

***THE UNIT OWNERS ASSOCIATION OF
COLONIAL VILLAGE I, A CONDOMINIUM***

**Regulatory Resolution 2009 – 1
(amended July 29, 2009)**

**Unit Remodeling, Alterations and Improvements;
Installation and Replacement of Appliances**

WHEREAS, Article III, Section 2(f) (*Board of Directors - Powers and Duties*) of the Bylaws grants the Board of Directors the power to make and amend rules and regulations governing the Condominium;

WHEREAS, Article III, Section 2 of the By-laws further provides that the Board of Directors shall have all the powers and duties necessary for administration of the affairs of the Association and may do all such acts and things as are by the *Virginia Condominium Act*, the Declaration or by the By-laws required to be exercised by the Association, including adoption of rules and regulations deemed necessary for the benefit of the Condominium;

WHEREAS, §55-79.68(a) of the *Virginia Condominium Act* states: “Except to the extent prohibited by the condominium instruments, and subject to any restrictions or limitations specified therein, any unit owner may make any improvements or alterations within his unit that do not impair the integrity of any structure or otherwise lessen the support of any portion of the condominium. But no unit owner shall do anything which would change the exterior appearance of his unit or any other portion of the condominium except to such extent and subject to such conditions as the condominium instruments may specify.”

WHEREAS, Article VI, Section 7 of the Bylaws states: “No Unit Owner shall make any structural addition, alteration or improvement in or to his Unit without the prior written consent of the Board of Directors. No Unit Owner shall paint or alter the exterior of his Unit, including the doors and windows, nor shall any Unit Owner paint or alter the exterior of any building, without the prior written consent of the Board of Directors.”

WHEREAS, the responsibilities of the Association include ensuring the integrity of the Association structures and compliance with the Association’s Bylaws and Rules/Regulations;

WHEREAS, it is the right and responsibility of the Association, acting through its Board of Directors, to determine whether a proposed project constitutes an addition, improvement or alteration that would impair the integrity of any structure or lessen the support of any portion of the condominium or constitute a structural addition, alteration or improvement in or to the Unit;

WHEREAS, in view of the wide variety of possible remodeling projects, these determinations must be made on a case-by-case basis;

WHEREAS, Article XI, Section 1(j) of the Bylaws states, "Except as may be installed by Declarant during its initial renovation of units, washers, dryers, dishwashers, trash compactors, and other major appliances may not be installed in a Unit without prior written approval of the Board of Directors";

WHEREAS, Article XI, Section 2 states, "Each Unit and Common Elements shall be occupied and used in compliance with the Rules and Regulations which may be promulgated and amended by the Board of Directors";

IT IS HEREBY RESOLVED THAT the Board of Directors establishes the following Rules and Regulations for additions, alterations or improvements for each and every unit in Colonial Village (Village I), as well as installation of appliances, to apply equally and alike to all unit owners and tenants:

1. The Colonial Village I Association Board of Directors, in its sole discretion, has authority to review and approve or disapprove any and all proposed construction, remodeling or repair work to interiors of units.
2. The Colonial Village I Association Board of Directors, in its sole discretion, has authority to review and approve or disapprove any and all new or replacement appliances proposed to be installed in units.

Repairs

3. Excluded from prior review and approval are minor repairs to *existing*, approved lighting and plumbing fixtures and appliances. Also excluded from prior review and approval is replacement of malfunctioning garbage disposals.
4. Emergency replacement of toilets is permitted without notice. However, because improperly installed toilets are frequently a source of leaks, unit owners who replace toilets on an emergency basis must notify the management office on the next business day.
5. The Association will not provide reimbursement for repairs made by unit owners to Common Elements. If it is suspected that the source of a problem, such as a plumbing leak, arises from a Common Element, the unit owner should immediately contact the management company at the emergency number (703-525-5557).

Notice and Application

6. Except as stated in Items #3 and #4, unit owners who propose to alter or improve their units in any way must submit a general description of their projects to the management office, along with a sketch plan of the proposed changes. Additional information may be required at the discretion of the management or the Board.

7. Unit owners who propose to install new or replacement appliances must submit a notice to the office. Any installation that requires work on cabinets, countertops, plumbing or electrical systems requires an application with supporting documents and advance approval by the Board, as indicated below. No clothes washers or clothes dryers may be installed in units.
8. Proposals submitted 10 days in advance of the announced monthly meeting of the Board of Directors will be approved, approved with conditions, disapproved, or returned with a request for additional information at that meeting. Proposals submitted less than 10 days in advance may be carried over to the next monthly meeting, at the discretion of the Board.
9. Proposals that are deemed complete will be approved, approved with conditions or disapproved within 45 days of receipt.
10. Upon approval of a Unit Owner's proposal, the management company will issue a letter of approval setting forth standard stipulations relating to removal of debris, etc. The Unit Owner should retain this letter in his/her personal files.
11. Approval of a project does not constitute waiver of any applicable provision of statutory law or County ordinance. Owners warrant and guarantee that they have sought and received any necessary permits from Arlington County and that all work is performed in compliance with relevant codes. If an owner asserts that no permits are required, the burden of proof shall be upon the owner to prove this in the event of a dispute.
12. Unit owners who propose solely to install new carpet, install hardwood floors, perform a simple repainting and spackling of existing walls and/or replace elements of a heating/air conditioning unit are exempt from review but must notify the management office at least one business day in advance of the work. Unit owners on the second or third floors who install hardwood floors are reminded that at least 80 percent of the floor area (excluding closets, bathrooms and kitchens) must be covered with carpet or rugs, pursuant to Article XI, Section 1(j) of the Bylaws.
13. Included by reference are all other Association regulations, including, among others, the following regulations: "Ventilation Regulation and Mold Policy, Sept. 24, 2008;" and "Window Replacement, Regulatory Resolution 2009-4," and any succeeding regulations.
14. Remodeling and appliance installation may only be conducted between the hours of 8:30 a.m. and 5:30 p.m. Monday through Friday, 10 a.m. and 5 p.m. Saturday, and noon and 5 p.m. on Sunday.

Enforcement

15. Failure to conform to this regulation may lead to any enforcement action authorized by the Bylaws, the condominium instruments, and the Code of Virginia and Arlington County Code. This includes special assessments, injunctive relief, and suspension of access to Association amenities.
16. As set forth in the Bylaws at Article XI, Section 3 (*Right of Access*), the Association and its designee may, at its discretion, inspect the Unit with advance notice and at a time reasonably convenient to the Unit Owner.

- 17. Enumeration of rights, responsibilities and remedies above are intended to supplement and not supersede those included in the condominium Declaration and Bylaws and the laws of the Commonwealth of Virginia and the County of Arlington.
- 18. This regulation, to the extent it establishes any new rights or responsibilities, shall go into effect **Sept. 1, 2009.**

Amendments adopted at a meeting of the Board of Directors of the Unit Owners Association of Colonial Village (Village I), A Condominium, held on July 29, 2009.

Motion By: Charles Edwards

Seconded By: *Andrea Raggambi*

Geoff Schwartzman:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Neil Chritton:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Patricia Bradley	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Charles Edwards	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Andrea Raggambi:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Signed: *Scott*

Signed:

Signed: *Patricia Bradley*

Signed: *C. J. Edwards*

Signed: *Andrea Raggambi*

ATTEST: Secretary *Andrea Raggambi*