

Section 1: [Architectural & Environmental Guidelines, Section 14] Suspension of Sports Pavilion and Pool Privileges for Overdue Assessments After 30 Days

MARKUP #1 ->

Any Owner whose assessment account is delinquent for more than thirty (30) days shall have their privileges to use the Ashburn Village Sports Pavilion, community pools, lakes, and recreational facilities automatically suspended until the account is brought current.



MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. Architectural & Environmental Guidelines, Section 14 (p. 1): Suspending Facility Privileges at 30 Days Delinquency Violates 60-Day Statutory Threshold and 14-Day Certified Mail Hearing Mandate

Statutory / Legal Reference: Va. Code Ann. § 55.1-1819(B)

Statutory Comparison: Under Va. Code Ann. § 55.1-1819(B), an association may only suspend a member's right to use facilities or services for nonpayment of assessments when such assessments are more than SIXTY (60) days past due (not 30 days), and only after providing the member with a formal opportunity to be heard following at least 14 days' notice delivered by hand or registered/certified mail, return receipt requested.

CURRENT WORDING IN DOCUMENT:

[Architectural & Environmental Guidelines, Section 14] Suspension of Sports Pavilion and Pool Privileges for Overdue Assessments After 30 Days - Any Owner whose assessment account is delinquent for more than thirty (30) days shall have their privileges to use the Ashburn Village Sports Pavilion, community pools, lakes, and recreational facilities automatically suspended until the account is brought current.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Amend Section Architectural & Environmental Guidelines, Section 14 ([Architectural & Environmental Guidelines, Section 14] Suspension of Sports Pavilion and Pool Privileges for Overdue Assessments After 30 Days - Any Owner whose assessment account is delinquent for more than thirty (30) days shall have their privileges to use the Ashburn Village Sports Pavilion, community pools, lakes, and recreational facilities automatically suspended until the account is brought current.) to conform with Va. Code Ann. § 55.1-1819(B) and the manual attorney audit recommendations for Ashburn Village Community Association, Inc..