

Green Trails Homeowners Association
Policy Resolution Regarding Assessment of Charges for Rules Violations 2009 -

WHEREAS, the Declaration of Covenants, Conditions and Restrictions for Green Trails Homeowners Association (the "Declaration"), the Articles of Incorporation of Green Trails Homeowners Association (the "Articles of Incorporation") and the Bylaws of Green Trails Homeowners Association (the "Bylaws"), together known as the Governing Documents, provide that the Lots are subject to the Governing Documents and the Rules and Regulations of Green Trails Homeowners Association (the "Association"); and

WHEREAS, the Declaration provide that all Owners and occupants shall abide by the Association Documents and Rules and Regulation and that any Owner, his or her tenants, guests or other invitees who violates the Governing Documents or the Rules and Regulations shall be assessed a charge pursuant to Section 55-513 of the Virginia Property Owners' Association Act (the "POAA"); and

WHEREAS, Article II, Section 2.1 of the Articles of Incorporation, Article III, Section 3.1 of the Bylaws and Article VII of the Declaration gives the Board of Directors (the "Board") the authority to adopt rules and regulations; and

WHEREAS, pursuant to the POAA, the Association has the power, to the extent that the Governing Documents or the Rules and Regulations duly adopted pursuant thereto expressly so provide, to assess charges against any Owner for any violation of the Governing Documents or the Rules and Regulations for which an Owner or his family members, tenants, guests or other invitees are responsible; and

WHEREAS, the Board finds that it is in the best interest of the Association to adopt a regulation allowing the Board to enforce the rules set forth in the Governing Documents and the Rules and Regulations duly adopted pursuant thereto, by the assessment of charges as allowed in Section 55-513 of the POAA.

IT IS THEREFORE RESOLVED AS FOLLOWS:

1. The Board, and the Manager for the Association, shall have the authority to: (a) assess charges against any Owner for any violation of the Governing Documents or Rules and Regulations for which an Owner or his family members, tenants, guests or other invitees are responsible; and.

2. Before any such charges can be assessed, the Owner shall be given notice and an opportunity to be heard and to be represented by counsel at a hearing before the Board or other tribunal specified in the POAA and Rules and Regulations of the Association.

3. Notice of the hearing shall be hand delivered or mailed by registered or certified mail, return receipt requested, to the member at the address of record with the Association, at least fourteen days prior to the hearing. The notice shall state the charges that may be imposed.

4. At the hearing, the member shall be given the opportunity to review the evidence against him/her, to cross-examine witnesses, to make arguments and to present evidence and witnesses on his/her behalf, and to be represented by counsel.

5. The Board may determine the manner in which the hearing is conducted, so long as the rights set forth in this Resolution are protected. The hearing need not be conducted according to technical rules relating to evidence and witnesses. Generally, any relevant evidence is admitted if it is the sort of evidence on

which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions. Hearsay evidence may be used to support a finding.

6. The result of the hearing shall be mailed to the Owner, by certified mail, return receipt requested, within seven days of the hearing.

7. Nothing in this Resolution shall preclude the Association from undertaking whatever additional enforcement action is authorized by the Governing Documents or Rules and Regulations of the Association for the violations or for the non-payment of assessments.

This Resolution is effective November 1, 2009

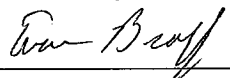
The Board directs that this Resolution shall be reasonably published or distributed to the Owners of the Association.

Adopted at a meeting of the Board of Directors on October 27, 2009.


President

10/26/09
Date

Attested By:


Secretary

10-27-09
Date