



Shadowwood Condominium Association  
11639 Stoneview Square  
Reston, VA 20191-2952

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[www.shadowwoodcondos.com](http://www.shadowwoodcondos.com)  
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## SHADOWOOD CONDOMINIUM ASSOCIATION

### POLICY RESOLUTION 2006-02

#### HVAC ROOMS AND HEATING, AIR-CONDITIONING AND THE ENERGY-MANAGEMENT SYSTEM

**WHEREAS**, any common expenses benefiting less than all of the condominium units, or caused by the conduct of less than all of those entitled to occupy the same or by their licensees or invitees, shall be specially assessed against the condominium unit or units involved; and

**WHEREAS**, each unit owner shall be liable for the expense of all maintenance, repair or replacement rendered necessary by his act, neglect or carelessness of the act, neglect or carelessness of any member of his family or employees, tenants, agents or licensees; and

**WHEREAS**, any default in paying any common expense or other sum assessed by the Unit Owners Association for the share of the common expenses chargeable to any unit and remaining unpaid for a period of thirty (30) days or longer after default shall constitute a lien on such Unit and shall be enforced pursuant to the provisions of Section 55-78.84, Code of Virginia, as amended; and

**WHEREAS**, the utility room appurtenant to each unit, and all the mechanical and electrical devices, including wiring, conduits, pipes and housing contained within each utility room for the express purpose of supplying heat and air conditioning to that particular unit, and including any part of the energy load-cycling system called the Energy Management System (EMS) are Common Elements. The EMS controls the peak amount of electricity that the entire development may consume at any given time when the "Air-Conditioning Season" mode is operating. (Note: The peak amount of electricity consumed during any given 30-minute segment from approximately May 24 through September 30 determines the demand "rate" charge that Dominion Virginia Power shall charge Shadowwood Condominium Association ("Association") for the following 12-month period, effective the first billing cycle on or about September 30.) The cost of utilities, including, but not limited to, natural gas, hot and cold water and common element electricity is paid in proportionate share, declared in the Master Deed, by each Unit Owner as part of the common expenses;

**NOW THEREFORE BE IT RESOLVED**, that access to any utility room and the control of the door, lock and sensors at the entry to the utility rooms and the control, operation and maintenance of all such mechanical/electrical devices located in the utility rooms, as well as such devices themselves, the EMS, and all wiring, thermostats, conduits, pipes and housing serving them are restricted exclusively to authorized employees or agents of the Association and to those licensed contractors hired by the Association to perform maintenance, repair and replacement, in whole or part, upon and to such devices and the utility lines serving them;

**AND BE IT FURTHER RESOLVED THAT** no Unit Owner, nor Unit Owner's family, tenant, nor tenant's family, employees, invitees, agents and licensees by any act, neglect or carelessness may cause, permit or allow any increase in the consumption of electrical power to operate and maintain any part of the mechanical/electrical devices, including the EMS, in excess of the operating levels and limits established and enforced by the Association so as to benefit less than all units.

This policy resolution, upon the date of adoption, shall be incorporated into and become part of



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the standing Rules and Regulations of the Shadowwood Condominium Association and notice shall be sent to each Unit Owner, of record and those so recognized by the Association to be Unit Owners, and therefore, members of the Association. Additionally, upon the date of adoption of this policy resolution it shall become part of all Resale packages, and any charges added to the list of fees and charges of the Resale package.

The Association makes no claim whatsoever, nor accepts any liability or responsibility for the mechanical ability of any heating or air-conditioning device to achieve and maintain any temperature setting desired by an occupant of a unit. However, the Association shall be responsible for general maintenance and repair and replacement of the heating and air conditioning devices in whole or part, as well as any part of the EMS and any wiring, conduits, pipes and housing as may be necessary for the normal operation and maintenance of such devices under the established and limited electricity consumption level set by the Association.

#### RULES AND REGULATIONS

1. The "Air-Conditioning Season" shall be from approximately May 15 through and including October 30 of any given year, depending upon weather conditions. Start-up and shut-down of air conditioning shall be upon determination of the Board of Directors only.
2. The Energy Management System (EMS) shall operate at all times during the Air-Conditioning Season, affecting all air conditioners of all units.

This Policy Resolution 2006-02 supersedes in its entirety Policy Resolution 89-02 and is effective immediately.

BY: \_\_\_\_\_  
Brian Olivia, President

Board of Directors

I hereby certify that the foregoing Resolution was duly adopted at a regular meeting of the Board of Directors of the Shadowwood Condominium Unit owners' Association this 18<sup>th</sup> day of November 2006, and is effective immediately on the date attested hereto.

ATTEST: \_\_\_\_\_

Michael Santos, Secretary

SHADOWOOD CONDOMINIUM UNIT OWNERS' ASSOCIATION



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**RESOLUTION ACTION SHEET**

Resolution Type: Policy No. 2006-02  
 Pertaining to: HVAC ROOMS AND HEATING, AIR-CONDITIONING AND THE ENERGY-MANAGEMENT SYSTEM

Duly adopted at a meeting of the Board of Directors held on November 18, 2006

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Vote:	YES	NO	ABSTAIN	ABSENT
Brian Olivia President	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Skipp Galythly Vice President	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Cody Parker Director	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Rodgerick Newhouse Director	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Lois Lynch Director	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>

ATTEST:

\_\_\_\_\_  
 Michael Santos, Secretary

File:

Book of Minutes - 2006

Book of Resolutions:	Book No.	Page No.
Policy	1	<u>      </u>
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Special	<u>      </u>	<u>      </u>
General	<u>      </u>	<u>      </u>

Resolution effective: November 18, 2006.