

THE MAINSTREAM



Your Vote is Needed!!

Hiddenbrook Homeowners: Earlier this year we have communicated with you for your vote for a proposed amendment to the Association's Declaration document. Many homeowners have not yet voted. **Whether your vote is Yes-or-No, we need your vote!**

Please review the letter sharing information on the proposed amendment found further in the newsletter and use the form provided to submit your vote which can be mailed to Hiddenbrook Homes Association, P.O. Box 582; Herndon, VA 20170, dropped into the clubhouse front door mail slot, email your completed form to Hiddenbrook_homes@hotmail.com

Hiddenbrook Homes Association

www.hiddenbrookhomes.org

1508A Sadlers Wells Drive
Herndon, VA 20170

Property Manager:

Lisa Cornaire

hiddenbrook_homes@hotmail.com

Office Hours

Tues. & Thurs. 2-5pm
or by appointment

(703) 318-7159 - office

(703) 437-9737 - fax

(703) 437-9736 - pool

Mailing address:
PO Box 582, Herndon, VA 20172



Fairfax County Leaf Collection

The signs posting the leaf pick up dates aren't posted yet. Please refrain from putting loose leaves at the curb until a few days before they will be picked up.

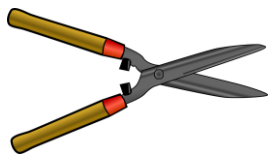
Now Accepting Hiddenbrook Board of Director Candidates

If you are interested in being included on the ballot for the 2019 Hiddenbrook Board of Directors, please provide the following information to the property manager on or before **Friday, October 23, 2018**. This information will be included in the voting proxy that is mailed to the HOA members in November.

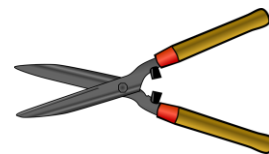
- Your name and address
- How many years you've resided in Hiddenbrook
- List any offices held or other activities performed on behalf of Hiddenbrook residents
- List any other qualifications you may deem appropriate
- Summarize the reasons why you would like to be elected to the Board
- When responding, remember Board members should plan on holding one of the following positions: President, Vice President, Secretary, Treasurer or Member at Large. The Board of Directors meets monthly at the clubhouse.

If you have any questions, please email the property manager at Hiddenbrook_Homes@Hotmail.com

You may also submit your bio by mail to:
Hiddenbrook HOA
PO BOX 582
Herndon, VA 20170



It's Time



Fall is here, and it is a great time to look at your bushes and trees that may be encroaching on and over the sidewalks and roadways. Please act to keep our neighborhood safe and passable.

Proposed Amendment to the Association's Declaration Document Information

Below is the proposed amendment to the Association's Declaration document. The Hiddenbrook Board is proposing that the community members consider approving this amendment to enable the imposition of charges for violations of the Association's governing documents or the Virginia Property Owner's Act. Although the Virginia Property Owner's act gives Associations the authority to assess fines for violations, recent case law has set the precedent that in addition to the authority given by State Statue, Association's must also have the authority to impose fines as outlined in their Declaration. We'd like to share with you some of the reasons behind the decision to propose this change.

Our community is aging, and with age, comes an increased need to maintain and make improvements on our properties. When maintenance, as outlined in our architectural guidelines document, is determined to be necessary, the Association sends a letter to the lot owner, typically accompanied by a photo for reference. The owner is requested to make the repairs or changes within a reasonable timeframe provided to accomplish the request. Often, the homeowner abides by the request; However, there are times when an owner ignores the request. At this point, the association sends a second letter. Further action is not usually enacted until all other communications have failed. Within the structure of the current Declaration document, the Board has little recourse to uphold Article IV (Purpose and Powers of the Association), should an owner remain out of compliance.

Any uncorrected violations will remain in the lot owner's file and if the home goes up for sale, this information is included in the sale disclosure packet. At this point, the buyer may request that the repairs be made prior to the purchase.

The Association can also take legal action and obtain a court order requiring the owner to come into compliance. This is obviously an expensive and time-consuming endeavor and as such, the Association has preferred to avoid this course of action.

The prior and current Hiddenbrook Board(s) have received feedback from residents requesting to see improved compliance within the neighborhood. Adherence to the Association's established guidelines protects property values and upholds the general rules and regulations put in place for our community at the inception of our homeowner's association.

If the community votes in favor of the amendment, the Board will immediately implement a due process policy as required by Virginia Law. This means that before the assessment of any fines, owners will receive adequate time to correct any violations and would have the opportunity to request a hearing with the Board to present their case and discuss any concerns that they have regarding the violation.

The goal would be to avoid imposing fines but instead to garner compliance. If a violation is corrected in the timeframe allotted, then no fine would be imposed. In other words, just because a violation is noted, does not mean a fine would automatically be assessed without due process.

The ARC committee, along with the Property Manager typically perform bi-annual and community-wide inspections. The intent has always been to avoid being overzealous and to evaluate every lot (including those of Board members) from a fair and equitable perspective. This approach to the property inspections will continue as required by state law.

Once the due process is completed, if the Board determines fines are necessary, the Association would follow the fine structure outlined in the Virginia statues. The charges would be \$10/day for a single, uncorrected item or \$50/occurrence for any recurring item, with a maximum of \$900.

The primary goal is to provide timely and clear communications as the first tool of resolving any issues and the prospect of assessing any fines is a last resort.

If you have any questions or concerns, please email them to Hiddenbrook_homes@hotmail.com.
Let's work together to maintain our neighborhood and protect our property values!

PROPOSED AMENDMENT TO THE DECLARATION:

**ARTICLE IV
PROPERTY RIGHTS**

Section 1. Members' Easements of Enjoyment. Every member shall a right and easement of enjoyment in and to the Common Area and such easement shall be appurtenant to and shall pass with the title to every assessed Lot, subject to the following provisions:

- (a) The right of the Association to limit the number of guests and members;
- (b) The right of the Association to charge reasonable admission and other fees for the use of any recreational facility situated upon the Common Area;
- (c) The right of the Association, in accordance with its Articles and By-Laws, to borrow money for the purpose of improving the Common Area and facilities and in aid thereof to mortgage said property and to acquire property encumbered by deed of deeds of trust securing improvements on said property;
- (d) The right of the Association to assess reasonable fines against any member for any violation of the Virginia Property Owners Association Act ("Act"), Declaration, Bylaws, or the rules and regulations adopted thereto for each separate violation. No fine may be levied unless and until the procedures as required by the Act have been followed. The Board may assess the member for the maximum amount as permitted by the Act and fines imposed pursuant to this subsection shall be treated as an assessment. In addition, the Board may suspend the voting rights and right to use of the recreational facilities by a member for any period during which any assessment against his Lot remains unpaid; and for a period not to exceed ninety (90) days for any violation of the Act, Declaration, Bylaws, or the rules and regulations adopted thereto ~~infraction of its published rules and regulations.~~

Please complete the form below:

I/We, _____, the owner(s) of the Lot located at

Please Print Clearly

_____ Herndon, Virginia hereby;

Please Print Clearly

(_____) **APPROVE** the proposed amendment

OR

(_____) **DISAPPROVE** the proposed amendment

Signature Date Signature Date

Printed Name Printed Name

By signing this form, you affirm that you have the right to vote on behalf of all owners of record of the lot. Please return this form to:

**Hiddenbrook Homes Association
PO BOX 582
Herndon VA, 20170**

Hiddenbrook Board of Directors

(Meetings are held on the 3rd Tuesday of every month at 7:30 p.m. in the clubhouse)

President	Joan Koss	joanekoss@outlook.com
Vice President	Chaz Holland	chazholland2@verizon.net
Secretary	Paige Dyer	paige_dyer@icloud.com
Treasurer	Pam Spencer	pspencer11@cox.net
Director at Large	Kristin Leveto	kjleveto@gmail.com

Hiddenbrook Committee Chairs

ARC	Jason Wenrich	stringcheeseiphish@yahoo.com
Clubhouse	Pam Spencer	Pspencer11@cox.net
Communications	Kristin Leveto	Kjleveto@gmail.com
Finance	Craig Graby	Craig@graby.net
Neighborhood Watch	VACANT	
Pool	Marcel van Vierssen	hbmarcelv@gmail.com
Activities	VACANT	
Swim Team	Matt Pickworth	hiddenbrookswimteam@gmail.com
Tennis	Charles Roswell	Roswells@icloud.com

If you are interested in joining any of the Hiddenbrook committees, please fill out the 'Committee Interest Form' from the documents page of the www.hiddenbrookhomes.org website and send it in to our property manager, Lisa Cornaire at Hiddenbrook_Homes@hotmail.com

If you are interested in receiving a printed copy of our monthly newsletter, please email your request to hiddenbrook_homes@hotmail.com.

CLUBHOUSE CALENDAR

October

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
30	1	2	3	4	5	6 Clubhouse Rental
7	8 Clubhouse Rental	9	10	11	12	13 Clubhouse Rental
14	15	16 7:00 pm Board Meeting	17	18	19	20
21	22	23	24	25	26	27 Clubhouse Rental
28	29	30	31	1	2	3

Are you interested in helping the community? We could use a **volunteer to compile this monthly newsletter**. (Any needed training can be provided.) Email Joan Koss at joanekoss@outlook.com for more details.