

June 2011

Volume 1, Issue 4

# Colonial Village I News

## Articles of Special Interest

• *Notable Tree  
Award*

• *Meet the  
Management  
Team*

*Monthly Board  
Meetings are held on  
the 4<sup>th</sup> Wednesdays at  
7:00pm at the  
Meeting Room  
located at 2021 N.  
Key Boulevard*

**Colonial Village I  
Management  
Office  
1903 N. Key Blvd  
Arlington, VA  
22201  
(703) 525-5557**

## Financial & Infrastructure Update

*Charles Edwards, Treasurer*

The financial position of the Association continues to improve. As of May 31, 2011, our operating reserve had climbed to \$20,053. We are running a surplus of \$46,000 to date (about 18%), due to lower-than-budgeted expenses for building repair and maintenance; however, this is somewhat misleading as the association still needs to fully reimburse Alliance Roofing for repairs made earlier this year.

Alliance replaced the roofs on buildings 1903 and 1911 Key Blvd. and they have graciously allowed us to pay for the work in monthly installments. We will have satisfied the payment schedule by October, 2011. In addition, the Board will evaluate the brick/masonry tuck-pointing work that's required, compared against available cash reserves, to determine the timing of continued tuck-pointing work on other buildings. We are pleased with the results of the tuck-pointing repairs performed last fall at 1903-2005 Key Blvd. In contrast to the previous winter, when we had several leaks, there were no leaks in any of these buildings this past winter.

## Insurance Claim for 1917 Rhodes Street Damage

*The Association is pursuing an appeal against the insurance company for coverage of the water damage at 1917 Rhodes Street from 2010. An attorney who specializes in insurance claims has been retained. The insurance company has notified the Association that former manager, Peter Freedman, will be deposed.*

*This kind of proceeding usually takes a long time to resolve. The Board is intent on pursuing the claim which amounts to over \$400,000. Owners will be kept apprised of any progress on this matter.*

*All Rules & Regulations are available online at CVI's website: [www.ColonialVillageI.com](http://www.ColonialVillageI.com).*



### ***Notable Tree Award Winner!***

Two of CVI's trees have been placed on the Arlington County Register of Notable Trees due to their unusual size.



The dimensions & score, a standardized measure that combines height, circumference and crown width are as follows:

#### **2007 Key - Certificate Winner**

Circumference: 15' 1"  
Avg Crown Spread: 110'  
Height: 114'  
Score: 323

#### **2017 Key - Plaque Winner**

(mounted in front of tree)  
Circumference: 15' 6"  
Avg Crown Spread: 110'  
Height: 108'  
Score: 322

***The national champion willow oak in Chesapeake, VA scored 465***

***Circumference 25' 1"***  
***Crown Spread: 130'***  
***Height: 131'***

## **LANDSCAPE NOTES**

### ***Tree Removals***

Many questions regarding the removal of 15 trees this spring were received. This is natural, given the high value residents place on the community's natural beauty.

The trees that were removed were all dead, dangerous or declining. Some should have

been removed a while ago, but the work was deferred for budget reasons. This spring, CVI was able to join with CVII and CVIII to capitalize on tree removal services at a deep discount, so all the work was able to be performed at one time at a great savings to the Association. The following is a brief explanation of the removals:

- ❖ Three White Pines near corner of Key & Rhodes – During the last few winters, cars have been severely damaged by dropped limbs. An entire limb fell in the winter of 2010 smashing 2 cars and blocking the road. They also dripped sap on cars. Removing them was imperative.
- ❖ Three White Pines near the parking lot - They collapsed due to environmental stress.
- ❖ Three White Pines in the 2000 Key Blvd courtyard – After each snowstorm, these old trees dropped large limbs. One tree lost 40% of its canopy in the last snowstorm.
- ❖ Three Hemlocks near parking lot – This site is unsuitable for hemlocks because of the dry, hot clay. Hemlocks need cool, moist, humus-rich soil; their natural habitat is along streams in deep Appalachian valleys. They were declining for years and their crowns were dying which signals the death of a tree.
- ❖ Two dogwoods near parking lot – Located in an inappropriate site for these types of trees, they were also dying and damaged by boring insects.
- ❖ Maple by Uhle Street – This declining maple had multiple hollow limbs that threatened a power line.
- ❖ Ornamental plum by Uhle Street – Ornamental plums are very short-lived trees (25 years) and this old tree was declining and dropping large limbs. It was invaded by insects and was not worth treating.

In all the areas where trees were removed, different varieties will be replanted – some now and others during the next landscape season for budget reasons.

Many of the trees removed were white pines. At one time, they were widely planted in this area because of their beauty and quick growth; however, the downside is that they are fragile and prone to breakage.

Arborists now discourage planting white pines in this region because the environment is no longer suitable for them. They are northern trees and this region is the extreme southern extension of their natural range. They are already on the edge of tolerance for our heat. But the killer is air pollution – white pines are susceptible to damage from ground-level ozone, more so than most pines. Since this is the predominant form of air pollution in the summer in the DC area, all of CVI's white pines will continue to be stressed.

Five significant groups remain in CVI: four in front of 1802 Lee Highway, three in front of 1917 Rhodes Street, two next to 2005 Key, two in front of 2011 Key and two by the parking lot.

For more on the Arlington Notable Tree Program and an illustrated list of Arlington's notable trees, visit <http://www.arlingtonva.us/departments/ParksRecreation/scripts/parks/ParksRecreationScriptsParksNotableTree.aspx>

## ***Annual Reminder of Due Process (Complaint) Procedure***

WHEREAS, Section 55-79.53 of the Virginia Condominium Act, Code of Virginia (1950, as amended) (the "Act") charge all unit owners and their tenants, guests and invitees with compliance with the condominium instruments (Declaration, Bylaws, plats and plans) of the Association, as amended; and,

WHEREAS, Article III, Section 2(f) (*Board of Directors - Powers and Duties*) of the Bylaws, grant the Association, acting through its Board of Directors, the authority to "[make and amend the Rules and Regulations"; and,

WHEREAS, Section 55-79.80:2 of the Act authorizes the Association, through its Board of Directors and to the extent expressly so provided in the condominium instruments or the rules and regulations adopted pursuant thereto, to suspend a unit owner's right to use facilities and services, and to also assess charges against any unit owner "for any violation of the condominium instruments or of the rules and regulations promulgated pursuant thereto..." for which the unit owner or his family members, tenants, guests or other invitees are responsible; and,

WHEREAS, Section 55-79.80:2 of the Act further provides that certain procedures must be followed before such charges or suspensions may be assessed; and,

WHEREAS, it is the intent of the Board of Directors to enforce the condominium instruments for the benefit and protection of the Association's unit owners and residents by establishing procedures which ensure due process and consistency of enforcement;

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT the Board of Directors, by the Act, the condominium instruments and this Resolution, are hereby empowered to suspend rights of use or to services, and to assess charges pursuant to Section 55-79.80:2 of the Act, and it is further resolved that the Board of Directors shall assess such charges for any violation of the condominium instruments or rules only after the following procedures have been followed:

### **I. Complaint**

A. Any unit owner, tenant, managing agent, employee or Board member who requests that the Board take action to enforce the condominium instruments and rules shall complete, date and sign a complaint in a form similar to and containing the information contained on Exhibit "A" hereto.

B. The complaint shall be submitted to the Board of Directors for a determination as to whether it appears that a rule or provision of the condominium instruments allegedly has been violated.

C. The Board of Directors shall then take appropriate action, such as directing that a demand letter be sent or that it be referred to counsel or County authorities.

### **II. Demand**

A. If determined appropriate, a written demand letter which may be in a form similar to Exhibit "B" hereto shall be sent by first class mail or shall be hand-delivered to the unit owner at the address which the owner has provided to the Association or at the unit address, if no other address has been provided. A copy may be sent to the tenant if there is a tenant.

B. The demand letter shall specify the alleged violation, the action required to abate the violation and a date usually not less than ten (10) days after the date of the demand letter by which the alleged violation must be remedied. However, when the violation may constitute a health, safety or fire hazard, demand may be made to remedy the violation within twenty-four (24) hours.

C. The demand letter shall state that if the violation is not remedied, the unit owner must request in writing a hearing before the Board to avoid imposition of charges or suspension of rights or services. The letter shall also state that if no hearing is requested, the owner shall be deemed to have waived the opportunity for a hearing and rules violation charges or suspensions may be assessed. The demand letter may be combined with the notice of hearing referenced in Section III if the violation is of a serious nature or if previous notices of violation have been sent to the owner.

### **III. Notice of Hearing**

A. If the alleged violation is not remedied within the date or time specified in the demand letter referenced in Section II and the owner requests a hearing, or if the Board determines a hearing is necessary, a notice of hearing shall be sent. Notice of a hearing shall be hand delivered or mailed by certified United States mail, return receipt requested, at least fourteen (14) days in advance thereof, or within such other time as may be required by the Act, to the unit owner at the address of record with the Association. Service by mailing shall be deemed effective two (2) days after the notice has been mailed in a regular depository of the United States mail. The demand letter referenced in Section II may be combined with the notice of hearing.

B. The notice of hearing may be similar to Exhibit "C" attached hereto and shall specify:

- 1) The time, date and place of the hearing.
- 2) That the unit owner and tenant, if applicable, shall be given an opportunity to be heard and to be represented by counsel (at the unit owner's expense) before the Board.

3) The alleged violation, citing provisions of the condominium instruments or rules which allegedly have been violated.

4) That charges for violation of the condominium instruments and rules may include assessment of up to Fifty Dollars (\$50.00) for a single offense, or Ten Dollars (\$10.00) per day for any offense of a continuing nature for a period not to exceed ninety (90) days or such greater amounts as may be authorized by the Virginia Condominium Act.

5) That the alleged violation may result in the suspension of services, facilities use or voting rights, including suspension of reserved parking privileges.

### **IV. Hearing**

A. The hearing shall be scheduled at a reasonable and convenient time and place within the Board of Directors' discretion.

B. The Board, within its discretion, may grant a continuance. If the unit owner for which the hearing is scheduled requests a continuance to a different time or date, no further notice shall be required.

C. The hearing is not to be conducted according to technical rules of evidence or procedure applied in a court of law. Rather, the purpose of the hearing shall be to provide the unit owner with an opportunity to be heard and to be represented by counsel (if desired), within reasonable time limits imposed by the Board of Directors.

D. The hearing shall be conducted in private executive session unless the unit owner requests that the hearing be open to owners and residents. If the hearing is conducted in open session, the chairman of the hearing body may impose a reasonable limit on the number of such persons who can be accommodated in the hearing room. During the course of any hearing held, the Board, within its discretion, may afford those residents involved with the dispute or violation an opportunity to be heard within reasonable time limits.

E. After proper notice has been given, if the unit owner fails to appear at the hearing or if no hearing is requested, the hearing or meeting may continue as scheduled and the Board may assess charges from the final compliance date of the letter, suspend use rights or services or take such other action as may be authorized by the condominium instruments or by law.

G. If the unit owner acknowledges responsibility for the violation charged, or does not wish to contest the alleged charge, the Board may, in its discretion, dispense with a hearing after having afforded the unit owner with an opportunity for a hearing.

H. Within seven (7) days of the hearing, the Board shall, by hand-delivery or certified mail, return receipt requested, notify the unit owner of its decision, any suspension of use rights and/or the assessment of any charges and the date from which those assessments shall accrue and be due.

### **V. Records**

The Board or the management agent shall keep copies of all correspondence related to rules violations in the unit owner's file or in a separate file on rules violations. Minutes of each hearing or meeting shall be kept and a form similar to that attached hereto as Exhibit "D" shall be completed and placed in the unit owner's file and appropriate Association files.

### **VI. Assessment of Charges**

Pursuant to Section 55-79.80:2 of the Act, any charges assessed for violation of rules after notice and hearing shall be in amounts authorized by the Act and shall be treated as an assessment against the owner's unit for the purpose of Section 55-79.84 of the Act regarding liens. Such amounts shall also be the personal obligation of the owner.

### **VII. Other Remedies**

This Resolution shall not be interpreted to require a hearing prior to assessment of rules violation charges if a hearing is not requested, or to prevent the Association from exercising any other remedies authorized or available under the Act, the condominium instruments or by law and shall not constitute an election of remedies.

### **VIII. Recusal**

In the event a majority of the Board decides to impose Monetary sanctions ("penalties") on a sitting member of the Board for infractions of the Association Bylaws, the sanctioned Board member will be required to recuse him or herself from all further Board decisions regarding the imposition of penalties on other Association residents or owners. The sanctioned Board member and the remainder of the Board must agree to a remedy for the infraction and the cessation of penalties of the sanctioned Board member before the sanctioned Board member may resume participation in decisions regarding the imposition of penalties on other CV-1 residents and owners.

*Meet the Management Team*

**Board of Directors**

Geoff Schwartzman, President  
 Austin Wiehe, Vice President  
 Neil Chritton, 2<sup>nd</sup> Vice President  
 Chuck Edwards, Treasurer  
 Susan Craig, Vice Treasurer  
 Andrea Raggambi, Secretary  
 Michael Cardman, Director

**Management Company**

Legum & Norman, Inc. AAMC  
 An **Associa**® Member Company

Chuck Vaughan, CMCA® AMS®  
 General Manager  
 CVaughan@LegumNorman.com

Sonya Rainey, CMCA®  
 Assistant Manager  
 SRainey@LegumNorman.com

Amanda Bright  
 Office Administrator  
 ABright@LegumNorman.com

703.525.5557 OFFICE  
 703.525.5558 FAX

**We're on the Web!**

See us at:

[www.colonialvillagei.com](http://www.colonialvillagei.com)

Board President's Email  
[colonialvillage1@gmail.com](mailto:colonialvillage1@gmail.com)

There have been significant changes in the Legum and Norman management team that provides such excellent service to the community.

Peter Freedman, who served as General Manager for two years, was promoted to head a new division, Corporate Programs, at Legum and Norman headquarters. Denna Barlish, who served as Office Administrator, was promoted to Assistant Manager of a competing community. Sonya Rainey, Assistant Manager, maintained continuity during the transition. Replacing Peter is Chuck Vaughan, who worked with Peter in Texas. Amanda Bright also joined the team, as the new Office Administrator.



My background includes three-plus years managing multiple associations in Austin with over 3,700 homes. Prior to that, I had been involved with different aspects of the real estate industry, as well as the telecom industry. I was born and raised in Alexandria, Virginia, received my degree from James Madison University and have taken courses in Business Administration at American University and Marymount University. It has been a whirlwind three months, but I am excited about this opportunity and am looking forward to meeting and working with you.

I have worked in the property management field for a little over three years now, starting as an Administrative Assistant in the Payroll Department of my previous job. I graduated Magna Cum Laude from Strayer University with a Bachelor's Degree in June of 2009.

I have enjoyed working with Chuck and Sonya. They are great people to have on your team. Meeting the residents of Colonial Village I has been a great experience as well and I look forward to meeting and interacting with you all.



In July 2009, I was elated to transition to my new role as Assistant Manager. With close to 20 years of community association experience, I was ready for the challenge. Recently, Legum & Norman's, President & CEO, Susan Blackburn presented me with a Special Recognition Award at a corporate event. I was recognized for my role in "bridging the gap" during the transitional period and for doing an outstanding job while handling all aspects of my new management duties.

**EMAIL UPDATES**

JOIN OUR LISTSERV AND GET PROMPT NOTICE OF EVENTS AFFECTING YOUR COMMUNITY. JUST SEND YOUR EMAIL ADDRESS TO [CVIUPDATES@GMAIL.COM](mailto:CVIUPDATES@GMAIL.COM) AND ASK TO BE ADDED TO THE LIST.

## Inside Story Headline

The purpose of a newsletter is to provide specialized information to a targeted audience.

Newsletters can be a great way to market your product or service, and also can create credibility and build your organization's identity among peers, members, employees, or vendors.

First, determine the audience of the newsletter. This could be anyone who might benefit from the information it contains, for example, employees or people interested in purchasing a product or in requesting your service.

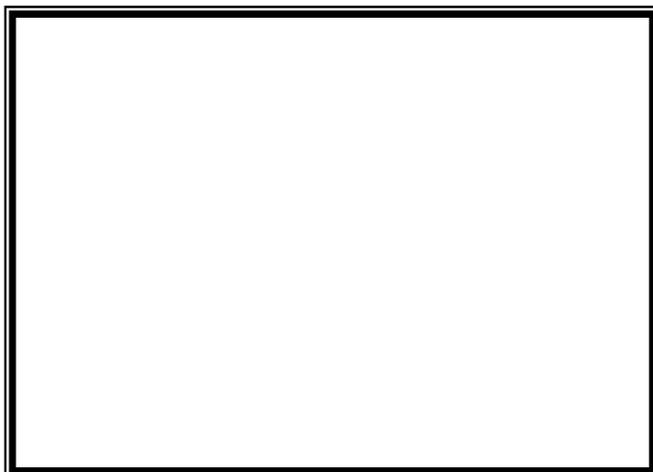
You can compile a mailing list from business reply cards, customer information sheets, business cards collected at trade shows, or membership lists. You might consider purchasing a mailing list from a company.

Next, establish how much time and money you can spend on your newsletter. These factors will help determine how frequently you publish your newsletter and its length. It's recommended that you publish your newsletter at least quarterly so that it's considered a consistent

source of information.

Your customers or employees will look forward to its arrival.

Your headline is an important part of the newsletter and should be considered carefully.



## Inside Story Headline

In a few words, it should accurately represent the contents of the story and draw readers into the story. Develop the headline before you write the story. This way, the headline will help you keep the story focused.

Examples of possible headlines include Product Wins Industry Award, New Product Can Save You Time, Membership Drive Exceeds Goals, and New Office Opens Near You.

One benefit of using your newsletter as a promotional tool is that you

can reuse content from other marketing materials, such as press releases, market studies, and reports.

While your main goal of distributing a newsletter might be to sell your product or service, the key to a successful newsletter is making it useful to your readers.

A great way to add useful content to this newsletter is to develop and write your own articles, or to include a calendar of upcoming events or a special offer that promotes



## Back Page Story Headline

In a few words, it should accurately represent the contents of the story and draw readers into the story. Develop the headline before you write the story. This way, the headline will help you keep the story focused.

Examples of possible headlines include Product

Wins Industry Award, New Product Can Save You Time, Membership Drive Exceeds Goals, and New Office Opens Near You.

One benefit of using your newsletter as a promotional tool is that you can reuse content from other marketing materials, such as press

releases and market studies.

While your main goal of distributing a newsletter might be to sell your product or service, the key to a successful newsletter is making it useful to your readers.

## Continued Story Headline

While your main goal of distributing a newsletter might be to sell your product or service, the key to a successful newsletter is making it useful to your readers.

A great way to add useful

content to your newsletter is to develop and write your own articles, or to include a calendar of upcoming events or a special offer that promotes a new product.

You can also research

articles or find "filler" articles by accessing the World Wide Web. You can write about a variety of topics, but try to keep your articles short.

## *About Our Organization..*

Think about your article and ask yourself if the picture supports or enhances the message you're trying to convey. Avoid selecting images that appear to be out of

context.

Microsoft includes thousands of clip art images that you can choose and import into your newsletter. There are

also several tools you can use to draw shapes and symbols.

### COMPANY NAME

Street Address 1

Address 2

City, ST 78269

COMPANY NAME  
STREET ADDRESS  
CITY, ST 22134