

**SUMMERS LANDING HOMEOWNERS ASSOCIATION, INC.**  
**Policy Rules and Regulations No. 2003-01**  
**Creation of Procedures to Ensure Due Process in Enforcement Cases**

1. On behalf of the Association, the Board may issue a citation to any member whose behavior or use of property does not conform to the Association Documents (i.e. the Declaration, Bylaws, and Articles of Incorporation) or duly adopted Rules and Regulations. At the discretion of the Board, an informal notification process in the form of oral or informal written notification to the offending member may be used.

2. When informal notification is not elected or proves unsuccessful, the Board may issue on behalf of the Association a formal notice of citation. The Association's first formal notice of citation shall be issued in writing and delivered by hand or by first class mail to the member at his/her address listed in the Association's records, as well as to the address of the property within the Association, if the member's listed address is different from the property address. A copy of the notice shall be delivered via first class mail to the tenant if a tenant is residing on the member's lot.

3. In the first notice of citation, the Board shall generally advise the member of the nature of the offense, cite the specific provision within the Association's Documents or Rules and Regulations that the member has allegedly violated, specify the remedy required, and, if applicable, state the number of days the member has to complete corrective action.

4. If the member does not remedy the alleged offense within the number of days requested in the notice of citation, or the member was previously issued a written notice of citation for the same type of violation within a twelve (12) month period, the Board reserves the power to issue a second notice of citation, which shall follow the basic form of the first notice of citation and shall include any additional information deemed important by the Board concerning the offense.

5. In the second notice of citation, the Board shall inform the member of the Board's power to impose sanctions against the member, including but not limited to, assessment of monetary charge and suspension of privileges of the member. The second notice of citation shall further inform the member of the specific sanctions that may be or will be imposed for the offense for which the member has been cited. The second notice of citation shall inform the member of his/her right to request a hearing before the Board to contest the citation and/or to show cause why the assessment of sanctions should not be enacted; and, that the member may be represented by counsel at the hearing. In the second notice of citation, the Board shall request the member to confirm in writing by a certain date his/her desire for a hearing to contest the citation.

6. The Board shall deliver the second notice of citation by hand or by certified mail, return receipt requested, to the member at his/her address listed in the Association's records, as well as to the property address, if the member's listed address is different from the property address. A copy of the notice shall be delivered via first class mail to the tenant if a tenant is

residing on the member's lot. Notification will be deemed to be effective even if any member fails or refuses to sign for any registered or certified mailing from the Association.

7. If the member does not remedy the offense immediately, or if applicable, within the number of days specified in the second notice of citation, and the member has not requested a hearing in writing by or before the hearing confirmation date, the Board shall deem the member to have waived the right to a hearing, and the Board shall have the power to impose sanctions in the same manner as outlined in paragraph 10 below.

8. When a member requests a hearing in writing by or before the deadline, the Board shall set the time, date and place of the hearing at its discretion, and shall deliver written notice of the time, date, and place of the hearing to the member by hand or by certified mail, return receipt requested, at least fourteen (14) days in advance of the hearing date. At the hearing, the Board shall provide the member with a reasonable amount of time to present any and all defenses to the citation. The member may be represented by counsel at the hearing.

9. Following the hearing, the Board shall meet in executive session to consider information presented by the member at the hearing and to determine whether it believes satisfactory proof of the alleged violation exists, and if so, whether it should impose monetary charges, suspend member privileges or other sanctions.

10. If the decision of the Board after a hearing is unfavorable to the member, and if the determination of the Board is that sanctions in the form of monetary charges should be imposed, the Board may levy such charges as an assessment against the member's lot. Monetary charges may not exceed \$50.00 for a single offense or \$10.00 per day for a maximum of 90 days for any offenses of a continuing nature. The Board reserves the power to increase these maximum monetary 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 assessment against the member's lot. The Board may also suspend the member's voting right and the right of the member and his/her household, guests, employees, customers, agents, invitees; and the right of the tenant and the tenant's guests and invitees to use the Association's recreational facilities for a period not to exceed sixty (60) days or as long as the violation of the Association's Documents and Rules and Regulations exists.

11. Following a hearing held under this policy, the Board shall deliver its decision to the member at his/her address of record by hand or by certified mail, return receipt requested within seven (7) days of the hearing.

12. The Board reserves the right to appoint a duly authorized designee of the Board to exercise any and all authorities of the Board as stated herein concerning development and delivery of notices of citations; and, development and delivery of notices of any hearings, conduct of such hearings and development and delivery of decisions of the Board resulting from such hearings.

13. The Board reserves the power to hold the member legally responsible for ensuring that the members of his/her household and their guests, employees, customers, guests, agents, invitees, tenants, or the tenant's guests or invitees comply with the Association Documents or Rules and Regulations.

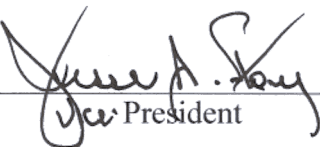
14. In the event the Board receives correspondence from one member alleging a violation of the Association Documents or Rules and Regulations by another member, the Board will attempt to verify the violation. If the alleged violation can be verified independent of the member's correspondence, such correspondence will be kept confidential. In the event the alleged violation can not be independently verified, the member citing the potential violation shall be notified that the confidentiality of their correspondence may be compromised through the enforcement process if enforcement action is to be continued based on their allegation. The member citing the potential violation then shall have the opportunity to withdraw their allegation.

15. The Board may apply procedures outlined in this Resolution to all violations of the Association Documents or Rules and Regulations, and it is not precluded from exercising other enforcement procedures and remedies authorized by the Association Documents as well as all remedies available under the Virginia law. The Board reserves the power to assign all of its powers and responsibilities herein to a special committee of its choice. If the Board delegates such responsibilities to a special committee, a member who receives an unfavorable decision from that special committee, may appeal the decision to the Board.

The effective date of this Policy shall be September 15, 2003.

I hereby certify that this Policy was duly adopted by the Board of Directors on September 11, 2003.

**BOARD OF DIRECTORS  
SUMMERS LANDING HOMEOWNERS  
ASSOCIATION, INC.**

By:  \_\_\_\_\_  
President