

WESTWOOD TOWNS HOMEOWNERS ASSOCIATION
REGULATORY RESOLUTION NO 08-01

WHEREAS, Article 2, of the Articles of Incorporation of the Westwood Towns Homeowners Association ("Association") assigns responsibilities to the Association to provide for the preservation and enhancement of the value, attractiveness and desirability of the community;

WHEREAS, Article II, Section 1(c) of the Westwood Towns Homeowners Association Declaration provides for the establishment of uniform rules and regulations pertaining to the use of the Common Area and any facilities thereon;

WHEREAS, Article II, Section 1(f) of the Westwood Towns Homeowners Association Declaration provides for the Association's regulation of the use of the parking on the Common Area;

WHEREAS, Article VII, Section 1(a) of the Westwood Towns Homeowners Association Bylaws provides for the Board's adoption and publishing of rules and regulations governing the use of the Common Area and the personal conduct of Members and their guests thereon, and to establish penalties for infraction thereof;

WHEREAS, Article VII, Section 1(c) of the Westwood Towns Homeowners Association Bylaws provides for the Board to exercise for the Association all power, duty and authority vested in or delegated to the Association within the governing documents;

WHEREAS, Article VI, Section 6 of the Westwood Towns Homeowners Association Declaration address parking restrictions and provides for the enforcement of those restrictions;

WHEREAS, state and local ordinances govern certain safety related topics such as fire lanes and emergency access.

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT Westwood Towns Homeowners Association Parking Regulations are adopted as follows:

1. Parking spaces marked VISITOR are designated for visitor use only. These shall not be used by homeowners or residents of the community.
2. All unmarked parking spaces are available on a first come, first served basis for all homeowners, residents, and guests.
3. No commercial, industrial or recreational vehicle (including boats) shall be parked on the Property without the written consent of the Board of Directors. Such vehicles shall be defined by what their primary purpose is deemed to be by the Board of Directors.
4. No disabled vehicle or other vehicle that does not display valid registration plates shall be parked or stored upon any Lot or on any part of the Common Area. A vehicle shall be deemed disabled by the Board of Directors if it exhibits any condition that

prevents it from being legally being driven upon the public roadways.

5. Storage of vehicles is prohibited upon the Common Area. No vehicle shall remain in any Common Area parking space for more than seven continuous days. Any vehicle being stored upon a driveway must still satisfy the registration requirements above and not be deemed disabled.
6. No motorized vehicle may be used or maintained on the yards or sidewalks of any Lot or Common Area.
7. Mopeds, scooters and motorcycles shall be stored upon the driveway or inside the garage.
8. Repairs or extraordinary maintenance automobiles or other vehicles shall not be carried out on any Lot or portion of Common Area.

Any violation of provisions #1-8 above shall result in towing after forty eight (48) hours notice either posted upon the vehicle or delivered to the unit in question. Delivery may be in person or via the United States Postal Service at the discretion of the Board of Directors.

9. No vehicle may be parked in any way obstructing the sidewalks within the community. Pedestrian sidewalk access must be kept available at all times.
10. No vehicle may be parked within or in any way obstructing the fire lanes within the community. Emergency access must be kept available at all times.

Any violation of provisions #9-10 above shall result in towing without any notice. Be advised that these same violations may result in actions initiated by the state or local authorities.

Nothing in this Resolution shall preclude the Association from undertaking whatever additional enforcement action is authorized by the Governing Documents or Rules and Regulations of the Association for the violations related to vehicle regulation or actions upon Common Areas.

This Resolution is effective November 1, 2008.

The Board directs that this Resolution shall be reasonably published or distributed to the Owners of the Association.

Adopted at a meeting of the Board of Directors on

September 23, 2008, 2008.

President

Attested By:

Secretary

Date

Date

WESTWOOD TOWNS HOMEOWNERS ASSOCIATION, INC.

Policy Resolution No. 06- 01

Establishing Procedures to Ensure Due Process in Enforcement

WHEREAS, the Virginia Property Owners' Association Act ("Act") provides the Board of Directors with the power to assess monetary charges against owners who are responsible for violations of the Declaration, Bylaws and Rules and Regulations ("the Governing Documents") of the Westwood Towns Homeowners Association, Inc. ("the Association"); and,

WHEREAS, the Act provides the Board of Directors with the statutory power to suspend a member's rights to use facilities or services, including utility services, provided directly through the Association for nonpayment of assessments which are more than sixty (60) days past due, to the extent that access to the lot through the common areas is not precluded and provided that such suspension shall not endanger the health, safety, or property of any owner, tenant or occupant; and,

WHEREAS, both the Act and the Association's Bylaws provide the Board of Directors with the power to make and enforce rules and regulations respecting the use and maintenance of the lots and common areas; and,

WHEREAS, the Act requires the Board of Directors to formally adopt and publish a written resolution to enact the statutory power to assess monetary charges against members for violations of the regulations of the Association;

WHEREAS, for the benefit and protection of all members, the Board of Directors deems it necessary to formally adopt a policy resolution to enact the statutory power to assess monetary charges and suspend privileges and to establish a procedure for enforcement of the Governing Documents of the Association which are consistent with principles of due process and Virginia law.

NOW, THEREFORE, BE IT RESOLVED THAT, the following procedures are hereby adopted by the Board of Directors, which shall supersede and replace any prior rules and regulations or policies relating to the same matter:

1. On behalf of the Association, the Board of Directors (and/or its designee) may issue a citation to any Owner whose behavior or use of property does not conform to the Governing Documents of the Association, or who intentionally falsely accuses another Owner of a violation or infraction.
2. The Board (and/or its designee) shall send an initial notice of citation in writing and deliver it personally or by first class mail, to the Owner at his/her address listed in the Association's records, or to the Lot address, if no such address has been designated by the Owner.
3. The initial notice of citation shall generally advise the Owner of the nature of the offense and the provision of the Governing Documents that has allegedly been violated, specify

the remedy required, and state the number of days within which the Owner must complete corrective action.


4. If the Owner does not remedy the offense within the number of days stated in the notice of citation, the Board of Directors (and/or its designee) reserves the power to issue a final notice of citation, which may include any additional information deemed important by the Board of Directors about the offense. In the event of repeated violations of the same covenant or rule or violations that pose a risk to the health and safety of the residents of the Association, the initial notice of citation need not be sent and a final notice of violation may be sent in its stead.
 5. The final notice of citation shall also warn the Owner of the monetary charges, the suspension of privileges, or other specific sanctions that may be imposed for the alleged violation of the Governing Documents, and shall inform the Owner of his/her right to request a hearing before the Board of Directors to contest the citation. The notice of citation shall request the Owner to confirm in writing by a certain date his or her desire for a hearing to contest the citation.
 6. The Board (or its designee) shall deliver the final notice of citation by hand or registered or certified mail, return receipt requested, to the Owner at his/her address listed in the Association's records, or to the unit address, if no such address is designated by the Owner. Notification will be deemed effective if any Owner fails or refuses to sign for any registered or certified mailing from the Association.
 7. If the Owner does not request a hearing in writing by or before the hearing confirmation date, the Owner shall be deemed to have waived the right to a hearing and the Board of Directors shall have the power to impose monetary charges and/or suspend privileges pursuant to the authority granted in Section 55-513 of the Act, as amended, and this Policy. The Board of Directors shall not be required to conduct a hearing unless the Owner requests a hearing in writing by or before the deadline set forth in the final notice of citation.
 8. When a hearing is requested by the Owner in writing by or before the deadline, the Board of Directors shall set the time, date and place of the hearing at its discretion, with reasonable consideration given to the scheduling needs of the Owner.
 9. Written notice of the time, date and place of the hearing shall be delivered to the Owner by hand or mailed by registered or certified mail, return receipt requested, to the Owner at least fourteen (14) days in advance of the hearing date. At the hearing, the Owner shall be given a reasonable amount of time to present any and all defenses to the citation. The Owner may, but is not required to be, represented by counsel at the hearing.
 10. Following the hearing, the Board of Directors shall meet in executive session to determine whether satisfactory proof of the alleged violation was presented, and if so, whether monetary charges should be imposed and/or privileges should be suspended. Monetary charges may not exceed \$50.00 for a single offense or \$10.00 per day for any offense of a continuing nature, although the Board reserves the power to increase these maximum sanctions if the Virginia General Assembly enacts legislation in the future that permits the Board to do so. The Association shall treat monetary charges as an
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assessment against the Owner's lot. The Board of Directors may also suspend the right of the Owner and the right of such Owner's household, guests, employees, customers, agents, invitees and tenant and the tenant's guests and invitees to use the Common Area facilities for a period not to exceed sixty (60) calendar days for any first time violation of the Governing Documents or for any period during which any assessment, which is more than sixty (60) days past due, remains unpaid. The Board reserves the right to impose a suspension that exceeds sixty (60) days for repeated violations of the Governing Documents.

11. The Association (through the Board or the Board's designee) shall advise the Owner of the hearing results in writing delivered by hand or mailed by registered or certified mail, return receipt requested to the Owner at his or her address of record with the Association within seven (7) days of the date of the hearing.
12. The Board of Directors reserves the power to hold Owners legally responsible for ensuring that their employees, tenants, guests, agents or invitees comply with the Association's Governing Documents.
13. The procedures outlined in this Resolution may be applied to all violations of the Governing Documents, but do not preclude the Association from exercising other enforcement procedures and remedies authorized by the Governing Documents, including, but not limited to, the initiation of suit or self-help remedies. The Board of Directors reserves the power to assign all of its powers and responsibilities herein to a standing or special committee of its choice or to its manager or managing agent.

This Resolution shall be effective on the date of adoption by the Board of Directors.

BE IT RESOLVED this 14TH day of June, 2006.


Henry Hopkins, President