

**Rolling Valley Section 8-D
HOA Quarterly Board Meeting
Tuesday, 24 Sep 2019**

Minutes

Location: Dennis Kurre's Home, 8812 Hayload Court

Board Members Present

Dennis Kurre – President
Michael Graves – Vice President
Ruth Ann Hoel – Treasurer
Jeff Lins

Thomas Blume

HOA Members / Board Candidates:

Gabi Kreuzcher
Lisa Nelson

Call to Order: Dennis Kurre called the meeting to order at 7:00 PM.

Treasurer's Report: Ruth Ann Hoel presented the budget report for the third quarter of the calendar year, which reflected current reserves totaling \$16,205.70. The one homeowner who remains delinquent on their dues is 7130 Sontag Way (see discussion below).

Old Business:

- **Graduated Dues Proposal:** The Board spent considerable time discussing Michael Graves' proposal during the last meeting to change the HOAs annual dues collection policy to better incentivize on-time payments and to increase consequences upon delinquent homeowners. Central to the debate was the interpretation of Article IV, Sections 1 and 8 in the Declaration of Covenants, which governs the HOA's options regarding dues and penalties for non-payment. Ultimately, the Board passed a motion to table the introduction of such a new policy until the Board could obtain a legal opinion on the matter. In the meantime, the Board further agreed to amend language in a planned certified letter to the remaining delinquent homeowner to read that a "lien *may* be placed" rather than a "lien *will* be placed" against the owner's property. Michael Graves will attempt to reconnect with attorney (and HOA member) Howard Brimiel, and Dennis Kurre will likewise attempt to reach out to an attorney he has done business with in the past. (**Action Item**)
- **Consultations with Attorneys for Potential Legal Action on Delinquent Homeowners:** Dennis Kurre reported his discussions with Ms. Donna Mason, a partner at Segan, Mason & Mason, a firm that has a 24-year history of representing HOAs. Her recommendations were as follows:

- Our HOA would NOT be justified in using their firm due to their service costs
- We could file a lien in the court records, but the cost of filing would possibly be more significant than the delinquent dues themselves
- We should continue notifications in the real estate packets at time of sales to collect delinquent payment(s) at time of closings.
- We should send a certified letter to the delinquent party notifying of the delinquency status

Based on this report, the Board decided against attempting to hire a law firm.

- Report on Potential Overcrowding & Code Compliance at 7130 Sontag Way: Dennis Kurre contacted the Fairfax County Code Compliance Office (703-324-1300) on 21 Aug 19 regarding whether the home was in violation of overcrowding rules or whether the firm that owns the home (CSI) was legally licensed to conduct business in a residential neighborhood. On 30 Aug, Dennis received a call from Inspector Gibson that he had completed his inspection of the home and found that CSI was in compliance with all licensing and business requirements for providing housing to disadvantaged persons in Fairfax County. He also advised that the residents of the property are within county requirements for residing in a single family dwelling.
- Report on Securing the Services of a Property Management Company: Dennis Kurre contacted Ms. Becky Surprise of Sentry Management Company in Alexandria [(703) 642 – 3246 Ext. 56503] on 22 July 19 to inquire about the services they provide to HOAs. She advised that they have two types of HOA Management programs (Large & Small), and that our HOA would probably be better suited for their “Small”, “financial only” package, which includes sending out dues notices and assisting with budget development but does not provide support for delinquencies. That service would have to be handled by a law firm. Their “small” service package costs \$700 per month. Based on this information, the Board decided not to further pursue hiring an HOA management firm.

New Business:

- Final Delinquency Actions for 7130 Sontag Way: Dennis Kurre will prepare a final delinquency notification letter for this property and will hand-deliver it to an address identified by Lisa Nelson as the potential location of the delinquent homeowner. If the delinquent homeowner is indeed at this address, no lien will be placed against this property.
- Mail Delivery for HOA Correspondence: Michael Graves received a request from Mr. Dunsmoor, homeowner for 7205 Flower Tuft Court, that the HOA continue to

provide hardcopy correspondence to him via mail or hand-delivery, rather than transitioning to email correspondence, which we've advertised in our recent mailings. Mr. Dunsmoor appealed to Section 55-515.3.F (nontechnology Alternatives) of the Virginia Property Owner's Association Act, as a legal basis to continue to receive hard copy correspondence.

- Next Tree Survey: Michael Graves advised that he was planning to coordinate with Freedom Tree Service for their annual tree survey of the Common Areas in the near future. He reported that he had responded to Ms. Anna MacDonald about a tree issue reported by Beth Murray on 4 Sep 2019 and planned to have it looked at.
- County Supervisor Contact List: Tom Blume has now been listed as the contact person for our HOA with County Supervisor Pat Herrity's office, replacing Bob Hinson.
- The Board agreed to schedule the Annual Membership Meeting for Tuesday, **12 Nov 2019**, at 7:00 PM at the Springfield Government Center. Although Jonathan Clough was out of town, he will be tasked to draft the annual meeting notice letter and ensure it is mailed no later than 10 Oct 2019. Tom Blume and Ruth Hoel offered to assist in the stuffing and mailing process.

The meeting adjourned at 8:10 pm.

Action Items for the Board:

- Seek legal advice regarding interpretation of the HOA Covenant's Article IV policy on dues to identify options for reforming our policy on non-payment of dues. (Dennis Kurre and Michael Graves)

Attachments: Treasurer's Report



9-23-19 Rolling
Valley HOA Financial