Addendum to the Ashcroft Neighborhood Association Declaration-CC&Rs

The Ashcroft Neighborhood Association (ANA) Architectural Review Committee (ARC) is tasked with the responsibility to ensure that all changes and additions to the exterior of the Lots in the Ashcroft subdivision that are made by the Lot owners are done in accordance with the existing ARC Guidelines as described in Article VI of the ANA Declaration-CC&Rs. In reviewing the Bylaws and Covenants, Conditions and Restrictions (CC&Rs), it was determined that while the ARC and the Board have the power to approve or disapprove an ARC request, and to file suit to enforce the ARC Guidelines, there does not exist a monetary enforcement mechanism for violations of the ARC Guidelines.

The Virginia Code was amended a number of years ago to allow Associations to impose charges against homeowners who violate the Association’s and ARC’s rules. This provides a simpler means than filing suit to enforce violations. Most homeowner associations in Virginia have the authority to levy charges.

To address this shortcoming and to bring the ANA into alignment with the processes most homeowner’s associations use throughout Virginia, the Board of Directors is proposing that an amendment be made to the Declaration that would authorize the Board of Directors to approve the imposition of charges for violations of the ARC Guidelines (up to the maximum of up to $10/day for up to 90 days for a continuous violation or $50 for a single violation allowed by law). These limits are based on the Virginia Property Owners Association Act, Title 55.1, Chapter 18, Section 1819 (D) (Adoption and Enforcement of Rules).

The wording of the proposed amendments can be found on the document named *Ashcroft Proposed Amendments to the Declarations\_final*.

The Association does not intend to use its power to assess charges until it has provided the homeowner with a series of written notifications to allow the homeowner ample time to comply. However, as Ashcroft expands (it now has over 180 developed lots, and will increase in size by as many as another 85 lots as Summit Ridge Trail and Phase 3 is developed), the need for simpler enforcement mechanisms increases.

As prescribed in Section 4.05 of the Bylaws and Section 9.02 of the ANA Declaration, any change or amendment to the Declarations requires that a meeting of the association membership be called. To achieve a quorum, the meeting must have at least 10% of the property owners in attendance, in person or by proxy, and for any change to be approved, a minimum of 2/3 of the property owners in attendance must vote in favor of the change or amendment.

To facilitate a discussion and to vote on the proposed amendment, the ANA Board will hold a town hall meeting on September 6:30 at the Clubhouse. For those who cannot attend in person, a Zoom conference call has been scheduled. The Zoom meeting information is listed below.

https://us02web.zoom.us/j/85298998431?pwd=ZER1OURYKzFHTk1zK0RaVEgwUDMydz09

Meeting ID: 852 9899 8431

Passcode: 016709