

# **DOMINION SQUARE**

3301-3359 South Fifth Street & 3310-3370 South Second Street, Arlington, Virginia 22204

*Please Note - Late Fee Change - Late Fee Change - Please Note*

Monthly assessments not paid within ten (10) days after the due date shall accrue a late charge in the amount of \$25.00. Monthly assessments that remain unpaid for more than thirty (30) days from the due date shall accrue a late charge in the amount of \$50.00 per month. Late fees reflect the administrative cost of collection from the delinquent unit owners.

*- Approved by the Board of Directors, April 19, 2005*

Dominion Square Association

Rules and Regulations Governing Unpaid Fees and Assessments

1 On the first day of the month, all fees and assessments are due and payable to the Association, through the Management Agent at such place designated by the Management Agent.

2 On the tenth day of the month, all fees and assessments which remain unpaid shall accrue a late charge of ~~ten dollars (\$10.00)~~ \$25.00 ~~which is due and payable on the first day of the following month~~  
\*amended 4/19/05 to \$25.00

3 On the twentieth day of the month, the Management Agent shall send the homeowner a notice regarding the imposition of a late charge on the unpaid account.

4 If the fees and assessments remain unpaid on the first day of the second month following the due date, interest will begin to accrue on the unpaid balance. Interest shall be calculated and charged to the responsible homeowner on all unpaid fees and assessments at a rate of eighteen percent (18%) per annum or one and one-half percent (1.5%) per month for any portion of a month the fee remains unpaid.

5 On the tenth day of the second month, the account shall be referred to the Association attorney and the homeowner will be notified of such referral by the Association's Management Agent. The attorney will be requested to file a lien on the property if full payment of fees and assessments has not been received within ten days of the date of the notice.

6 On the thirtieth day of the second month, if payment in full has not been received, the attorney will notify the delinquent homeowner that the Association will seek a judgement on the lien if full payment is not received within ten days of the date of the notice.

7 On the twentieth day of the third month, if payment in full has not been received, the attorney shall, in addition, demand from the homeowner an accelerated payment of the balance of the annual fees and assessments. All monies due resulting from this notice shall be payable within ten days of the date of the notice. In addition, the attorney will initiate court action to seek judgement for payment of unpaid fees and assessments, late charges, interest, collection expenses and accelerated payment of the balance of the annual fees and assessments.

If any check written for the payment of fees and assessments is returned by the bank as unpaid for any reason, a handling charge of twenty-five dollars (\$25.00) shall be imposed on the responsible homeowner, and shall be due and payable on the first

day of the following month.

Any bank charges associated with a returned check and imposed on the Association are the responsibility of the homeowner writing the check. Reimbursement of said charges shall be due and payable on the first day of the following month following the Association's notice to the homeowner.

If any check written for the payment of fees and assessments is returned by the bank unpaid for any reason, and the ten-day grace period has passed, the payment will be considered unpaid and a late charge will be imposed on the responsible homeowner.

All expenses and legal fees associated with the notification and collection of unpaid fees and assessments shall be deemed the responsibility of the homeowner and shall be due and payable on the first day of the month following notification of said charges.

The expense of providing a ledger history of charges and payments when demanded by an owner shall be fifteen dollars (\$15.00).

# Dominion Square Townhouse Condominium Association

## POLICY RESOLUTION NO. 00-01

### Creation of Procedures to Ensure Due Process in Enforcement Cases

WHEREAS, the Virginia Condominium Act provides the Board of Directors with the power to assess monetary charges against members of the Association who are responsible for violations of the regulations of the Association;

WHEREAS, the Virginia Condominium 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 ; and

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

NOW, THEREFORE, BE IT RESOLVED THAT:

on behalf of the Association, the Board of Directors may issue a citation to any owner whose behavior or use of property does not conform to the Associations' regulations.

A first notice of citation shall be issued in writing and delivered by regular mail to the owner at his/her address listed in the Association's records, and to the property address, if the owner's listed address is different from the property address.

The first notice of citation shall generally advise the owner of the nature of the offense, cite the specific provision within the Association's regulations which has allegedly been violated, specify the remedy required, and state the number of days within which corrective action must be completed.

If the offense is not remedied within the number of days requested in the notice of citation, the Board of Directors reserves the power to issue a second notice of citation, which shall follow the basic form of the first notice of citation and include any additional information deemed important by the Board of Directors concerning the offense.

The second citation shall also warn the owner of the Board's power to impose monetary charges for the offenses of the Association's regulations 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/her desire for a hearing to contest the citation.

The second notice of citation shall be delivered by hand or mailed by registered or certified mail, return receipt requested, to the owner at his/her address listed in the Association's records, and to the property address, if the owner's listed address is different from the property address. Notification will be deemed effective if any owner fails or refuses to sign for any registered mailing from the Association.

If the offense is not remedied within the number of days requested in the second notice of citation, and the owner has not requested 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. The Board of Directors shall not be required to conduct a hearing unless the owner formally requests a hearing in writing by or before the deadline set forth in the second notice of citation.

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.

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 14 days in advance of the hearing date. At the hearing the Board of Directors shall provide the owner with a reasonable amount of time to present any and all defenses to the citation. The owner may have counsel present at the hearing.

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.

When the Board's judgment is unfavorable to the owner, the Board shall undertake the administrative actions required to effect the monetary charge as an assessment against the owner's lot. Monetary charges may not exceed \$50.00 for a single offense or \$10.00 per day for any offense of a continuing nature.

The Board of Directors reserves the power to hold owners legally responsible for ensuring that their tenants, guests, or invitees comply with the Association's regulations.

The procedures outlined in this Resolution may be applied to all violations of the Association's regulations, but do not preclude the Association from exercising other enforcement procedures and remedies authorized by the Association legal 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.

The effective date of this resolution shall be October 19, 2000.



# **DOMINION SQUARE TOWNHOUSE CONDOMINIUM ASSOCIATION**

## **POLICY RESOLUTION 2001-1**

### **POLICY AND GUIDELINES FOR INSTALLATION OF SATELLITE DISHES**

**Policy:** No exterior antenna, satellite dish, or other device for the transmission or reception of radio, television, or any other form of electromagnetic radiation shall be permitted without the prior written approval of the Board of Directors.

**Guidelines:** The Board of Directors retains the right to approve a written application from the unit owner for such a device providing the following general guidelines are satisfied by the application and installation:

1. The device should be no more than 24 inches in diameter.
2. The device shall be mounted on the rear roof of the unit far enough below the peak of the roof to ensure proper reception without providing an overtly obvious appearance from the general parking area in the front of neighboring units.
3. No installations will be permitted in the common or limited common areas of the community.
4. The installation shall be performed by a licensed and bonded contractor. No owner or tenant installations shall be allowed.
5. The installation shall be in accordance with standard installation practices for the device being installed and shall conform to all County and State regulations.
6. The installation shall be properly grounded against lightning strikes and shall not present any other type of safety hazard to the community nor impinge on the property of others.
7. The color and materials of the device shall be reasonably compatible with the colors and materials used within the general community.
8. The device shall not interfere with the electromagnetic reception of the radio and television sets of neighboring units.

The Board of Directors reserves the right to conditionally approve applications for such devices. The Board also reserves the right to have any satellite dish or external antenna removed if it violates this policy and the guidelines presented herein or the Rules and Regulations of the Association.

**Approved by**  
**The Dominion Square Townhouse Condominium Association**  
**Board of Directors**  
**on 15 August 2001**

# DOMINION SQUARE TOWNHOUSE CONDOMINIUM ASSOCIATION

POLICY RESOLUTION NO. 09-01

## *Policy On Pets In The Development*

Whereas Article 7, Section 7.7(4) of the Bylaws of Dominion Square Townhouse Association subjects "the keeping of animals anywhere within the Condominium" to the Rules and Regulations, Item 16 of the Dominion Square Information, Rules and Regulations dated May 1996 is amended as follows:

Strike item "16.0 Pets in the Development" in its entirety and substitute the following:

### 16.0 Animals in the Development

#### 16.1 General

All Resident pet owners are expected to exercise common courtesies and are obligated to ensure their pets do not become nuisances to their immediate Dominion Square neighbors, the Dominion Square community at large, or to residents living adjacent to the Dominion Square property. The Board of Directors may consider pets roaming off-leash, aggressive behavior by animals, animal waste in Common Element and Limited Common Element areas, and incessant dog barking to be nuisances. The Board of Directors also will consider as a possible nuisance complaints received against a particular animal on a case-by-case basis.

#### 16.2 Identification and Registration

Pet owners are required on an annual basis to notify the Association of the presence of their pets, particularly dogs and cats (including indoor cats), to facilitate the identification of wandering or escaped animals. Pet owners can obtain the appropriate form from the Property Manager.

All outdoor pets must wear a collar clearly displaying the pet's identifying information. (An imbedded microchip is not a substitute for a collar and tag.)

#### 16.3 Dogs

Dog owners must comply with Arlington County leash laws while walking their dogs through the development, *i.e.*, the dog should be physically restrained on a leash by a walker while transiting the Common Elements of the Association and fecal matter shall be picked up immediately and properly disposed of by the walker. When in the East Woodlot, a dog need not be on a leash. However, the walker must be in attendance at all times when the dog is in the Common Element and the walker shall ensure the dog is not annoying others or becoming a nuisance. Dog walkers also are obligated to prevent their dogs from urinating on the front lawns, plants, trees and stoops of the Association.



POLICY RESOLUTION NO. 09-01 (continued—page 2)

16.4 Cats

Cat owners must ensure their animals, too, do not become nuisances to the community. Particular care must be taken by cat owners to ensure their pets are kept off unit steps and stoops, do not attempt to get into neighboring units, do not get underfoot, and are kept away from vehicles in the parking lot. To maintain control and for a pet cat's safety, it is strongly recommended that cat owners leash their animals when in the Common Element.

16.5 Enforcement

The Board will consider enforcement of this Item on a case-by-case basis.

The effective date of this resolution shall be March 1, 2009.

RESOLUTION ACTION RECORDED

Resolution Type: Policy  
Pertaining to: Pets in the Development

Number: 09-01

Duly adopted at a meeting of the Board of Directors held on February 23, 2009, a quorum being present.

**Dominion Square Townhouse Condominium Association**

**Policy Resolution No. 2012-01**

**Creation Of Procedures For The Resolution Of Written  
Complaints By Association Members**

**WHEREAS**, Section 55-530(E) of the Code of Virginia, 1950, as amended, mandates that townhouse and condominium associations adopt a procedure for the resolution of written complaints by the Association's members;

**WHEREAS**, the resolution procedures must be available in writing to any member of the Association who wishes to make a written complaint;

**WHEREAS**, the procedure must contain the contact information of Virginia's Common Interest Community Board's Ombudsman, including phone number and email;

**WHEREAS**, associations must adopt a written complaint procedure by September 28, 2012.

**NOW, THEREFORE, BE IT RESOLVED THAT:**

On behalf of the Dominion Square Townhouse Condominium Association, the Board of Directors adopts the following procedure for its consideration of written complaints by Association members:

1. Written complaints must be submitted on the Association's "Complaint Form," additional documentation related to the issue at hand may be attached to the form;
2. Complaint forms and any attachments must be legible and complete with complainants' contact information;
3. Complaint forms must be submitted to the Association's Management Agent, who is obligated to forward to the president of the Board of Directors for scheduling on the Board's meeting agenda;

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4. In all cases, the complainant will be notified in advance as to the time and place of the Board's consideration of the complaint and provided with the opportunity to attend when the Board meets;

5. Complainant will be notified in writing of the decision of the Board of Directors on his or her complaint;

6. Complainants may give notice to the Common Interest Community Board (CICB) of any final adverse decision by the Board of Directors in accordance with the regulations promulgated by the CICB. Such notice shall be filed within thirty (30) days of the final adverse decision, shall be in writing on forms prescribed by the CICB, shall include copies of all records pertinent to the decision, and shall be accompanied by a \$25.00 filing fee.

7. Contact information for the Dominion Square Townhouse Condominium Association Management Agent and the CICB is included with the Association's Complaint Form.

A copy of this resolution and the Dominion Square Townhouse Condominium Association Complaint Form will be promulgated to all current Dominion Square Townhouse Condominium Association members in conjunction with the Association's "Notice of Annual Meeting" and included in the Association's "Information, Rules and Regulations" and "Sales Package" for new unit owners. The Association's Management Agent also will make the Complaint Form available upon the request of any Unit Owner.

The effective date of this resolution shall be September 1, 2012.

*Resolution 2012-01 Action Recorded—Attached*

**DOMINION SQUARE TOWNHOUSE CONDOMINIUM  
ASSOCIATION**

**c/o Virginia Management Incorporated  
4600 North Fairfax Drive  
Suite 1002  
Arlington, Virginia 22203  
Telephone: 703/358-0022**

**COMPLAINT FORM**

Pursuant to Section 55-530(E) of the Code of Virginia, 1950, as amended, the Board of Directors ("Board") of the Dominion Square Townhouse Condominium Association (the "Association") has established this complaint form for use by persons who wish to register written complaints with the Association. The Board may elect not to take action on any complaint which does not include all of the information requested on this form.

Legibly describe your complaint in the area provided below. Include references to the specific facts and circumstances at issue, those individuals who have direct knowledge of such circumstances and the provisions of the Association's documents or governing law that support your complaint. If there is insufficient space, attach a separate sheet of paper to this complaint form. Also attach any supporting documents relevant to your complaint. (Please be sure to include your name and contact information on all attachments.)

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**Dominion Square Townhouse Condominium Association Complaint Form**  
**Page 2**

If, after the Board's consideration and review of your complaint, the Board issues a final decision adverse to your complaint, please be aware that you have the right to give notice to the Common Interest Community Board ("CICB") of any final adverse decision in accordance with the regulations promulgated by the CICB. The notice shall be filed within thirty (30) days of the final adverse decision, shall be in writing on forms prescribed by the CICB, shall include copies of all records pertinent to the decision, and shall be accompanied by a \$25.00 filing fee. The CICB's contact information is:

Office of the Common Interest Community Ombudsman  
c/o Heather Gillespie, Esquire  
Virginia Department of Professional and Occupational Regulation  
9960 Maryland Drive, Suite 400  
Richmond, Virginia 23233  
804/367-2941  
[cicombusdsmanoffice@dpor.virginia.gov](mailto:cicombusdsmanoffice@dpor.virginia.gov)

Sign, date and print your name and address below and submit this completed form to the Association at the address listed above. Anonymous complaints will not be accepted.

COMPLAINANT:

\_\_\_\_\_  
[Printed Name]                      [Signature]                      [Date]

\_\_\_\_\_  
[Address]

*For Association use only:*

Received by: \_\_\_\_\_ Date: \_\_\_\_\_

RESOLUTION 2012-01 ACTION RECORDED

Resolution Type: Policy No. 2012-01  
 Pertaining to: Procedures for the Resolution of Written Complaints By  
 Association Members

Duly adopted at a meeting of the Board of Directors held August 20, 2012  
 Date

Motion by: BETH SCHWARTZ Seconded by: LAURIE HALL

VOTE:

Yes No Abstain Absent

<u>Phillip Rotondi</u> Phillip Rotondi, President				X
<u>Patrick Rasche</u> Patrick Rasche, Vice President	X			
<u>Beth Schwartz</u> Beth Schwartz, Treasurer	X			
<u>George E. Dobes</u> George Dobes, Secretary	X			
<u>Jessica Franken</u> Jessica Franken	X			
<u>Laurie Hall</u> Laurie Hall	X			
<u>Kathleen McKeon</u> Kathy McKeon	X			