified in Appendix B of the *Villages at Rippon Landing Architecture Guidelines* should be used when painting any exterior part of your home.
- Please note, colors viewed on computer screens and printed out on color printers will vary. To ensure you are painting your home the correct color, you must match the provided BEHR Premium Plus Exterior Paint color name and serial number, provided beneath each color palette (see Figure 8). BEHR Premium Plus paints are available at all Home Depot stores. If you choose to purchase another brand of paint, please acquire a paint sample from Home Depot and have your alternate paint supplier match the exact BEHR shade.
- If you are changing any of the colors on the exterior of your home, you must have the change approved by the BOD or ACC before you begin painting or residing your home. You must complete a Structural/Landscaping Change or Addition Form approval form and send it to the current management company

# 1 Siding: Lost Summit ECC-15-1<sup>A</sup> 2 Trim: Light Sandstone ECC-15-2<sup>u</sup> 3 Shutters/Door: Cherry Bark<sup>†</sup> ECC-15-3<sup>p</sup>

Figure 8. A VRL paint palette is shown above. The BEHR paint name and code are highlighted in yellow.

#### 2. Exterior Paint Palettes

The approved paint palettes for VRL homes are listed in Appendix B.

#### V. Roofs

#### 1. Roof Maintenance

• Roofs and roofing materials, including on bay windows or other overhangs, must be maintained. No loose shingles, faded, tree-sap damaged, or other visible shingle damage is permitted.

#### 2. Roof Replacement

- Roof replacements that do not match the existing shingle color, size, and style must be approved by the ACC and the BOD.
- Roof shingles cannot extend onto a neighbor's roofline and shingles must be trimmed evenly to the edge of the roofline.
- Only asphalt roof shingles are permitted. No terra cotta, slate, tin, or other roofing material is permitted.
- No addition of new peaks, weather vanes, or other roof structures is permitted.
- Roofs must be a solid shingle color. Approved roof colors are: black, or dark brown, silver mix

#### When a Storm Strikes How you respond is critical

Failure to mitigate post-storm damages can have detrimental consequences for homeowners. For example: During the storm, a homeowner's roof sustained what appeared to be minor damage. Because the damage did not cause immediate or noticeable leakage and caused only a few roof tiles to break loose, the homeowner delayed reporting any claim to their insurer. Weeks go by, a heavy storm occurs, and the homeowner now notices a leak in the roof. This leak caused flood damage that may not be covered by insurance. This problem could have been avoided had the homeowner enlisted their insurance professional and began mitigating damages as quickly as possible after the original loss occurred. In many cases, damages that result from failure to report a loss at the time of occurrence or failure to prevent future damages may not be covered, leaving the policyholder responsible for damages.

#### Here are some important steps to take for moving forward when a storm damages your property:

#### 1. Inspect for Damages

- 1. Take pictures to document the loss. This is important because the burden is on you as the insured to *PROVE* a loss occurred. If your insurance company has any questions, they will send out an adjuster (see below). Understand your personal insurance carrier coverage.
- 2. Your carrier will likely cover weather damage losses. If storm damages penetrated the roof or broke out windows, any water damage from driven rain will likely be covered as well; however, ...
- 3. You have a duty to protect your property from future damages. This means that if storm damages broke your windows and rain comes in any time after the storm, your insurance will likely *NOT* cover that water damage because the idea is you should have protected your property.

#### 2. Make Emergency Repairs

- 1. Follow up on the above if you have damages that pose additional risk (your windows are busted out/all of the shingles blew off your roof, your exterior drains are covered with debris, etc., because you need to make immediate repairs to prevent further loss.
- 2. Your insurance will reimburse the costs for putting a tarp on your roof, plywood to board up your windows, etc.

#### 3. Get Estimates for Fixing the Property

- 1. Storm damage is not an everyday occurrence in Virginia, and insurance carriers might get swamped with many more claims than usual. If you have an insurance adjuster come out to your property, here's an idea of the timeline involved:
  - File the claim + 1 Day
  - Insurance carrier responds and assigns adjuster + 2 Days
  - Insurance adjuster hires an independent contractor to create a report/estimate + 2 Days
  - Independent contractor takes pictures of damages/creates report for adjuster + 14 Days normally, + 21 Days if they are backlogged
  - Adjuster reviews independent contractor's report + 7 Days normally, + 14 Days if they are backlogged
  - Check issued + 7 to 14 Days
  - TOTAL TIME: Best Case: 33 Days from claim to payment (1 Month)/if backlogged: 44 Days (1 1/2 Months)
- 2. BUT if you get pictures and estimates, the insurance carrier MAY rather pay you a little more than normal to save on the cost of hiring a contractor, and it's a much faster timeline:
  - Inspect property and take pictures + 1 Day
  - Receive estimates from contractor +1 to 7 Days
  - Insurance carrier files your claim with estimates and documentation + 0 Days
  - Insurance carrier responds and assigns adjuster + 2 Days
  - Adjuster sees that they already have everything they need in their file (pictures, estimates) to decide claim + 0 days
  - Check issued + 7 to 14 Days
  - TOTAL TIME: As soon as 11 Days to get a check in hand, depending on how long your contractor takes.
- 4. Report to your HOA of estimated work repair completion.

# VI. Patios, Decks, Arbors, Screens, Trellises and Handrails

#### 1. Patios and Decks

- To build a deck or patio, a request for approval must be submitted and approved prior to installation and must include complete plans, dimensions, and description of building materials. The plans must meet Prince William County Building Codes.
- Owner must call Miss Utility before constructing any deck or patio.
- Decks may be unpainted, pressure-treated wood, stained pressure-treated wood using the approved colors as listed in Appendix C, or Trex, Composite Decking. Clear water sealant/repellent applied to preserved wood is acceptable.
- Second floor decks on three (3) level homes must leave sufficient room near party walls to allow for future maintenance needs as defined by the building and zoning codes.
- All concrete and/or wood patios must receive approval, even within fenced yards.

#### 2. Screens

No screening of any kind may be installed as a freestanding wall or fence.

#### 3. Lattice

 Latticework must be installed within a frame and incorporated as part of an overall deck design and connected to the unit.

#### 4. Awnings

Awnings, window awnings, or other sun or shade-controlled devices are not permitted.

#### 5. Trellises

• Trellises are permitted in back yards only.

#### 6. Front Handrails

- Front handrails shall be installed and maintained by the Owners where required by the Virginia Residential Building Code and the Code of Prince William County.
- Front handrails shall be well maintained and painted black in a design similar to those in the community.
- No front handrails shall be removed or altered without the prior written consent of the ACC and the BOD. Exact replacements do not need approval.

#### **Ongoing Maintenance for decks, patios ect:**

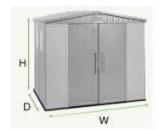
Residents must preserve decks and patios with stain or clear water sealant/repellant and must periodically wash fence and decking materials for prolonged long life. Also, Residence must maintain deck/patio and remove all mold and mildew.

# VII. Utility Sheds and Storage Buildings

All new or replacement sheds or storage buildings with a base width or depth larger than four feet, or requiring a foundation must be approved by the ACC or the BOD before installation.

Request for approval must include complete plans and specifications for the planned structure. All requests must include the following information:

- Make/Model (i.e., Rubbermaid/3784)
- Size (Height, Depth, Width
- Planned location
- Planned foundation description
- Photograph/visual aide (pamphlet or brochure containing picture of the structure)



#### 1. Shed Materials

New or replacement sheds can be comprised of resin, vinyl, or wood.

• **Resin Sheds** – **Hard plastic structures.** These buildings can be generally built in less than 60 minutes and are portable. Some of the producers of resin sheds are Rubbermaid, Keter, and Suncast.







Rubbermaid



Suncast

Figure 9. Examples of resin buildings

• Vinyl Buildings – Maintenance-free PVC vinyl structures that are portable. These buildings will typically not rust, rot or mildew and are usually fire-retardant PVC with steel frames and supports, they are highly durable. Some of the producers of Vinyl sheds are Duramax, Duramate, and Apex.



Apex



Duramate



Duramax

Figure 10. Examples of vinyl buildings

• Wood Buildings – Wood structures. These structures are not portable. These must match the color of the existing house or house trim. Shingles must match the existing house. Shed roofs must have no overhang over six (6) inches from the face of the structure. Wood sheds must be maintained in proper order, condition and repair and usually require periodic maintenance, such as painting and sealing.

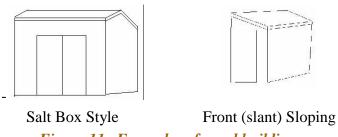


Figure 11. Examples of wood buildings

• No metal storage structures of any kind are permitted.

# VIII. Landscaping and Exterior Decorative Objects

#### 1. Permanent Landscaping

- All attached, permanent, exterior decorations must be submitted and approved by the ACC or the BOD, with the exception of doorknockers and security viewfinders.
- Plans for major landscaping, other than the planting of flowers and small shrubs, must be submitted to the ACC for approval. This includes "box" gardens created from railroad ties or landscape timbers.
- Landscaping materials must be all natural (wood, stone, slate, or quartzite), castle stones (interlocking cement blocks in natural shades), or landscaping brick and must not be painted, stained, or otherwise treated. Clear water sealant/repellent applied to preserved wood is acceptable. No regular brick or plastic landscaping material, Astroturf, or plastic fencing of any kind is permitted.





Oldcastle brand white retaining wall block

Oldcastle brand tan retaining wall block

Figure 12. Examples of castle stones

 Hoses and hose caddies are only permitted in front yards when hidden from view by shrubs or other approved screening.

#### 2. Lawn Ornaments

- No lawn or garden ornaments larger than eight (36) inches in height are permitted in the front yards. This includes, but is not limited to birdbaths, plastic animals, wagon wheels, sculptures, fountains, ponds and ground-mounted flagpoles.
- No fake or artificial flowers are permitted in front yards or on front porches.
- Decorative objects such as those listed in Item 2 may be approved for use only in a fully fenced-in back yard.

#### 3. Holiday Decorations

• Temporary holiday decorations (including decorative flags, banners, and lights) do not require approval, but are permitted only 3 weeks prior to and until 2 days after federally commemorated holidays, except for Christmas/New Year period which may be extended until January 15<sup>th</sup>.

#### 4. Lawn Maintenance/Gardens

- All gardens and flower beds must be kept free of weed build-up and cleared at the end of the season of all unused stakes and dead growth. Grassy areas on lawns must be maintained and mowed on a regular basis, such that grass is no higher than <u>six</u> (6) inches and a minimum of two (2) inches. Dead patches must be reseeded. No dirt yards are permitted.
- Gardens should be kept on owner's property; vining vegetables should not extend onto the Common Area or neighboring properties.
- Vegetable gardens are only permitted in back yards and must be cleared at the end of the season of all unused stakes and dead growth.
- Gardens are not to be planted on Common Grounds', as they inhibit lawn maintenance efforts and destroy the turf, and may be unsightly.

- Firewood shall be kept neatly stacked in the rear of the home, within the lot lines. Piles must not exceed four (4) feet in height for safety. Firewood piles must not contain other debris.
- Electronic insect traps shall not be installed or maintained in such a way as to cause discomfort to adjacent owners from noise and may only be operated when the owner or guests occupy the immediate area protected by the trap. In addition, the traps should be located below the fence lines.
- Compost piles are prohibited. Compost is permitted in resin or plastic bins designed for composting purpose only.
- Vegetation shall not be growing on the exterior of homes in the form of weeds or vines from nearby trees.
- Lawn clippings shall not be dumped in any part of the common grounds and / or over the retaining walls or dumped in the woods/tree line.
- Keep sidewalks, driveways clear of fallen leaves and other debris.
  - o Fall leaf accumulation: Leaves shall be collected and bagged in the front and rear of homes after all of the leaves in the homeowner's yard have all fallen.

# IX. Satellite Dishes, Attic Fans, Solar Panels, and Skylights

Installation of wiring, antennas, solar panels and any other machine or device on the exterior of any building must be submitted for approval prior to installation.

#### 1. Attic Fans

• Exterior attic fans must be located on the rear roof, two (2) feet below peak of roof, unless the home is an end unit. End units may use the existing side vent for installation.

## 2. Satellite Dishes

Satellite dishes under 1 meter in diameter do not need advance approval by the board for installation. However, it is required that they be attached to the rear roof, at least two (2) feet below peak of roof. Attachment to decks and fences are acceptable alternatives if an acceptable quality signal is not receivable on the roof location, with permission from the ACC. At no time shall dishes or antennae be located in the front yard or attached to the front of the house, unless such placement is required to receive an acceptable quality broadcast signal. All unused satellite dishes must be removed when they are no longer providing service. Not to be placed on your fence or in common area.

#### 3. Skylights

• Skylights are permitted with approval from the ACC on the rear roof. Circular and rectangular designs will be reviewed. Flashing must match roofing tile color and have a low profile.

#### 4. Solar Panels

Solar panels are allowed on the rear roofs of homes.

# X. Exterior Lights and Lampposts

Neighborhood safety is enhanced by well-lit walks and entryways. All exterior lights must be kept in working order. Outdoor post lamps are required to be lit from dusk until morning light.

#### 1. Outdoor Post Lamps

- All outdoor post lamps must be outdoor post lantern model number 8216-12 produced by Sea Gull Lighting as of May 1, 2008. The approved lamp post lantern can be purchased from Dominion Electric, Ferguson Enterprises, Dulles Electric and Supply, Lowes, and Home Depot. Special discounted rates have been secured at Dominion Electric.
- The 8216-12 lantern comes with a 2" tall embellishment that screws into the top of the lantern. Do not install this top piece as it extends the height of the lantern compromising uniformity with the previously installed lamps. Install the screw-on ball directly into the lantern's top cover so that your lantern matches Figure 13.
- Outdoor post lanterns must be kept in working order and replaced promptly when in need of repair. Light bulbs should be immediately replaced and components should be repaired or replaced within thirty (30) days. Failure to do so will result in one warning and subsequent monetary penalties the as established by the BOD.
- Outdoor post lamp poles must be black, 3" diameter cylinders.
   No embellishments (trellises, scrollwork, attached ironwork) of the post are permitted.



Figure 13. Approved outdoor post lantern, model 8216-12 made by Sea Gull Lighting

#### 2. Wall Lights (Front)

- Wall lights must have white or yellow bulbs.
- Wall lights must have a siding mount if placed on siding.
- Wall lights must be kept in working order and replaced promptly when in need of repair. Light bulbs should be immediately replaced and components should be repaired or replaced within thirty (30) days. Failure to do so will result in one warning and subsequent monetary penalties.
- Wall lights should be replaced with a similar model as shown below.











#### 3. Security/Flood Lights (Back Porch)

- Security/flood lights must have white or yellow bulbs and must be attached to the house.
  - Lighting from bulbs must not be bright enough to project lighting into another homes windows. The bulbs and the placement of the lights must then be adjusted to not interfere with another property.
- Security/flood lights must be kept in working order and replaced promptly when in need of repair. Light bulbs should be immediately replaced and components should be repaired or replaced within thirty (30) days.



# 4. Low Voltage and Solar Lighting (Front Yard)



- The ACC or the BOD must approve new low voltage lighting before installation. Solar lighting is permitted to be installed without prior approval.
- Request for approval must include landscaping plans to include the location in which the lighting will be placed.
- Low-voltage lighting must have white or yellow bulbs.
- The lighting must be kept in working order and replaced promptly when in need of repair. Light bulbs should be immediately replaced and components should be repaired or replaced within thirty (30) days.

#### **XI General Maintenance and Miscellaneous**

#### 1. General Home Exterior and Yard Maintenance

- Homes and yards shall be maintained in a neat and orderly fashion. Painting should be done at regular intervals and siding/roofs should be properly maintained and repaired promptly to avoid an unsightly appearance. Any repair to siding/roof/fence must match the existing property colors/shade.
- The Owners are responsible for the upkeep of the concrete steps, walkways, and expansion joints on their property. They must be free from mold and mildew. Large gaps and cracks due to settling or neglect must be repaired promptly. Steps are to remain unpainted and free of any wooden surrounds or forms, unless approved by the ACC or Board of Directors prior to installation.
- Turf areas need to be mowed at regular intervals, maintaining a maximum height of six (6) inches and a minimum of two (2) inches.
- Each resident is responsible for picking up litter on their property and preventing windblown debris from originating or remaining on their property. At no time is the common ground considered a dumping ground for organic or inorganic debris such as leaves, grass, branches, or Christmas trees.
- Owners are responsible for seeing that their lot areas are protected from erosion and that storm drain structures are not blocked or causing additional erosion problems.
- Outside storage of hazardous material is prohibited. The Owner must immediately remove any toxic or hazardous material used by the Owner for household upkeep, lawn maintenance, or automotive repair that was spilled or dumped, whether on a common area or their own property.
- Backyards may not be used as storage areas for anything other than play equipment, lawn and garden maintenance equipment, firewood, and appropriate patio equipment (such as grills, patio furniture, patio umbrellas, potting bench, etc.), all of which must be in good order and repair. Construction debris, old appliances, vehicle parts and other mechanical items must be removed or stored in approved storage sheds.

#### 2. Prohibited Front-Yard Items

- Any garden or yard equipment, baby strollers, bicycles, snow shovels, tools or other equipment/machinery must be stored inside or in the rear of the unit except when in immediate use.
- Outdoor furniture is allowed in the front yard as long as it is decoration. Tables, dining chairs, and any upholstered furniture are prohibited.

#### 3. Pet Homes

• Outside pet homes, cages, or runs are only permitted in a fully fenced backyard and with advance approval from the ACC or the BOD. Structures must be temporary and removable.

#### 4. Waste Disposal

- Trash cans and recycle bins shall be stored in rear yards and kept as inconspicuous as possible. Under no circumstances shall bins be stored by the front door or in public view from the front or side of the house.
- Trash cans and recycling bins shall not be set out before 7:00 p.m. (Spring/Summer) or dusk (Fall/Winter) the night before the trash pickup and must be removed by 9:00 p.m. on the day of trash pickup.
- No individual sewage waste disposal system shall be permitted on any townhouse lot. Household and yard trash is to be removed in a timely manner and is not permitted to remain in front or rear yards outside of proper receptacles, to prevent animal infestation. Should trash/waste piles be visible from neighbors homes, warnings and subsequent monetary penalties may be imposed upon the owner/tenant.
- Pet/Animal Waste Bags shall be placed inside sealed trash receptacles and disposed according to trash resolution guidelines. At no point shall Animal Waste Bags be accumulated around property.

#### 5. Water

• No individual water supply system shall be permitted on any townhouse lot.

#### 6. Recreation and Play Equipment

• All exterior play equipment must be placed in rear yards and should be well maintained. Equipment that is peeling, rusting, falling apart or extremely faded will not be permitted. All play equipment extending above a side fence must be approved. Bikes, tricycles and other toys must be placed in the rear of the house each night.

## 7. Exterior Signs

- No sign of any kind shall be displayed to the public view on any townhouse lot except one professional sign of no more than one (1) square foot and one sign of not more than five (5) square feet advertising the property for sale or rent.
- Real estate sale signs will be permitted on common property only between Saturday 9:00 a.m. and Sunday 5:00 p.m. Any sign standing beyond the approved hours will be removed. This will be strictly enforced. Please inform your Realtor.

# Appendix A: Request for Structural/Landscaping Change or Addition

Architectural Improvement Request/Architectural Control Committee Application Form Villages at Rippon Landing Homeowners Association

Mail To:	Villages at Rippon	Villages at Rippon Landing Homeowners Association c/o Sequoia Management Company				
13998 Par	keast Circle					
Chantilly,	VA 20151-2283					
	: Name:(Fa			Lot#:		
Type of Al				be submitted with application fo		
ſ	D Second Story Deck	Complete Section A	below			
[	O Ground Level Deck	Complete Section A	below			
[	) Fence	Complete Section E	3 below			
[	) Patio	Complete Section (	below			
[	O Storm Door	Complete Section [	) below			
[	O Other	Complete Section E	below			
Section A:	Deck Additions (Must	submit Permit from P	rince William County w	vith Application)		
Dimensio	ns, across the back of th	e house:				
Dimensio	ns, length out from the l	nouse:				
Elevation,	from ground level:_					
Railing he	ight, from deck surface:					
Railing typ	oe (describe):					
Type of m	aterials:					

Section B: Fence Additions (Zoning approval must be submitted with Application)
Total dimensions of the fence:
Fence type:
Type of gate:
Type of materials:
Section C: Patio Additions
Total dimensions of the patio:
Type of materials:
Section D: Storm Doors
Placement of door:
Type of door (describe):
Describe color of door as it relates to the following:
Front door, siding (brick) and trim:
Section E: Other (includes Addendums to previously approved requests, if applicable)
Please provide an explanation of the project, providing details on dimensions, materials and colors as applicable.
All applications must be accompanied by the materials listed below. Incomplete applications will not be reviewed and may result in your project being delayed.
O Attach architectural plans/drawings or photographs of the proposed project. Drawing MUST show elevations, dimensions, height off the ground, relationship to existing structures, railings, footings, color samples necessary and manufacturer's brochure if available.
O Attach a copy of the property plat showing size, shape and location of improvement to residence and to adjoining properties (including specific dimensions of improvement and distances to adjoining properties). Grading plan must be included, if applicable.

Obtain the signatures of all adjacent or affected property owners. The signatures only indicate their awareness of your proposed plans, not their approval. Signatories having concerns about your proposed plan must notify the Association of specific concerns in writing.

\*\*\*Please see the onsite management to get the document to fill in. This is only a guide.

# Appendix B: Exterior Paint Palettes (1 of 4)



2 Trim: Beach Wind ECC-32-2"

3 Shutters/Door: Cherry Tree<sup>†</sup> ECC-32-3<sup>o</sup>

2 Trim: Echo Mist ECC-31-2"

3 Shutters/Door: Autumn Leaves ECC-31-3°

2 Trim: Ultra Pure White™ 5050°

3 Shutters/Door: Night Tide ECC-30-30

# **Appendix B: Exterior Paint Palettes (2 of 4)**





2 Trim: Echo Valley ECC-25-2"

3 Shutters/Door: Obsidian Stone ECC-25-30





1 Siding: Iron Wood ECC-33-1<sup>P</sup> 2 Trim: Silver Sands ECC-33-2<sup>U</sup> 1 Siding: Pacific Mist ECC-34-1" 1 Siding: Silver Clouds ECC-35-1° 2 Trim: Boulder Creek ECC-34-2° 2 Trim: Quartz Stone ECC-35-2" 3 Shutters/Door: Dark Sea ECC-33-30 3 Shutters/Door: Terra Cotta Sun ECC-34-3<sup>A</sup> 3 Shutters/Door: Thunder Bay ECC-35-30

#### **Appendix B: Exterior Paint Palettes (3 of 4)**



#### **Appendix B: Exterior Paint Palettes (4 of 4)**



# **Appendix C: Approved Deck and Fence Colors**

Behr Natural 500/400

Behr Cedar Naturaltone 501/401

Behr Redwood 502/402

#### Appendix D: Regulatory Resolution No. 2011-1: Due Process Procedures

# VILLAGES AT RIPPON LANDING HOMEOWNERS ASSOCIATION, INC. REGULATORY RESOLUTION NO. 2011-1

Rule Violations: Complaint and Due Process Procedures

WHEREAS, Article VIII, Section 1(a) of the By-Laws of the Villages at Rippon Landing Homeowners Association ("Association") grants the Board of Directors the power to adopt and publish rules and regulations governing the use of the Common Area and facilities, and the personal conduct of the Association's members and their guests thereon, and to establish penalties for the infraction thereof; and

WHEREAS, Section 55-515 of the Virginia Property Owners' Association Act (the "Act") and the Preamble to the Declaration charge all Lot owners and their tenants, guests and invitees with compliance with the Articles of Incorporation, Declaration, By-Laws, Rules and Regulations (the "Governing Documents") of the Association as amended; and

WHEREAS, Section 55-513(B) of the Act, Article VIII, Section 1(a) of the Bylaws, and Article XII, Section 1 of the Declaration of Covenants, Conditions and Restrictions ("Declaration") provide the Association, through its Board of Directors, with the power to assess charges against lot owners for violations of the Governing Documents and the rules and regulations, for which the lot owner or his family members, tenants, guests or other invitees are responsible; and

WHEREAS, Section 55-513(B) of the Act further provides that certain procedures must be followed before such charges may be assessed; and

WHEREAS, it is the intent of the Board of Directors to enforce the Governing Documents for the benefit and protection of the Association's lot owners and residents by establishing procedures which ensure due process and consistency of enforcement.

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT the Board of Directors by the Act, the Governing Documents and this resolution are hereby empowered to assess charges pursuant to Section 55-513(B) of the Act and shall assess such charges for any violation of the Governing Documents or rules only after the following procedures have been followed:

#### I. Complaint.

- A. Any lot owner, tenant, agent or Board member who requests that the Board take action to enforce the Governing Documents and Rules shall complete, date and sign a Complaint in a form similar to and containing the information contained on Exhibit "A" hereto. The Board may take action without completing a complaint form.
- B. The Complaint shall be submitted to the Board of Directors for a determination as to whether it appears that a rule or provision of the Governing Documents has been violated.
- C. The Board of Directors shall then take appropriate action, such as directing that a demand letter be sent or referring the matter to counsel or county authorities.

#### II. Demand.

- A. If determined appropriate, a written demand letter which may be in a form similar to Exhibit "B" hereto shall be sent by first class mail or shall be hand-delivered to the lot owner at the address which the owner has provided to the Association or at the lot address if no other address has been provided. A copy may be sent to the tenant if there is a tenant.
- B. The demand letter shall specify the alleged violation, the action required to abate the violation and a date usually not less than ten (10) days after the date of the demand letter by which the alleged violation must be remedied. Provided, however, when the violation may constitute a health, safety or fire hazard, demand may be made to remedy the violation within twenty-four (24) hours.
- C. The demand letter shall state that if the violation is not remedied, the alleged violator must request a hearing before the Board in writing to avoid the imposition of charges. The letter shall also state that if no hearing is requested, the owner will be deemed to have waived the opportunity for a hearing and that rules violation charges may be assessed. The demand letter may be combined with the notice of hearing referenced in Section III if the violation is of a serious nature or if previous notices of violation have been sent to the owner.

#### III. Notice of Hearing.

A. If the alleged violation is not remedied within the date or time specified in the demand letter referenced in Section II and the owner requests a hearing or if the Board determines a hearing is necessary, a notice of hearing shall be sent. Notice of a hearing shall be hand delivered or mailed by registered or certified United States mail, return receipt requested, at least fourteen (14) days in advance thereof, or within such other time as may be required by the Act, to the lot owner at the address which the lot owner is required to provide to the Association. Service by mailing shall be deemed effective two (2) days after the notice has been mailed in a regular depository of the United States mail.

The demand letter referenced in Section II.B may be combined with the notice of hearing.

- B. The notice of hearing may be similar to Exhibit "C" attached hereto and shall specify:
  - 1) The time, date and place of the hearing.
- 2) That the lot owner and tenant, if applicable, shall be given an opportunity to be heard and to be represented by counsel before the Board.
- 3) The alleged violation, citing provisions of the Governing Documents or rules which allegedly have been violated.
- 4) That charges for violation of the Governing Documents and Rules may include the assessment of rules violation charges up to Fifty Dollars (\$50.00) for a single offense or Ten Dollars (\$10.00) per day for any offense of a continuing nature or such greater amounts as may be authorized by the Virginia Property Owners' Association Act.

#### IV. Hearing.

- A. The hearing shall be scheduled at a reasonable and convenient time and place within the Board of Directors' discretion.
- B. The Board, within its discretion, may grant a continuance. If the lot owner for which the hearing is scheduled requests a continuance to a different time or date, no further notice shall be required.
- C. The hearing need not be conducted according to technical rules of evidence applied in a court of law. The hearing shall provide the alleged violator with an opportunity to be heard and to be represented by counsel.
- D. The management agent, lot owner, tenant, any person lodging a complaint, and members of the hearing panel shall have the right (1) to call, examine, and cross-examine witnesses, (2) to introduce testimony and evidence, and (3) to rebut testimony and evidence, all within reasonable time limits imposed by the Board of Directors.
- E. The hearing shall be conducted in private unless the alleged violator requests that the hearing be open to owners and residents and further provided that the chairman of the hearing body may impose a reasonable limit on the number of such persons who can be accommodated in the hearing room. During the course of any hearing held, the Board, within its discretion, may afford those residents involved with the dispute or violation an opportunity to be heard within reasonable time limits.
- F. After proper notice has been given, if the lot owner fails to appear at the hearing or if no hearing is requested, the hearing or meeting may continue as scheduled and the Board may assess charges from the final compliance date of the letter or take such other action as may be authorized by the Governing Documents or by law.
- G. If the alleged violator acknowledges responsibility for the violation charged, or does not wish to contest the alleged charge, the Board may, in its discretion, dispense with a hearing after having afforded the alleged violator with an opportunity for a hearing.
- H. Within thirty (30) days of the hearing, the Board shall notify the alleged violator of its decision, the assessment of any charges and the date which those assessments shall accrue from and be due, which shall not be

earlier than the date given in the demand letter by which the violation must cease.

#### V. Records.

A. The Board or the Management Agent shall keep copies of all correspondence relative to rules violations in the lot owner's file or in a separate file on rules violations. Minutes of each hearing or meeting shall be kept and a form similar to that attached hereto as Exhibit "D" shall be completed and placed in the lot owner's file and appropriate Association files.

#### VI. Assessment of charges.

A. Pursuant to Section 55-513(B) of the Act, any charges assessed for violation of rules after notice and hearing shall be in amounts authorized by the Act and shall be treated as an assessment against such lot owner's lot for the purpose of Section 55-516 of the Act regarding liens. Such amounts also shall be the personal obligation of the owner.

#### VII. Other Remedies.

A. This resolution shall not be deemed to require a hearing prior to assessment of rules violation charges if a hearing is not requested or to prevent the Association from exercising any other remedies authorized or available under the Act, the Governing Documents or by law and shall not constitute an election of remedies.

#### VIII. Repeat Violations

- A. A second violation of the same type within 12 months of the most recent demand, notice, or hearing will be considered a repeat violation. In the case of a repeat violation, the Association may depart from the attached chart of violations and immediately assess the maximum charges allowed by law, \$50.00 for a single occurrence, or \$10.00 per day from the date of the violation for a period of up to 90 days without further delay.
- B. If the Association cites a lot owner for a repeat violation, the Association is under no obligation to send a warning letter and may immediately send a written demand letter similar to Exhibit E shall be sent by first class mail or hand delivered to the lot owner at the address provided to the Association. A copy may be sent to the tenant if there is a tenant.
- C. The demand letter shall specify the alleged violation, the action required to abate the violation, and the fact that this is a repeat violation and charges may be assessed from the date of the violation until it is abated. The letter will give the lot owner the opportunity to request a hearing within ten days. If a hearing is requested, assessed charges will be held in abeyance until the outcome of the hearing is determined.
- D. Violation charges will not terminate until the owner has abated the violation. The lot owner is responsible for requesting a re-inspection once they have corrected the violation. The re-inspection shall be scheduled promptly.

## **Appendix E: Inspection Checklist**

- Front Shutters are clean, vibrant, no faded paint, and undamaged
- Siding must match across entire house and be clean of mold/mildew/dirt
- Front door is stained or painted completely with no fading or chips
- Steps/stoop/sidewalk areas are clean of mold/mildew/dirt including the front part of the steps
- Yard must be properly maintained; grass well maintained and/or if you have landscaping it is well maintained and clean
- Window screens must be in place, clean and undamaged
- Window frames are clean, painted and undamaged
- Window grids are in place
- Roof must be in good repair, no mold/mildew visible and to Association standards
- Foundation is to be clean, painted and undamaged
- Brickwork is to be clean and free of mold/mildew/dirt
- Fence, deck, patio and/or shed is in good repair, clean of mold/mildew/dirt is stained and free of a weathered appearance
- Rear stairwell is in good repair, is painted and is clean of mold/mildew/dirt
- All trash, debris or other items must be removed from the property
- Make sure that all ARC documents are on file

## Exhibit "A" to the

#### **Resolution on Due Process Procedures**

## Villages at Rippon Landing Homeowners Association

Rule	s Violation Complaint	Date:		
1. 2.	Name of Person(s) violation rules: Lot # of Person(s) violating rules:			
	Are the person(s) named in question 1 tenants or			
	Describe in detail how and where the rules were			
	When did the violation(s) occur?			
6.	· · / · · / · · / · · / · · · · · · · ·			
	Yes No Verbally I	By written request		
	When?			
7.	Name and lot number of person(s) making comple	aint:		
8.	Signature(s)			
		FOR ASSOCIATION USE ONLY		
9.	Owner:	Tenant:		
	Provision(s) of Governing Documents or Rule(s) vi			
11.	Registered name(s) of lot owner(s):			
12.	Owner's address if non-resident:			
13.	Registered name(s) of tenant(s):			
14.	Comment:			
	Date demand letter sent to lot owner:			
16.	16. Owner/Tenant does/ does not request hearing.			
	Date request received:			
17.	Referred to Board on, 20	<u>_</u> .		
	18. Date notice of hearing sent:			

cc: Lot Owner File (optional-record may be closed)
Rules Violation File

## EXHIBIT "B" to the

#### Resolution on Due Process Procedures

## Villages at Rippon Landing Homeowners Association

#### DEMAND TO CEASE AND CORRECT

(Owner)				
You are hereby notified that a complaint has been made against you (or your tenants) for the alleged violation of the following rules and regulations of the Association:				
You are requested to immediately cease and correct any of the above violations within ten (10) days from the date of this letter. If you wish to contest the alleged violation and avoid imposition of charges you must request a hearing before the Board of Directors in writing within ten (10) days from the date of this letter. If you request a hearing, complete the bottom portion of this letter and return a copy to the Board of Directors. The Board of Directors or its agent will send you a notice by certified mail return receipt requested stating the hearing time and place. Alternatively, if you elect to cease and correct the violation within ten (10) days, please send a copy of this letter to the Board of Directors noting that the violation has been stopped or corrected. If you fail to respond to this letter and the violation persists, you may be assessed rules violation charges of up to Ten Dollars (\$10.00) per day for each continuing violation or up to Fifty Dollars (\$50.00) for each single violation without further notice. The Board may also take other legal action against you.				
Sincerely,				
Board of Directors				
cc: Lot Owner File (Tenant)				
Return to: Board of Directors, Villages at Rippon Landing c/o Sequoia Management Company, 13998 Parkeast Circle, Chantilly, VA 20151				
Name: Lot #				
I hereby request a hearing before the Board to contest the violation.				
I have ceased and/or corrected the violation and will refrain from further violations.				
Signature				

## Exhibit "C" to the

#### Resolution on Due Process Procedures

## Villages at Rippon Landing Homeowners Association

CERTIFIED MAIL RETURN RECEIPT
REQUESTED NO.
Re: Notice of Rules Violation Hearing
Dear:
You are hereby notified that a hearing will be held before the Board of Directors of the Villages at Rippon Landing Homeowners Association at
On the day of, 20, at m., pursuant to Section 55-513(B) of the Virginia Property Owners' Association Act and the Governing Documents for your tenant's or your alleged violation of the following rules of the Association:
You may be present at the hearing, may, but need not be, represented by counsel, may present any relevant evidence, and will be given full opportunity to examine and cross-examine all witnesses. You are entitled to request the attendance of witnesses.  Please be advised that if the Board determines that you are in violation of the Governing Documents and rules and regulations, charges of up to Fifty Dollars (\$50.00) for a one-time violation or Ten Dollars (\$10.00) per day for a continuing violation may be assessed against you and your lot. In addition to this hearing, the Board may elect such other remedies as are authorized by the Virginia Property Owners' Association Act, the Governing Documents, and by law.
If you have any questions or wish to communicate with the Board regarding this matter, please call.
Sincerely,
Board of Directors
cc: Lot Owner File
Rules Violation File (Tenant)

#### Exhibit "D" To The

#### Resolution on Due Process Procedures

## Villages at Rippon Landing Homeowners Association

#### Record of Hearing

Hearing Date and Time:	
Lot Owner(s):	
Lot #:	
Address if other than lot:	-
Alleged Violation:	
Provisions of Governing Documents Violated:	-
Persons in Attendance:	_
Decision of Board and Reasoning:	_
Charges Imposed (date commencing):	_
Other Sanctions Imposed:	
Comments:	

## EXHIBIT "E" to the

#### Resolution on Due Process Procedures

## Villages at Rippon Landing Homeowners Association

#### NOTICE OF REPEAT VIOLATION

(Owner)	
You are hereby notified that the Association has cite violation:	
This is a repeat violation because you have received violation within the last twelve months. Therefore, the followou:	
If you wish to contest the violation <u>you must request</u> ten (10) days from the date of this letter. If you request a he a copy to the Board of Directors. The Board of Directors or it receipt requested stating the hearing time and place. Violati abated for up to 90 days. When you have abated the violati The Board of Directors or its agent will promptly schedule and	ts agent will send you a notice by certified mail return ion charges will continue to be assessed until the violation is ion, it is your responsibility to notify the Board of Directors.
	Sincerely,
	Board of Directors
cc: Lot Owner File (Tenant)	
Return to: Board of Directors, Villages at Rippon Landin Circle, Chantilly, VA 20151	ng c/o Sequoia Management Company, 13998 Parkeast
Name:	Lot #
I hereby request a hearing before the Board to contest	the violation.
I have ceased and/or corrected the violation and will re	efrain from further violations.
	<del></del>
	Signature