



Shadowwood Condominium Association
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SHADOWWOOD CONDOMINIUM ASSOCIATION

POLICY RESOLUTION 2007-02

ASSESSMENT OF ADMINISTRATIVE CHARGES AND FEES FOR UNIT OWNER CONDUCT RESULTING IN
EXTRAORDINARY EXPENSE TO THE ASSOCIATION

WHEREAS, Section 55-79.83B of the Virginia Condominium Act provides that:

To the extent that the condominium instruments expressly so provide, any other common expenses benefiting less than all of the condominium unit, or caused by the conduct of less than all those entitled to occupy the same or by their licensees or invitees, shall be specially assessed against the condominium unit or units involved, in accordance with such reasonable provisions as the condominium instruments make for such cases. The executive organ may impose reasonable user fees; and

WHEREAS, The By-Laws, Article VI, Section 2(a) provides that:

Every Co-Owner must perform promptly all maintenance and repair work within his own apartment, which if omitted would affect the project in its entirety or in a part belonging to other co-owners, being expressly responsible for the damages and liabilities that his failure to do so may engender; and

WHEREAS, the First Amendment to the By-Laws, Article XI, Section I provides that:

Each Co-Owner shall be governed by, and shall comply with, all of the terms of the Master Deed, these By-Laws, and the Rules and Regulations, and any amendments of the same. A default by a Co-Owner shall entitle the Unit Owners Association, acting through its Board of Directors or through the Managing Agent, to the following relief:...

(b) 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. Such liability shall include any increase in fire insurance rates occasioned by use, misuse, occupancy or abandonment of any Unit or its appurtenances. Nothing herein contained, however, shall be construed to modify any waiver by any insurance company of its rights of subrogation; and

WHEREAS, to protect the condominium Property and the financial interests of the Association, it is reasonable and necessary for the Association to recover its extraordinary administrative expenses, including legal and collections fees, from those unit owners who have caused the Association to incur such extraordinary expenses,

NOW THEREFORE BE IT RESOLVED THAT:

1. Any unit owner, his or her family member, tenant, resident, agent, licensee, or any other invitee who has caused the Association to incur any extraordinary administrative expenses by conduct, including inappropriate behavior on the common elements or limited common elements, and/or failure to maintain his or her individual unit in accordance with the governing documents will be subject to having certain administrative charges assessed to the unit owner or owners involved.
2. Such charges will be due and payable on the date assessed and shall be posted to the unit owner's account or accounts, unless the affected unit owner or owners makes an appeal in writing to the Association's Board of Directors within thirty (30) days from the date of the assessment or billing statement containing such charges, whichever occurs first. Should any such appeal be denied, the charges assessed will be due and payable immediately.
3. These administrative charges are in addition to any liability for damages to any Association property caused by the inappropriate conduct and/or negligent acts or failures to act.
4. When appropriate, safe and reasonable, Association officers, directors, management staff or agents will document the basis for such administrative charges with photographic or electronic imagery whenever possible. In any event, the Association's staff or management agent shall document in writing the conduct resulting in such administrative charges with or without supporting imagery.
5. The Board hereby adopts a Schedule of Administrative Charges to Recover Extraordinary Costs, which is attached hereto and made a part of the Policy Resolution, and which the Board may amend, from time to time through Board motion or action, as it may become necessary to make adjustments based on changes in various costs. The Schedule sets forth the approximate extraordinary administrative costs the Association may suffer on particular matters and shall not be considered to be an exclusive listing of items, actions, deeds, or events on which extraordinary expenses may be assessed.

This Policy Resolution 2007-02 supersedes in its entirety Policy Resolution 2005-08 and is effective immediately.

BY: _____
Brian Olivia, President

Board of Directors

SHADOWOOD CONDOMINIUM UNIT OWNERS' ASSOCIATION

I hereby certify that the foregoing Resolution was duly adopted at a regular meeting of the Board of Directors of the Shadowood Condominium Unit owners' Association this 19th day of May 2007, and is effective immediately from the date attested hereto.

ATTEST: _____

Michael Santos, Secretary

SHADOWOOD CONDOMINIUM UNIT OWNERS' ASSOCIATION

RESOLUTION ACTION SHEET

Resolution Type: Policy No. 2007-02

Pertaining to:
Duly adopted at a meeting of the Board of Directors held on May 19, 2007

Motion by: _____

Seconded by: _____

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

ATTEST:

Michael Santos, Secretary

File:

Book of Minutes - 2007

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

Resolution effective: May 19, 2007.

This is a facsimile document and SHALL NOT be used for resale disclosure purposes.

Schedule of Administrative Charges to Recover Extraordinary Costs

Effective January 15, 2005

When the Association has evidence of the following violations, the administrative charges listed below will automatically be assessed to your unit. You may request (in writing) a hearing before the hearing panel if you believe you are not guilty of the violation.

BALCONIES/PATIOS: Photos Suggested Storage of non-patio items	\$50
BEHAVIOR: Photos Required Congregating in stairwell, playing in street	\$50
BULK TRASH: Failure to remove major appliances and renovation debris from property	\$200
GAS/CHARCOAL GRILLS: Photos Suggested Stored or used on balcony	\$50
PET VIOLATIONS: Photos Suggested No leash, running loose, confined to patio or balcony, failure to cleanup after pets	\$50
SMOKE DETECTOR: Missing, failure to maintain	\$50
TRASH DISPOSAL VIOLATIONS: Photos Optional, Evidence Required Failure to place bags of trash in dumpster, leaving bags of trash in stairwell or on grounds	\$50
VEHICLES: Photos Suggested Vehicles leaking fluids, counterfeit decals	\$50
WINDOW SIGNS: Photos Suggested Sale or Rent signs posted in unit windows (Property Rule 16)	\$50
FIRE/SMOKE ALARM, WATER LOSS, PET INSPECTION & FILTER CHANGES	
Advance rescheduling - no charge	\$0
Subsequent rescheduling	\$40
Evening or weekend inspection	\$40
No/limited access to any part of the unit during regularly scheduled inspection	\$200
1 st re-inspection - no charge	\$0
Subsequent re-inspections	\$75