



CARDINAL MANAGEMENT GROUP, INC.

## MEMORANDUM

**Date:** June 6, 2005  
**To:** Membership;  
Rock Hill Homeowners Association, Inc.  
**From:** Crishana L. Loritsch, CMCA®, Property Manager  
Cardinal Management Group, Inc., Agent  
**Reference:** Policy Resolutions

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Dear Homeowner:

I am writing you this Memo in my capacity as Agent for the Rock Hill Homeowners Association regarding the subject referenced above. Enclosed please find copies of Policy Resolution No. 05-01 Governing Enforcement of Rules Related to the Collection and Storage of Trash and Policy Resolution No. 05-02 Satellite Dish and Exterior Antenna Guidelines.

Please file these Resolutions along with your other important permanent records of the Association. Should you have any questions regarding this document, please feel free to contact me directly at 703 713 0968 or [c.loritsch@cmgmt.com](mailto:c.loritsch@cmgmt.com).

On behalf of the entire staff at Cardinal Management Group, we'd like to take this opportunity to thank you for the opportunity to manage this fine community.

Best regards,

Crishana L. Loritsch, CMCA®, Property Manager

1911

Received of the Treasurer of the State of New York

the sum of

Five hundred and no/100 Dollars

for the purchase of

Land

in the County of

Albany

for the purpose of

the purchase of

land for the

purpose of

the purchase of

land for the

purpose of

the purchase of

land for the

purpose of

the purchase of

land for the

purpose of

**ROCK HILL HOMEOWNERS ASSOCIATION, INC.**

**Policy Resolution 05-01**

**(Policy Governing Enforcement of Rules Related to the Collection and Storage of Trash)**

WHEREAS, Article III of the Declaration of Covenants, Conditions, Restrictions and Reservation of Easements ("Declaration") for Rock Hill Homeowners Association, Inc. ("Association"), empowers the Board of Directors to administer and manage the affairs of the Association; and

WHEREAS, Article VI, Section 6.13 of the Declaration provides that each Owner or resident shall comply with all laws, ordinances and regulations pertaining to health, safety and pollution, and shall provide for storage and removal of trash and rubbish from his premises in a manner to be approved by the Covenants Committee; and,

WHEREAS, Article VI, Section 6.05 of the Declaration requires each Lot Owner to store trash containers so as to be visually screened from all streets and adjacent and surrounding Lots, except on such days that trash pick-up is scheduled, and further grants the Covenants Committee the power to formulate and adopt reasonable rules and regulations relating to the size, shape, color and type container permitted for trash storage and collection, and the manner of storage of same on any Lot; and

WHEREAS, Article VI, Section 6.14 of the Declaration gives the Covenants Committee or its agent, after proper notice, the right to enter any Lot to do any and all maintenance work reasonably necessary to keep such lot in neat and good order;

WHEREAS, Article II, Section G (17) of the Association's Design Guidelines provides that all trash and other debris must be placed in metal or plastic trash containers, which shall not be placed outside for pickup at appointed locations prior to 6:00 p.m. on the evening before scheduled pickup, and must be stored out of sight by 6:00 a.m. the following morning; and

WHEREAS, the Board of Directors previously adopted Policy Resolution 03-01 in order to establish procedures for due process in the enforcement of violations; and,

WHEREAS, the Board of Directors has decided to establish a more expeditious enforcement process for the Association's rules and regulations relating to the storage and removal of trash on the Lots.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors adopts the following policies:

1. This policy supersedes the enforcement procedures set forth in Policy Resolution 03-01 that relate to the storage and removal of trash on the Lots.
2. For first-time offenders: Upon its own detection or confirmation of a complaint that trash containers, or the placement of trash and debris on any Lot

is in violation of any of the Association's rules and regulations, including specifically Article II, Section G (17) of the Association's Design Guidelines, the Association shall issue a citation by first class mail or via hand delivery to the Owner at his or her address listed in the Association's records, and to the address for the Lot itself, if the Owner's address of record differs from the address of the Lot. This initial citation should advise the Owner of the nature of the offense, cite the specific provision within the Association's rules and/or covenants that the Owner has allegedly violated, and specify the remedy required to be accomplished within five (5) days of the date of the citation.

If the Owner fails to comply before the deadline cited in the initial citation, the Association shall send the Owner a final citation by certified mail, return-receipt requested which shall advise the Owner that the Association may: a) exercise its right to enter the Lot for the purpose of remedying the condition cited and will assess the costs against the Lot; or b) impose monetary charges in the amount of \$50.00 for the cited trash violation. This final notice shall also inform the Owner of his or her right to a hearing before the Board of Directors to contest the monetary charges or other costs assessed to Owner's Lot to correct the cited violation. The Board of Directors will deem notification effective if any Owner fails or refuses to sign for any registered or certified mailing from the Association.

3. For Repeat Offenders: If any Owner has received a written citation from the Association for any matter related to the storage or removal of trash on the Lot during the prior twenty-four (24) months, the Association reserves the right to dispense with the aforementioned initial notice and may issue a final notice in the event the Lot is again in violation.
4. Nothing herein is meant to preclude the Board of Directors from the use of other remedies or sanctions available to the Association in order to obtain compliance with the Association's rules and covenants. The Association reserves the right to exercise all other powers and remedies provided by the Association's Governing Documents or the laws of Virginia and Fairfax County, including, but not limited to suspending Association privileges, or obtaining injunctive relief.

I hereby certify that the Policy Resolution 05-01 was duly adopted by the Board of Directors on the 31<sup>st</sup> day of May, 2005.

ROCK HILL HOMEOWNERS  
ASSOCIATION, INC.

By: Nancy Boughn  
Nancy Boughn, President

RESOLUTION ACTION RECORD

(Policy Governing Enforcement of Rules Related to the Collection and Storage of Trash)

Duly adopted at a meeting of the Board of Directors held May 31, 2005

Motion by: Nancy Boughn Seconded by: Marsha Guerrant

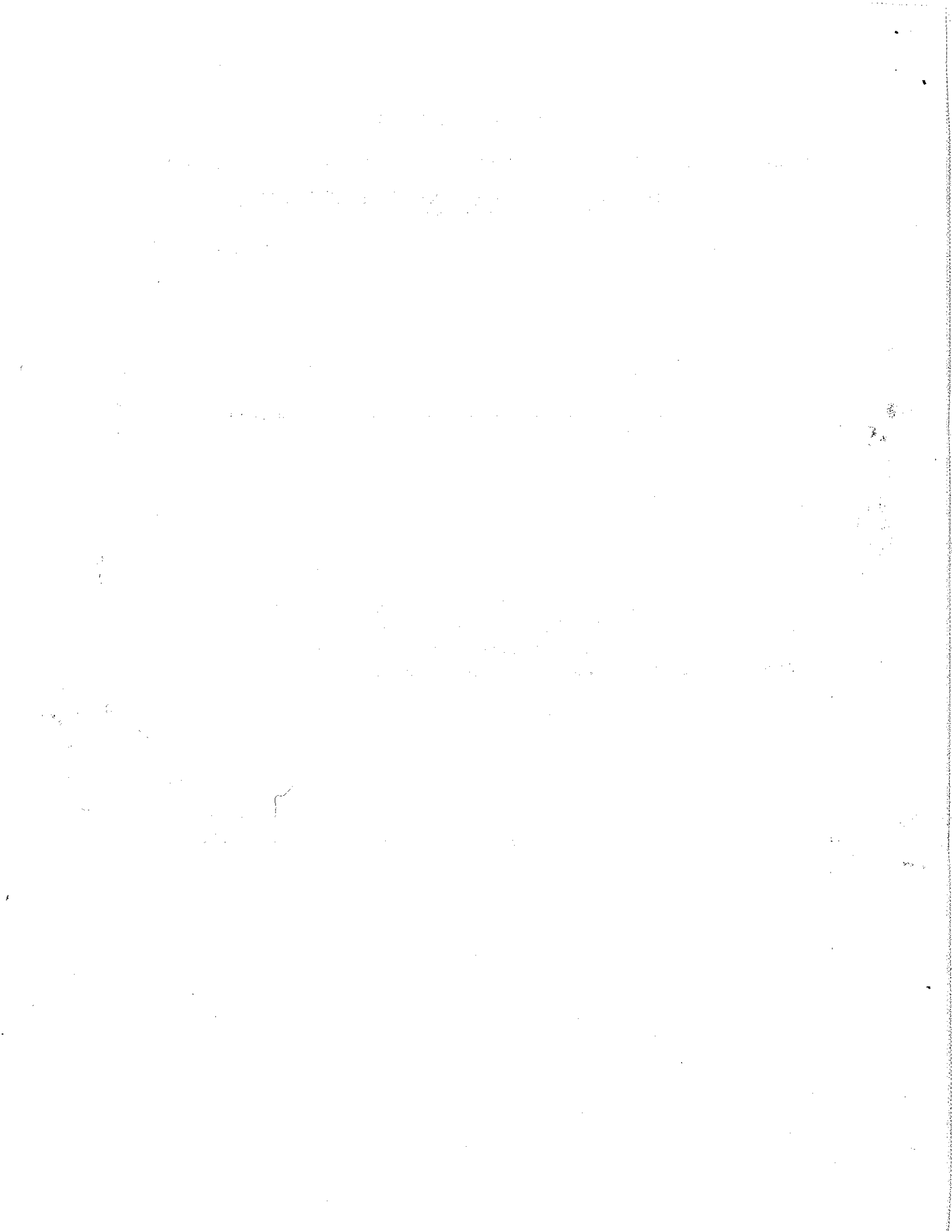
VOTE:  
YES NO ABSTAIN ABSENT

Nancy Boughn  
President

[Signature]  
Vice President

Marsha Guerrant  
Secretary/Treasurer

Resolution effective: July 1, \_\_\_\_\_, 2005.



**ROCK HILL HOMEOWNERS ASSOCIATION, INC.**

**POLICY RESOLUTION NO. 05-02**

**SATELLITE DISH AND EXTERIOR ANTENNA  
GUIDELINES**

RECITALS:

WHEREAS, the Rock Hill Homeowners Association, Inc. ("the Association") is responsible for the regulation and enforcement of architectural controls over all of the lots within the community; and

WHEREAS, the Federal Communications Commission adopted a rule effective October 14, 1996, which is intended to supersede the regulations of community associations concerning the installation, maintenance, and use of direct broadcast satellite, television broadcast, and multipoint distribution service antennas; and

WHEREAS, the Board of Directors believes it is in the best interest of the Association for the Board to adopt reasonable regulations governing installation, maintenance, and use of exterior antennas consistent with the FCC rule.

NOW, THEREFORE, the Board of Directors adopts the following restrictions and regulations for the Association, hereinafter referred to as the "Rules," which shall be binding upon all Owners and their family members, tenants, occupants, successors, heirs, and assigns who currently or in the future may possess any sort of property interest in a lot within the community, and which shall supersede any current restrictions of record or previously adopted rules on the same subject matter.

**I. DEFINITIONS**

A. Antenna: any device used for the receipt of video programming services, including direct broadcast satellite dish (DBS), television broadcast antennas, and multipoint distribution service antennas (MDS). (Masts, cables, supports, conduits, wires, fasteners, or other accessories necessary for the proper installation, maintenance, and use of a reception antenna shall be considered part of the antenna.)

B. Mast: structure to which an antenna is attached that raises the height of the antenna.

C. Transmission-only antenna: any antenna used solely to **transmit** radio, television, cellular, or other signals.

D. Owner: any party named in a deed of record as an Owner of a lot or condominium unit in the community or any party who acts with the written permission of the lot owner to install an antenna.

E. Telecommunications signals: signals **received** by DBS satellite dishes or television broadcast and MDS antennas.

## II. NOTIFICATION RULES

A. Owners must submit notice of installation of an antenna to the Association within seven (7) days after the installation. The Association reserves all powers to inspect the antenna after installation to determine if the antenna complies with the Rules. If not, the Association reserves all powers to compel the Owner to comply with the Rules, regardless of whether the Owner has already installed the antenna.

B. Owners must file their applications/notices to the Association in writing at **Rock Hill Homeowners Association, Inc., c/o Cardinal Management Group, 2491 McNair Farms Drive, Herndon, VA 20171**

## III. INSTALLATION RULES

### A. Antenna Size and Type

1. Owners may install a DBS antenna that is one meter (39 inches) or less in diameter. DBS antennas that are larger than one meter in diameter are strictly prohibited.

2. Owners may install a MDS antenna that is one meter or less in diameter. MDS antennas which are larger than one meter in diameter are strictly prohibited.

3. Owners may install a TV antenna designed to receive broadcast stations.

4. Owners are prohibited from installing a transmission-only antenna.

5. Any type of antenna not specifically protected by the FCC rule is strictly prohibited.

6. Owners (or anyone acting with the Owner's written permission) may install no more than one antenna for each type of service.

## B. Location -- Townhomes

1. The Association has designated certain locations as preferred locations for the installation of a satellite dish. Owners must install their antenna in one of the following designated locations\*:

- i. inside a window within the home; or
- ii. (if installed with a mast) entirely within and below the height of approved privacy fencing which fully encloses the rear yard of any attached townhouse; or
- iii. on the rear roof of the house with its highest point below the peak of the roofline, preferably as close to the chimney as possible; or
- iv. above the walking surface of the deck, providing that no portion of the device projects no more than six inches above the height of the deck railing; or
- v. attached to the outside of the back railing of the deck, provided that no portion of the device is higher than six inches above the height of the railing.

\*If an Owner cannot receive an adequate signal reception from any of the designated locations, he may apply for an alternative location, provided he submits (i) a written certification that installation of the antenna in the approved locations would not afford sufficient signal strength for adequate reception and (ii) a precise statement describing the alternative location where sufficient signal strength is adequate for reception. The Owner must submit such written certification within three days after the satellite dish is installed.

2. Owners shall not install an antenna in such a way that it is placed or encroaches upon any common area, or any other Owner's individual lot, including the air space.

3. Owners must locate their antenna in a place and manner that shields it from view from the nearest street(s) and from other lots in the community to the maximum extent possible.

## C. Location -- Condominium Units

1. Under the applicable law, the Association must permit residents to install exterior antennas within areas within the "exclusive use" of the resident. At Rock Hill Condominium, the only areas which fit this definition are the rear floor surfaces of the balconies and decks which serve the units. These areas are assigned to the units that

they serve as a limited common element; accordingly, owners of condominium units are permitted to install exterior antennas, but only as specified in paragraph II.C, below.

2. Residents of condominium units may not install an exterior antenna anywhere within the common elements of the condominium or common areas of the Association, such as on the rooftops, sides of the buildings, step areas, exterior walls, etc.

3. Notwithstanding the fact that condominium unit owners have the right to exclusively use the floor surfaces of their balconies, it is the responsibility of the Condominium Unit Owners Association to maintain the structural integrity of the balconies. In order to protect the Condominium Unit Owners Association from incurring any expenses to correct damages to the floor surface of the terraces, the Association will not permit residents to install exterior antennas which in any way which cause a penetration, piercing of, or attachment of the antenna to the floor surface of a terrace.

4. Without the necessity of submitting an application for approval, residents of a condominium unit may either a) install their exterior antenna in a moveable pod, pot, container, stand or any such stabilizing device, so long as that stabilizing device does not affix to the floor surface of the balcony or b) attach their exterior antenna on a railing affixed to a balcony, so long as the attachment does not penetrate the railing and the device does not invade the air space of the common elements.

5. The wiring for such installations must be run under the flashing of the door which serves as the ingress/egress to the balcony. Residents bear all responsibility for properly sealing the flashing in order to prevent water from penetrating into the building.

6. Installation of an exterior antenna in any other area of a balcony is prohibited, unless approved by the Board in writing and in advance of the installation. The exterior walls which abut the balconies are part of the common elements and are not part of the limited common elements assigned to the units for their exclusive use; accordingly, residents may not make any installations on the exterior walls which abut the terraces.

#### **D. Installation**

1. Antennas shall not be larger or installed higher at the point of installation than is absolutely necessary for reception of an acceptable quality signal.

2. Antennas must be properly secured so they do not jeopardize the safety of any passerby.

3. Antennas shall be installed and secured in a manner that complies with all applicable Virginia building codes and manufacturer's instructions. Owners are responsible for obtaining any applicable governmental permit if it is required for safety reasons.

4. Antennas shall not be placed within twenty (20) feet of a power lines (above-ground or buried). Owners must ensure that wind velocity or other forces could not cause the antenna to collide with a power line.

5. Antennas shall be permanently grounded to minimize the possibility of electronic and fire damage.

6. The Association reserves the power to require Owners to install or provide screening around the antenna if the antenna is visible from the street or other lots. However, in no event will an Owner be required to incur an unreasonable expense to install a visual barrier. Any visual barrier so required must be installed within one week of the installation of the antenna.

7. Owners must install exterior wiring for the antenna in the least obtrusive manner.

#### **D. Mast Installation**

1. Mast height may be no higher than absolutely necessary to receive acceptable quality signals.

2. Masts must be installed by licensed and insured contractors.

#### **E. Installation By Tenants**

These rules shall apply in all respects to tenants. Owners shall remain responsible for any damage caused by their tenant's installation, use or removal of an antenna.

### **IV. MAINTENANCE**

A. Owners who install or maintain antennas are responsible for all associated costs, including, but not limited to, the costs to:

1. Place (or replace), repair, maintain, and move or remove antennas;

2. Repair damage to any property caused by the Owner's failure to properly install, maintain or use the antenna;

3. Pay medical expenses incurred by persons injured by the Owner's failure to properly install, maintain, or use the antenna;

4. Reimburse residents or the Association for costs incurred to correct damage caused by the Owner's failure to properly install, maintain or use the antenna.

B. Owners shall have a continuing duty to prevent their antennas from falling into disrepair or becoming a safety hazard. Owners shall be responsible for antenna maintenance, repair and replacement, and the correction of any safety hazard.

C. If an antenna becomes detached, the Owner must remove or repair such detachment within 72 hours of the detachment. If the detachment threatens anyone's safety, the Association reserves the power to remove the antenna at the expense of the Owner.

D. Owners shall be responsible for antenna repainting or replacement if the appearance of the exterior surface of their antenna deteriorates or is damaged in any way.

## V. ENFORCEMENT

A. If any Owner violates this Resolution, the Association reserves all of its legal remedies, including, but not limited to, the assessment of special charges against the offending Owner as a sanction.

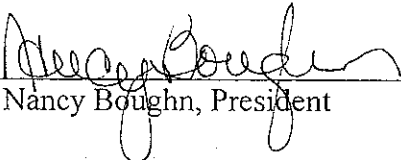
B. If any satellite dish installation poses a serious, immediate safety hazard or threat to property, the Association reserves the power to remove the satellite dish without notice to the Owner; however, whenever feasible, the Association shall provide advance written notice to the Owner of the Board's concerns for safety and its request of the Owner to remove, relocate, or secure the satellite dish.

## VI. SEVERABILITY

If a Court of law rules any provision herein to be invalid, the remainder of these rules shall remain in full force and effect.

Enacted this 31<sup>st</sup> day of May, 2005.

ROCK HILL HOMEOWNERS  
ASSOCIATION, INC.

By:   
Nancy Boughn, President

**RESOLUTION ACTION RECORD**

Duly adopted at a meeting of the Board of Directors held

May 31, 2005

Motion by: Arcy Bouyer Seconded by: Parsha Guenard

VOTE:  
YES NO ABSTAIN ABSENT

<u>Arcy Bouyer</u> ✓	_____	_____	_____
President			
<u>[Signature]</u>	_____	_____	_____ ✓
Vice President			
<u>Parsha Guenard</u> ✓	_____	_____	_____
Secretary/Treasurer			

ATTEST:

\_\_\_\_\_  
Secretary Date

Resolution effective: 7.1., 2005.

