

**Pheasant Run Crossing Townhomes
Homeowners Association
Collection Policy for
Monthly Assessments and Special Assessments**

***Note: Please refer to the Declaration of Covenants, Conditions and Restrictions, Article IV, Section 1 and Section 2, for specifics on Special Assessments.**

A. Collections of Monthly (Annual) Assessments

Please refer to Article IV, Section 8:

- **1. Beginning August 1, 1998, Association dues are \$40.00 a month.**
- 2. Monthly assessments are due on the first of every month and considered late on the last day of the month.**
- 3. Late notices are processed on the first of the month following when they were due, and sent out on or before the fifth of every month.**
- 4. A late charge of 8% per annum or \$3.20 will be assessed to past due accounts as stated in the Declaration Article IV, Section 8:**

"...Any Assessment not paid within thirty (30) days after the due date shall bear interest from the due date at a rate of eight percent (8%) per annum. The Association may bring an action at law against the Owner personally obligated to pay the same, or foreclose the lien against the Property."

- 5. Should the Monthly Assessment and late charges not be paid by the first of the following month, a certified letter will be sent to the owner demanding payment within 15 days of receipt of the letter. A copy of the certified letter and all previous correspondence will be forwarded to the Association attorney, Marshall Frank, and the Board of Directors.**
- 6. If payment is not received within 15 days of receipt of the letter, the managing agent, upon the direction of the Board of Directors, will refer the matter to the Association's attorney. A final "demand for payment" letter will be sent to the owner by the Association's Attorney. All costs incurred by the Association for preparation of this letter will be added to the total amount past due.**
- 7. If payment is still not received, the managing agent, upon the direction of the Board of Directors and the Association attorney, will file a lien against the Lot in question. Attorney's fees and filing fees will be added to the total amount past due and this lien will remain in effect until payment is made in full.**

***Dues increased by BOD to \$42.00 on October 1, 1999.**

B. Collections of Special Assessments

Please refer to Article IV, Section 1, Section 2, Section 8:

1. Invoices for Special Assessments are processed on the first of the month and are sent out on or before the fifth of every month.
2. Invoices are due within (10) days of receipt of an invoice. Invoices will be considered late if not paid by the 30th of the month as outlined in Article IV, Section 1 which states:

"Each Owner Covenants for himself, his heirs, successors and assigns, to pay each assessment levied by the Association on the parcel described with ten(10) days after receipt of an invoice for the same, and further covenants that if said charge shall not be paid within thirty (30) days from the date that said invoice is deposited, postage prepaid in the United States mail, in an envelope addressed to such owner at the address as said Owner shall have designated, the amount of such charge shall become a lien upon said Owner's parcel and shall continue to be such a lien until fully paid."

3. Late notices for Special Assessments are processed on the first of the month following when they were due, and are sent out on or before the fifth of every month.
4. A late charge of 8% per annum (varies per the invoice amount) will be assessed to past due invoices as stated in the Declaration Article IV, Section 8:

"...Any Assessment not paid within thirty (30) days after the due date shall bear interest from the due date at a rate of eight percent (8%) per annum. The Association may bring an action at law against the Owner personally obligated to pay the same, or foreclose the lien against the Property."

5. Should the Special Assessment and late charges not be paid by the first of the following month, a certified letter will be sent to the owner demanding payment within 15 days of receipt of the letter. A copy of the certified letter and all previous correspondence will be forwarded to the Association attorney, Marshall Frank, and the Board of Directors.
6. If payment is not received within 15 days of receipt of the letter, the managing agent, upon the direction of the Board of Directors, will refer the matter to the Association's attorney. A final "demand for payment" letter will be sent to the owner by the Association's Attorney. All costs incurred by the Association for preparation of this letter will be added to the total amount past due.
7. If payment is still not received, the managing agent, upon the direction of the Board of Directors and the Association attorney, will file a lien against the Lot in question. Attorney's fees and filing fees will be added to the total amount past due and this lien will remain in effect until payment is made in full.

**PHEASANT RUN CROSSING HOMEOWNERS ASSOCIATION
RESOLUTIONS ACTION RECORDED**

Resolution Type: Policy No. _____

Pertaining To: Party

Duly adopted at a meeting of the Board of Directors held _____

Motion by: _____

Seconded by: _____

VOTE:

YES NO ABSTAIN ABSENT

TERRY SHYDER
President

KARL VANDERGRUFF
Vice President/Treasurer

FAYE MARCUM
Secretary

ATTEST:

Secretary

Date

FILE:

Book of Minutes-19 ____

Book of Resolutions: _____

	Book No.	Page No.
Policy	<u>1</u>	_____
Administrative	_____	_____
Special	_____	_____
General	_____	_____

Resolution effective: March 5, 1999.

PARTY POLICY RESOLUTION

WHEREAS, Article VII, Section 1 (c) of the Bylaws of the Pheasant Run Crossing Homeowners Association ("Bylaws") assigns the Board of Directors ("Board") with all of the powers, duties and authority vested in or delegated to the Association and not reserved to the membership by other provisions of the Bylaws, Articles of Incorporation or the Declaration;

WHEREAS, Article VII, Section 1 (a) of the Bylaws authorizes the Board to adopt and publish rules and regulations governing the use of the Common Area and facilities, and the personal conduct of their guests thereon, and to establish penalties for the infraction thereof;

WHEREAS, Article X, Section 6, and the Section A, Item 1, of the Architectural and Environmental Guidelines ("AECC Guidelines") provide that no noxious or offensive activity shall be carried out upon any Lot or any part of the Properties which may be or may become a annoyance or nuisance, public or private, to the neighborhood;

WHEREAS, Article X, Section 6, further provides that all owners shall have the right to quiet enjoyment of their dwelling unit and prohibits any activity which in any way increases the rate of insurance;

WHEREAS, Article VI, of the Covenants holds homeowners financially responsible for exterior maintenance that occurs as the result of willful or negligent acts of owners, his/her family, their guests, or invitees;

WHEREAS, Section 1(A) of the AECC Guidelines prohibits the use of any exterior speakers, horns, whistles or other sound devices;

WHEREAS, the Board seeks to promote a safe and healthy environment for the residents and owners of the Pheasant Run Crossing Community and further seeks to protect the property of the Association and the Lots therein;

WHEREAS, the Board recognizes the unique character of student communities such as Pheasant Run Crossing and seeks to establish a party policy that promotes mutual respect for one's neighbors, the community and adjoining neighborhoods;

THEREFORE BE IT RESOLVED THAT the following Party Policy is adopted and added to the existing rules and regulations.

**PHEASANT RUN CROSSING HOMEOWNERS ASSOCIATION
RESOLUTIONS ACTION RECORDED**

Resolution Type: Policy No. _____

Pertaining To: Methods of enforcement of rules

Duly adopted at a meeting of the Board of Directors held _____

Motion by: _____

Seconded by: _____

VOTE:
YES NO ABSTAIN ABSENT

Terry Snyder
President

Karl Vanidgruff
Vice President/Treasurer

Fay Marcum
Secretary

ATTEST:

Secretary _____

Date _____

FILE:

Book of Minutes-19 _____

Book of Resolutions: _____

	Book No.	Page No.
Policy	<u>1</u>	_____
Administrative	_____	_____
Special	_____	_____
General	_____	_____

Resolution effective: March 5, 1999

DUE PROCESS POLICY RESOLUTION

WHEREAS, Article VII, Section 1 (c) of the Bylaws of the Pheasant Run Crossing Homeowners Association ("Bylaws") assigns the Board of Directors ("Board") with all of the powers, duties and authority vested in or delegated to the Association and not reserved to the membership by other provisions of the Bylaws, Articles of Incorporation or the Declaration;

WHEREAS, Article VII, Section 1 (a) of the Bylaws authorizes the Board to adopt and publish rules and regulations governing the use of the Common Area and facilities, and the personal conduct of the members and their guests thereon, and to establish penalties for the infraction thereof;

WHEREAS, Article VII, Section 2 (g) of the Bylaws authorizes the Board to cause the Common Area to be maintained;

WHEREAS, Article VII, Section 2 (h) of the Bylaws authorizes the Board to cause the exterior of the dwellings to be maintained;

WHEREAS, Article IX of the Bylaws, provides for the appointment of an Architectural Control Committee as provided in the Declaration;

WHEREAS, Article IV, Section 1, of the Covenants grants the Association, through the Board, the authority to establish, fix, and levy a special assessment on any Lot for violations of the governing documents that require the expenditure of time or money, or both, by the Association for the repair or remedy;

WHEREAS, Article IV, Section 2, of the Covenants provides that assessments levied by the Association shall be used exclusively to promote the recreation, health, safety, and welfare of the residents in the Properties and for the improvement and maintenance of the Common Area, and of the homes situated upon the Properties.

WHEREAS, Article VI and Article IX, Section 3, grants the Association, through its duly authorized agents or employees, after reasonable notice is given to the owner, the right to enter upon any Lot or exterior of any Living Unit at reasonable hours of the day for the sole purpose of performing exterior maintenance as required.

WHEREAS, Section 55-513B of the Virginia Property Owners' Association Act ("Act") grants the Association the power, to assess charges against owners for violations of the Association's governing documents for which a member or his family, tenants, guests or other invitees are responsible;

WHEREAS, Section 55-513B of the Act, and Article II, Section 1(c) of the Covenants further grants the Association the power to suspend voting rights and the right to use the recreational facilities for violations of the Association's governing documents and provides certain procedures must be followed before such charges may be assessed or suspension initiated;

WHEREAS, for the benefit and protection of the Association, and Homeowners, the Board deems it necessary and desirable to establish a procedure to assure due process in cases where there is a question of compliance by a Homeowner with the provisions of the Act or the Association's governing documents (including the Declaration, the Bylaws, Articles of Incorporation, Rules and Regulations, and the Architectural and Environmental Guidelines), thereby attempting to minimize the necessity of seeking action in or through a court of law; and,

WHEREAS, it is the intent of the Board to establish procedures where action must be taken relative to questions of compliance with the provisions of the Act or the Association's governing documents by an individual;

THEREFORE, BE IT RESOLVED THAT the following Due Process Procedures are adopted.

PHEASANT RUN CROSSING DUE PROCESS POLICY GUIDELINES

Failure to correct violation

The Association will utilize two methods of corrective action to remedy violation(s) that are not corrected by the Respondent within the specified time period. For violation(s) that exist due to a specific condition(s) on a Lot that can be remedied by the Association the following action will occur. Examples of this would include, but are not limited to; excess trash, broken porch or deck rails, trees uprooted due to vandalism, missing porch finials or missing exterior light covers.

1. If the violation(s) is not remedied within the specified period of time, the Association will forward a Notice of Special Assessment Pending to the Respondent and a copy will be sent to the resident. This notice will be in the form of Exhibit 2, and a copy will be maintained in the Association files. This notice will notify the homeowner and the resident of the date the required repair will be completed by the Association's maintenance contractor. On that date, if the item has not been corrected, the Association's maintenance contractor will correct the violation(s). The Association will impose a special assessment on the Lot in accordance with Article IV, Section 1 of the Association's covenants. A Notice of Special Assessment Imposed will be sent to the Respondent only and in the form of Exhibit 3, and a copy will be maintained in the Association files.

For violation(s) that exist on a Lot due to behavioral matters that the Association cannot remedy itself, the following action will occur. Examples of this include, but are not limited to; broken mini blinds, missing or damaged window screens, broken windows, pet waste and abuse of parking privileges.

1. If the violation(s) is not remedied within the specified period of time, the Association will forward a Notice of Hearing to all parties, Respondents and Complainants (if applicable), at least 14 days prior to the hearing by either personal service or certified mail, return receipt requested to the last known registered address. The Notice of Hearing will be in the form of Exhibit 4, and may include other information if necessary. A copy of the complaint will accompany the Notice of Hearing. Copies of the Notice of Hearing shall be maintained in the Association files.
2. At any time prior to the hearing date, the Board may file or permit the filing of amended and/or supplemental complaints. All parties will be notified of any additional information in the manner previously explained.
3. If no response is received from the Respondent by the confirmation date on the Notice of Hearing, or the Respondent confirms attendance but fails to attend the hearing without providing reasonable and satisfactory notice, the Respondent will be deemed to have waived their right to such hearing, and the Board will proceed with the hearing and judgement.

Hearing before the Board of Directors

1. The President will preside over the hearing, unless otherwise determined by the Board.
2. The President will outline the rules and procedure in which the hearing shall take place.
3. Neither the Complainant nor the Respondent need be in attendance at the hearing.
4. The Board may agree to conduct the hearing in a private session if requested by either party.
5. Each party may have the right to the following:
 - a) Make an opening statement
 - b) Introduce evidence, testimony, and witnesses
 - c) Cross-examine opposing witnesses
 - d) Rebut evidence and testimony
 - e) Make a closing statement
6. The decision of the Board must be a majority vote. The decision will be issued in writing, within 45 days of the conclusion of the hearing and distributed to all parties.
7. The homeowner will have the right to appeal the decision within 10 days of receiving the decision.

PHEASANT RUN CROSSING DUE PROCESS POLICY GUIDELINES

Sanctions

1. Disciplinary Action by the Board may include, but is not limited to:
 - a) Assessing monetary charges in accordance with Section 55-513 of the Act. Charges may not exceed \$50.00 for a single offense and \$10.00 per a day for a continuing offense. The charges may be imposed for violations of the Covenants, the Bylaws, Declaration, the Rules and Regulations and the Architectural and Environmental Guidelines.
 - b) Assessing expenses against the Respondent.
 - c) Suspending a Respondent's use of the recreational facilities.
 - d) Suspending the Respondent's use of the parking facilities.

PHEASANT RUN CROSSING DUE PROCESS POLICY GUIDELINES

PHEASANT RUN CROSSING
HOMEOWNERS ASSOCIATION

March 5, 1999

EXHIBIT 1

Owners and residents of
447 Laurence Lane
Blacksburg, VA 24060

RE: Pheasant Run Crossing Homeowners Association- Notice of Violation

Dear owners and residents of _____:

Pursuant to the Association's Due Process Resolution, this letter serves as your notification that according to our monthly/quarterly exterior maintenance inspection of your property or a complaint sent to the Association (Pick which one is appropriate), the following condition(s) noted on your Lot is in violation of _____ (specific section) of _____ (which document).

The specific violation that exists is:

(Note here or attach the quarterly inspection report)

Please take corrective action within 30 days of the date noted on this letter. Please advise our office of the action you have taken to address this matter. For your convenience the Association will be happy to assist you in making any exterior repairs during our monthly routine maintenance. Association maintenance occurs on or around the 15th and the 30th of every month. To schedule your repair, please contact our office. Should you choose to make the repair yourself, you may consider referencing the on-line maintenance directory at www.pheasantrun.net. Additionally, exterior light fixtures and pre-painted, porch finials are available for purchase at the office for installation on your own. Please refer to the "Policy Changes-Fee Estimates," for specific pricing information.

If corrective action is not taken within the specified 30 days, the Association will take corrective action itself and impose a special assessment upon your lot in accordance with Article IV, Section 1 of the Covenants, or the matter will be referred to the Board of Directors for further action.

We thank you in advance for your commitment to maintaining the architectural integrity of the Pheasant Run Crossing community. Please feel free to contact me with any questions.

Sincerely,

Kimberlee Y. Price
Pheasant Run Crossing Homeowners Association
Managing Agent

P.O. Box 10577 • Blacksburg, Virginia • 24062-0577
Phone: 540-961-5352 • E-mail: pheasant@pheasantrun.net

**Pheasant Run Crossing Townhomes
Homeowners Association
Collection Policy for
Monthly Assessments and Special Assessments**

***Note: Please refer to the Declaration of Covenants, Conditions and Restrictions, Article IV, Section 1 and Section 2, for specifics on Special Assessments.**

**A. Collections of Monthly (Annual) Assessments
Please refer to Article IV, Section 8:**

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Policy Changes

Dear Homeowners and residents:

The following policy changes are effective August 1, 1998.

1. The Association will no longer perform the repair and/or replacement of the porch finials or exterior light fixtures.
2. The Association will no longer perform the replacement of trees, shrubs or other landscape items on individual Lots that have been vandalized (uprooted or broken).
3. The Association will automatically clean-up individual lots where excessive trash has been noted on Monday and Friday as part of the weekly trash pick up. No warning letters will be issued for this item. Please consider this notice your warning notification.

The Board has made this decision based upon the continued vandalism of these items and the exclusions of these items from the Association's maintenance responsibilities outlined in the Declaration, Article IV which states:

"...the Association shall provide exterior maintenance upon each Lot which is subject to assessment hereunder, as follows: Paint, repair, replace, and care for roofs, gutters, downspouts, exterior building surfaces, trees, shrubs, grass, walks and other exterior improvements. Such exterior maintenance shall not include glass surfaces, patios or decks."

"In the event that the need for maintenance or repair is caused through the willful or negligent act of the Owner, his family, his guests, or invitees the cost of such maintenance or repairs shall be added to and become part of the assessment to which such Lot is subject."

In July, the Association replaced all finials and light covers noted as missing as a good faith measure. Similarly, the Association will be replacing all currently missing, vandalized or dead trees noted prior to August 1, 1998. The next scheduled planting will occur in late October early November. Therefore, the maintenance of these items after August 1, 1998 remains the responsibility of the Homeowner. We will be utilizing a quarterly inspection report to notify you of the need for repair and/or replacement of these and other exterior maintenance items that are the responsibility of the homeowner. For items that are unsightly or pose a risk of injury to the owners, tenants or their guests, homeowner will be notified on a monthly basis. This report can also be used as a means to monitor and/or deter possible violations in your lease agreement. You can repair the item(s) noted yourself, or the Association can include your item(s) as part of the Association's exterior maintenance punchlist which will be completed twice a month. The Association will keep a supply of painted finials and exterior light fixtures that can

3. Processing and handling fee is \$20.00
4. Total cost will vary depending upon the tree cost and amount of labor

4. Trash removal on individual lots

1. \$25.00 an hour for up to 2 hours of labor. \$15 Each additional hour.
2. Any landfill fees
3. Processing and handling fee is \$20.00

Per your lease agreement, your tenants are responsible for their actions and the actions of their families, their guests and their invitees. All homeowners are ultimately responsible to the Association for the actions of their tenants. In instances of vandalism, destruction of property and non-compliance with the Association Rules and Regulations, the costs incurred by the homeowner for the correction can be passed along to the tenant by the owner, or the cost can be deducted from the security deposit retained by the owner. Should you have any questions or comments regarding these policy changes, please direct them to the Board via e-mail at pheasant@pheasantrun.net. A Board meeting is scheduled for Saturday, September 26, 1998, at 9:00AM at the Model office. All homeowners are welcome to attend and any comments forwarded to our office via e-mail will be discussed at that time.

PHEASANT RUN CROSSING HOMEOWNERS ASSOCIATION, INC.

POLICY RESOLUTION

**STANDARDS OF CONDUCT OF
MEMBERS OF THE BOARD OF DIRECTORS AND COMMITTEES**

WHEREAS, Article VII, Section (s) 1 and 2 of the Bylaws assigns the Board of Directors ("Board") all powers and duties necessary for the administration of the affairs of the Association which are enabled by law, the Declaration and Bylaws and which are not specifically reserved to the Members;

WHEREAS, Article VII, Section 8 of the Bylaws provides that the Officers and members of the Board of Directors shall exercise their powers and duties in good faith and with a view to the interests of the Association; and,

WHEREAS, the Board has determined that it is in the best interest of the Association to develop and specify standards of conduct to which members of the Board and Committees of the Association are held and to specify a process for considering contracts and other issues where an apparent conflict of interest exists; and

WHEREAS, the Board has determined that it is in the best interest of the Association to develop appropriate sanctions which will be incurred by members of the Board and Committees of the Association who are determined to have breached the terms of this Policy Resolution.

NOW, THEREFORE, BE IT RESOLVED that the following standards of conduct exist for each member of the Board and Committees of the Association:

1. The duty to act in accordance with good faith judgment and in the best interest of the Association.
2. The duty of undivided loyalty to the Association.
3. The duty to avoid conflicts of interest in a transaction with the Association in which a Board member or Committee member has a direct or indirect personal interest.
4. The duty to maintain the confidences and confidential information of the Association in accordance with policies adopted by the Board and consistent with requirements of applicable law.
5. Unless the Board or Committee member has knowledge or information concerning the matter that makes reliance unwarranted, a Board or Committee member may rely on information, opinions, reports, statements, if prepared or presented by:
 - (a) An officer or employee of the Association whom the Board member or Committee member believes, in good faith, to be reliable and competent in the matters presented;
 - (b) Legal counsel, public accountants, or other persons as to matters the Board member or Committee member believes, in good faith, are within the person's professional or expert competence; or,

(c) A Committee of the Board of Directors of which he is not a member if the Board member or Committee member believes, in good faith that the Committee merits competence.

6. The duty to comply with the requirements of the Virginia Property Owners' Association Act and relevant provisions of the Bylaws with respect to Board meetings. Meetings shall be open to all members of record and minutes shall be recorded and made available for examination. The Board or a Committee may only convene in closed executive session to consider matters specifically permitted by law.

7. The duty to preserve the confidential nature of matters considered in closed executive session by refraining from discussion of those matters outside of that forum.

BE IT FURTHER RESOLVED that if the Board of Directors or a Committee considers (i) a matter which may have a direct and personal affect on a Board member or Committee member or a person or entity, with which the Board member or Committee member is associated, or (ii) a proposal presented by a Board member or Committee member, or an entity or person with which the Board member or Committee member is associated the following conditions shall apply to consideration of the contract or issue:

1. The fact of the member's interest must be disclosed to the Board of Directors or Committee by the Board or Committee member with the potential conflict;
2. Such interest shall be noted in the minutes;
3. The Board or Committee member with the potential conflict shall not participate as a Board member in discussion about or vote on the issue giving rise to the potential conflict of interest;
4. The Board or Committee must authorize, approve or ratify any proposed contract or transaction in good faith by a vote sufficient for the purpose; and
5. The contract or transaction must be commercially reasonable to the Association at the time it is authorized, ratified, approved or executed.

BE IT FURTHER RESOLVED that if (i) the Board member or Committee member fails to disclose the circumstances or relationship giving rise to a potential conflict of interest, and the Board or Committee is otherwise made aware of the potential conflict, or, (ii) the Board member or Committee member chooses to participate in consideration of a matter in which that Board or Committee member has a potential conflict, the Board or Committee may vote by majority vote to exclude the Board member or Committee member from voting on the matter giving rise to the potential conflict.

BE IT FURTHER RESOLVED that if a member of the Board considers the conduct of another member or members of the Board or Committee to be in violation of this Policy Resolution the following procedures and sanctions may apply:

1. The complaining member of the Board shall by proper motion request the Board to convene in closed session for the purpose of discussing a possible violation of this Policy Resolution.

2. While in closed session of the Board, all facts and circumstances surrounding the allegations of the complaining Board member shall be heard without interruption. The subject Board member shall then be heard in response.

3. After fully hearing and considering the statements from all Board members who choose to be heard, the Board by a majority vote shall determine which of the following sanctions is appropriate:

- (a) No action;
- (b) Private reprimand, with or without terms; and/or
- (c) Public reprimand, with or without terms.

#88553

**PHEASANT RUN CROSSING
HOMEOWNERS ASSOCIATION, INC.**

Resolution Type: _____ No. _____

Pertaining to: Homeowner Conflict of Interest - Board of Director Standards of Conflict

Duly adopted at a meeting of the Board of Directors held April 21, 2001

Motion by: Karl Vandegriff Seconded by: Terry Snyder

	YES	VOTE: NO	ABSTAIN	ABSENT
<u>Terry Snyder</u> President	✓	_____	_____	_____
_____ Vice President	_____	_____	_____	_____
<u>Karl Vandegriff</u> Treasurer	✓	_____	_____	_____
_____ Secretary	_____	_____	_____	_____
_____ Director	_____	_____	_____	_____
_____ Director	_____	_____	_____	_____
_____ Director	_____	_____	_____	_____
_____ ATTEST:	_____	_____	_____	_____

Secretary _____ Date _____

FILE:
Book of Minutes -- 19 _____
Book of Resolutions:

	Book No.	Page No.
Policy	_____	_____
Administrative	_____	_____
Special	_____	_____
General	_____	_____

Resolution effective: April 21, 2001, 19 _____

#37502

BLACKSBURG POLICE DEPARTMENT

Office of Chief

William H. Brown
Chief of Police
(540) 961-1152

Kimberley S. Crannis, Lt.
Accreditation Manager
(540) 961-1165



200 Clay Street, SW
Blacksburg, Virginia 24060-4798
TDD (540) 552-2224
FAX (540) 552-8456



Operations Division

Walter B. Musby, Captain
(540) 961-1153

Services Division

David W. Francis, Captain
(540) 961-1810

July, 1998

Dear Student:

The Town of Blacksburg welcomes you to this community and hopes your transition to off-campus living has been pleasurable. In order to help you become more acclimated to some of the changes you may experience and to the responsibilities associated with living in Blacksburg's neighborhoods, the Town has compiled this listing of laws and ordinances which may not be familiar to you. Please take a moment to review these items which are presented in their short form:

- 4-29 Leash Law - Owners of dogs must secure them by a leash or other means of restraint not harmful to the dog.
- 4-31 Running at Large - Owners of dogs shall not allow them to run at large within the Town.
- 4-32 Defecation - You must clean up after your dog and properly dispose of the material.
- 16-38 Trash Accumulation - Trash shall not be allowed to accumulate and pose a hazard to health or safety.
- 15-4 Noise - Stereos, radios, televisions, live bands, etc., audible at 50 feet from the source or through partitions common to two dwelling units shall constitute a violation of this section.
- 16-35 Littering - It is unlawful to deposit any refuse matter on public or private property.
- 9-62 Fireworks - Anything that explodes is illegal.
- 16-29 Posting Notices - Posters, notices and advertisements may not be attached to utility poles, trees and meters.
- 18.2-204.1 & 46.2-347 Fake I.D.'s - It is unlawful to manufacture, sell, possess, and use a fake or altered I.D. or operator's license to establish a false identity or buy alcoholic beverages.
- 18.2-388 Drinking in Public - It shall be unlawful to consume alcoholic beverages in public areas including yards, streets, parking lots, etc.

We hope you find this information to be helpful. Please contact the Town Attorney at 961-1146 or the Blacksburg Police Department at 961-1150 if you need further information about these or other laws and ordinances. We'll be happy to help.

Sincerely,

A handwritten signature in cursive script that reads "William H. Brown".

William H. Brown
Chief of Police

PHEASANT RUN CROSSING DUE PROCESS POLICY GUIDELINES

PHEASANT RUN CROSSING
HOMEOWNERS ASSOCIATION

March 5, 1999

EXHIBIT 4

Owners of
447 Laurence Lane
Blacksburg, VA 24060

RE: Pheasant Run Crossing Homeowners Association- Notice of Hearing before the Board of Directors

Dear homeowner:

Pursuant to the Association's Due Process Resolution, this letter serves as your notification that according to our monthly/quarterly exterior maintenance inspection of your property or a complaint sent to the Association (Pick which one is appropriate), the following condition(s) noted on your lot are in violation of _____ (specific section) of _____ (which document). A Notice of Violation was previously sent to you by letter, dated _____, 1999 and a copy of this letter is attached for your reference.

On a follow-up inspection of your lot which occurred on _____, 1999, the violation had not yet been corrected. Therefore, this matter has been referred to the Board of Directors for further action. You are hereby notified that you have the right to a hearing to address the charges set forth in the Notice of Violation and/or Complaint. Please contact our office by _____ to schedule a hearing. Please keep in mind that failure to respond to this notice by the specified date, or if you confirm a hearing date but fail to attend without providing a satisfactory explanation, you will be deemed to have waived your right to the hearing. Please feel free to contact me with any questions.

Sincerely,

Kimberlee Y. Price
Pheasant Run Crossing Homeowners Association
Managing Agent

P.O. Box 10577 • Blacksburg, Virginia • 24062-0577
Phone: 540-961-5352 • E-mail:pheasant@pheasantrun.n

**PHEASANT RUN CROSSING HOMEOWNERS ASSOCIATION
RESOLUTIONS ACTION RECORDED**

Resolution Type: Administrative No. _____

Pertaining To: Disclosure Packet

Duly adopted at a meeting of the Board of Directors held _____

Motion by: _____

Seconded by: _____

VOTE:

YES NO ABSTAIN ABSENT

Terry Snyder
President

Karl Vandegriff
Vice President/Treasurer

Faye Marcum
Secretary

ATTEST:

Secretary

Date

FILE:

Book of Minutes-19 _____

Book of Resolutions: 1

	Book No.	Page No.
Policy	_____	_____
Administrative	<u>1</u>	_____
Special	_____	_____
General	_____	_____

Resolution effective: March 5, 1999

**PHEASANT RUN CROSSING HOMEOWNERS ASSOCIATION
RESOLUTIONS ACTION RECORDED**

Resolution Type: Administrative No. _____

Pertaining To: AECC project approval

Duly adopted at a meeting of the Board of Directors held _____

Motion by: _____

Seconded by: _____

VOTE:
YES NO ABSTAIN ABSENT

Terry Snyder
President

Karl Vandegriff
Vice President/Treasurer

Faye Marcum
Secretary

ATTEST:

Secretary

Date

FILE:

Book of Minutes-19 _____

Book of Resolutions: _____

	Book No.	Page No.
Policy	_____	_____
Administrative	<input checked="" type="checkbox"/> 1	_____
Special	_____	_____
General	_____	_____

Resolution effective: March 5, 1999

**PHEASANT RUN CROSSING HOMEOWNERS ASSOCIATION
RESOLUTIONS ACTION RECORDED**

Resolution Type: Financial Policies No. _____

Pertaining To: Special Assessments + Monthly Assessments

Duly adopted at a meeting of the Board of Directors held _____

Motion by: _____

Seconded by: _____

VOTE:
YES NO ABSTAIN ABSENT

President

Vice President/Treasurer

Secretary

ATTEST:

Secretary

Date

FILE:

Book of Minutes-19____

Book of Resolutions: _____

	Book No.	Page No.
Policy	<u>1</u>	_____
Administrative	_____	_____
Special	_____	_____
General	_____	_____

Resolution effective: August 1998, 19__

RESOLUTION
of the
Board of Directors
of
Pheasant Run Crossing Homeowners Association, Inc.
(Association Complaint Procedures)

WHEREAS, Section 55-530.E states the CIC Board “shall establish by regulation a requirement that each association shall establish reasonable procedures for the resolution of written complaints from the members of the association and other citizens; and

WHEREAS, The Board of Directors agrees that its members should have an established policy for complaint resolution for its members, or the benefit and protection of the Association and of its individual members; and

WHEREAS, it is the intent of the Board to establish procedures for the Board that meet the requirements of Sections 55-530.E and F of the Virginia Code; and

WHEREAS, the Board of Directors will provide notice of this policy to all current owners by mailing a copy of this Resolution to current owners and to all future owners by including the Resolution in resale disclosure packages prepared pursuant to Virginia’s Property Owners’ Association Act; and

NOW THEREFORE, the Board of Directors of **Pheasant Run Crossing Homeowners Association, Inc.** does hereby adopt this Resolution in order to adopt the following:

Association Complaint Procedures

1. When any Association Member (“Member” or “Complainant”) observes or reasonably believes the Board of Directors (“Board”), the Association’s Common Interest Community Manager (“Association Manager”) or any individual Board Member has or is continuing to violate any provision of the Association’s Governing Documents, the Member shall have the right to acquire, complete and submit an Association Complaint Form.
2. The Association Complaint Form shall comply with all CIC Board Regulations including update proper address for submittal in case of any change.
3. The Association Complaint Form shall be submitted to **Pheasant Run Crossing Homeowners Association Inc.** C/O Raines Property Management at 1007 North Main Street, Blacksburg, Va 24060.
4. Any Association Complaint Form fully completed and submitted to the Association’s Manager shall be reviewed at the Board’s next scheduled regular Board Meeting, *provided, however* the Association Complaint Form must be submitted at least five (5) business days prior to the next scheduled regular Board Meeting to insure review at that meeting. If the Association Complaint Form is received less than five (5) business days prior to the next scheduled regular Board Meeting, the Association Complaint Form shall be reviewed at the next subsequent regular Board Meeting.
5. The Board shall review any Association Complaint Form received and shall, if necessary, consult with the Association’s attorney and/or any other vendor or professional providing services to the Association to provide as complete a review as possible to arrive at its decision.
6. The Board may, but shall not be required to, consult with the Member who submitted the Association Complaint Form to understand more fully the substance and/or basis of the Member’s Complaint.

7. The Board shall render a written decision and/or review of the Complaint to the Member within seven (7) days of the regular Board Meeting during which the Association Complaint Form was reviewed.

8. Should any Member need assistance in understanding the Member's rights and the processes available to common interest community Members, the Member may contact Virginia's Office of the Common Interest Community Ombudsman ("CICO") for assistance.

The CICO may be reached at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Suite 400, Richmond, Virginia 23233. The CICO's current telephone number is (804) 367-8510. The CICO's current email address is cic@dpor.virginia.gov.

9. Complainant's Rights Description required by Section 55-530-E.2 of the Code of Virginia, 1950, as amended. In accordance with Section 55-530.F of the Code of Virginia, as amended, an Association Complainant may give notice to Virginia's Common Interest Community Board (the "Board") of any final adverse decision in accordance with regulations promulgated by the Board. The notice shall be filed within 30 days of the final adverse decision, shall be in writing on forms prescribed by the Board, shall include copies of all records pertinent to the decision, and shall be accompanied by a \$25 filing fee. The fee shall be collected by the Director of Professional and Occupational Regulation and paid directly into the state treasury and credited to the Common Interest Community Management Information Fund, § 55-530.1. The Board may, for good cause shown, waive or refund the filing fee upon a finding that payment of the filing fee will cause undue financial hardship for the member. The Director shall provide a copy of the written notice to the Association that made the final adverse decision.

10. The Association Complaint Form, all attachments thereto and a copy of the Complaint Response correspondence ("Complaint File") shall be retained by the Association for not less than one (1) year after the Board renders a decision on the Complaint. The Complaint File shall be eligible for review and duplication solely by the Association's Board of Directors, the association Manager and the Lot Owner(s) who submitted the original Complaint Form, *provided, however*, the Complaint File shall be produced upon order of an appropriate judicial or administrative body having jurisdiction over the Association.

Approved via email _____ Date _____
Board Member

_____ Date _____
Board Member

_____ Date _____
Board Member

_____ Date _____
Board Member

_____ Date _____
Board Member

Pheasant Run Crossing Homeowners Association, Inc.
C/O Raines Property Management, Inc.
1007 North Main Street
Blacksburg, Va 24060
540-951-0000 raines@bellatlantic.net

ASSOCIATION COMPLAINT FORM

Pursuant to Section 55-530(E) of the Code of Virginia, 1950, as amended, the Board of Director (“Board”) of **Pheasant Run Crossing Homeowners Association, Inc.**, (the “Association”) has established this complaint form for use by persons who wish to register written complaints with the Association regarding the action, inaction or decision by the Association or its Board or Board of Directors inconsistent with applicable laws and regulations.

1. Legibly describe your complaint in the area provided below, as well as the requested action or resolution of the issues described in the complaint. Include references to the specific facts and circumstances at issue and the provisions of Virginia laws and regulations that support the complaint. If more space is needed you may attach a separate sheet of paper to this complaint form. Also, attach any supporting documents, correspondence and other materials related to the complaint (not including copies of laws, regulations or the Association’s governing documents).

2. Sign, date & print your name and address below and submit this completed form to the Association at the above address.

Signature and Date _____
Mailing Address _____
Lot/Unit Address _____
Contact Preference Phone E-mail Other _____
Phone Address _____
Email Number _____
Other _____

If, after the Board’s consideration and review of the complaint, the Board issues a final decision adverse to the complaint, you have the right to file a notice of final adverse decision with the Common Interest Community Board (CICB) in accordance with the regulations of the board.. The notice shall be filed within 30 days of the date of the final adverse decision, shall be in writing on forms provided by the Office of the Common Interest Community Ombudsman (Ombudsman), shall include copies of any supporting documents, correspondence and other materials related to the decision, and shall be accompanied by a \$25 filing fee. The Ombudsman may be contacted at:

Office of the Common Interest Community Ombudsman
Department of Professional and Occupational Regulation
9960 Mayland Drive, Suite 400
Richmond, VA 23233
804/367-2941
CICOmbudsman@dpor.virginia.gov