



Community Standards Update: May 28, 2019

The sun is back, and it's time to take stock after the winter and soggy, windy start to spring. We want to share the following timely updates and resources related to common concerns and frequently asked questions. If you need more information or have questions, please contact us at communitystandards@brambleton.org or call 703-542-6263.

Property Maintenance & Inspections - The Association performs proactive inspections throughout the year to ensure compliance with community standards. These inspections are performed by BCA staff with a goal of maintaining Brambleton as a beautiful place to live. The following outlines the primary areas of focus during this time of year:

Brambleton's [Property Maintenance Standards](#) include the following maintenance requirements:

- All turf areas on a lot must be kept neatly mowed, trimmed, and edged during the growing season. All turf should not be permitted to exceed 6 inches in height.
- Any dead plants, shrubs, or trees should be immediately removed. If necessary, replacement plantings may be scheduled for the fall.
- Turf areas and landscaping beds should be kept as weed-free as possible. At no time should weed cover exceed more than 25% of the total turfed area.
- All hedges, trees, and shrubs must be neatly trimmed, and their size maintained in proportion to the lot and home through pruning.
- Tree stakes are provided when young trees are installed but are to be removed after 1 year. If the stakes are left in place, they can cause damage to the growing tree and become unsightly.
- All trees, plants, and other landscaping materials shall be maintained so that they do not encroach on sidewalks. Tree limbs shall be pruned to a height of at least 8' above the sidewalk to provide unobstructed access.

Inspection and Violation Related FAQ's

Q: Why does the Association send Certified Letters?

A: The Association uses Certified Letters to obtain proof of mailing that the Association has provided the required notice. Some of the most common reasons for using a Certified Letter are to provide decision information if a Design Review Application is denied; to advise a resident of the Association's intent to use self-help to correct a violation - most often this applies to lawn maintenance; or to provide notice of the opportunity for a hearing with Brambleton's Covenants Committee. As a courtesy to residents that are unable to receive Certified Mail deliveries, the Association sends a duplicate copy via First Class mail.

Q: Why can't the Association just use email to provide notice of violations?

A: When practical, Association staff regularly uses email as an informal method to contact

owners about reported violations. We encourage all residents to submit accurate and up-to-date email contact information. Informal email messages may be used in an effort to expedite resolution to an individual situation; however, this method does not provide the Association with sufficient proof of notice and does not always work to expedite a resolution.

Q: My neighbor's property is chronically in violation. Why can't the Association just get it resolved once and for all?

A: As you may know, the violation process requires that a series of violation letters be sent to an owner in violation, with time given to correct. If not corrected, the owner may be offered a Hearing with the Covenants Committee. If the Committee determines that there has been a violation of the Association's governing documents, they may elect to assign violation charges to the owners account in the amount of \$25 for a one-time violation or \$10/day for a maximum of 90 days for an ongoing violation (\$900). If the owners neither pay the violation charge nor correct the violation, the Association may file in General District Court for a judge to review the case. The Association is limited to this process in accordance with Virginia Statute.

Q: How long does it take for the Association to address a property that is not mowed in compliance with the Property Maintenance Standards?

A: The Association conducts ongoing proactive inspections and will provide notice of intent to use self-help to mow the property. The approximate **best case timeline** for resolution is as follows:

Day 1	Property identified in violation
Day 2	10 day notice mailed to Lot Owner and resident if applicable.
Day 4	Notice is presumed received
Day 14	Follow up inspection period opens
Day 14/15	Notice provided to the contractor
Day 16-19	Contractor performs service

Follow up inspections are performed on Mondays and Tuesdays in consideration of property maintenance that occurs over the weekend as well as to provide the Contractor with appropriate notice.

Generally speaking, the Association is required to treat each instance of violation as a unique occurrence and to provide due process for resolution of the violation. Even if the violation is recurrent, once it has been resolved, the matter is closed.

In recognition of the concerns related to chronically poorly maintained properties, Brambleton's Board of Directors has determined that for violations related to turf not being maintained at a height 6 inches or below, that a hearing opportunity with the Covenants Committee will be provided for properties that have received contact more than 3 times in a growing season prior to the assessment of monetary charges.

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