

WATERFORD PLACE

"Permit Parking Only" at WPHOA

Today's reality is that for almost two decades, the WPHOA's Unit Owners/Members' and residents' parking needs have far exceeded the design plans, scope, and Parking Rights' expectations the developers had in mind in the late 1980s and early 1990s when the Waterford Place Homeowners Association (Waterford Place) community was first designed and developed.

To help the Board of Directors manage Common Areas parking and community residents' parking needs, the Board of Directors has adopted a Parking Policy to legitimately "allow/permit" expanded use of the Common Areas parking spaces/lots to Unit Owners/Residents whose use of the Common Areas parking spaces/lots is restricted per **"Article IV, Property Rights, Section 4. Parking Rights"** as stated in the **"WPHOA Declaration of Covenants, Conditions, and Restrictions."**

- **PERMIT DISTRIBUTION:** During the next few weeks, WPHOA residents who have requested parking permits to be able to park in the Common Areas parking spaces/lots in the community will receive a hand-delivered Resident Parking Permit hang tag and a Resident Parking Permit (inside of the window) decal/sticker for each of their legally Maryland MVA-registered vehicle(s). So, for residents who prefer using an *inside-of-the-window* decal/sticker rather than an *on-the-rearview-mirror* hang tag, they'll have the option to use one or the other or both-- in the same vehicle since the decal/sticker and hang tag pair will have the identical unique number that is assigned to a specific vehicle/license plate.

- **PERMIT PARKING SIGNAGE:** During March, residents will notice the new "WARNING - Permit Parking Only" signage installed within the community. As required by the Montgomery County Code, these signs inform and advise anyone who parks a vehicle in the WPHOA Common Areas parking spaces/lots that permits are needed, unauthorized vehicles will be towed at the vehicle owner's expense, and towing is enforced at all times.

- **PERMIT PARKING ENFORCEMENT:** Enforcement is estimated to begin on **April 1, 2024**. A grace period is underway during the transition period to allow for the installation of signage and distribution of parking permits. *A notice will be posted at the front entrance and on the WPHOA official website to alert residents and visitors of the parking permit requirements as of April 1, 2024.*



Springing into Action with Community Compliance Inspections – April 1st

The WPHOA Annual Community Inspections are scheduled to begin on April 1st (weather permitting). Inspection criteria are consistent with the maintenance requirements in the Covenants (CC&R) and Architectural & Environmental Control Guidelines. Please remember that all homeowners have a "duty to maintain" their units/Lots and are responsible for maintaining their units/Lots to meet the community-wide standard.

Due to the PMP personnel transitions involving the Community Association Manager assigned to the WPHOA community in 2023, follow-up inspections (after completing the community compliance inspections in May) did not occur in September as planned. As a result, homeowners received "extra time" to address all compliance violations related to their exterior units/Lots. The April 1st inspections will include a review of the previously cited compliance violations to determine if they have been addressed and/or if additional violations exist.

As a reminder – an Architectural & Environmental Review is required for ANY exterior changes on your exterior unit/Lot. All homeowners can submit an [Architectural & Environmental Change Request \(AECR\) Application](#) online by visiting the website **www.waterfordplacehoa.org** or by downloading a PDF version of the AECR application, completing and submitting it to PMP at **hoaerc@waterfordplacehoa.org**.

Connect and Stay Informed About the Waterford Place Community



<https://www.waterfordplacehoa.org>

Stay connected and informed about the Waterford Place community! All residents are encouraged to create a site member account and join our community website, where you will be able to:

- Identify potential handyman services and/or contractors to hire for home repairs and maintenance
- Access important HOA information and governing documents
- Submit Architectural Change Requests applications online
- Interact with other residents using the member directory or the Community Chatter online forum
- Receive the latest Association updates about the Community
- Contact HOA Board and committee members
- Stay up to date on the plans and progress of the Community maintenance projects and special Community events

Some pages may be password-protected, so register for a site member account to access these. To do so, click the 'Register' link in the website's top right. If you have questions about the website, please submit them to webmaster@waterfordplacehoa.org.

Neighbor-to-Neighbor Contractor Recommendations... Sharing is Caring!

<https://www.waterfordplacehoa.org/p/Contractor-Recommendations>

Have you had a great experience with a handyman service or contractor? If so, let your neighbors know!

Many Waterford Place homeowners often ask for help finding qualified and reliable contractors who perform good work at reasonable prices for maintenance and repair issues around their homes. If you know of any contractor who fits that description and you'd be willing to risk your reputation by recommending them, please complete the **Contractor Recommendation Form** at <https://www.waterfordplacehoa.org/p/Contractor-Recommendations> so that we can post their information on the WPHOA website to share with our WPHOA neighbors and residents.



DISCLAIMER: All information posted and shared will be provided as a convenience to Waterford Place HOA members/Unit Owners. The WPHOA Board of Directors and Management Agent do not make any representation as to the work performed, prices charged, or any required license, insurance, or registrations the contractors must have and maintain. The information posted and shared should not be considered a recommendation of any contractor or their work by the Board or Management Agent.

COMMUNITY REMINDER: Residents are reminded to avoid blocking their neighbors' driveways/parked vehicles when receiving large/time-consuming deliveries at their homes. *(This does not include deliveries by Amazon, FedEx, UPS, USPS, DHL, food service deliveries, or other types of deliveries, which are brief stops/dropoffs.)*



Waterford Place Homeowners Association, Inc.

Violations, Due Process & Sanctions (Fines) Policy

(January 2024)

Prepared by Jacquie Roberts, WPHOA Board of Directors

During the summer and fall of 2023, the WPHOA Board of Directors recognized a need to establish an updated and orderly due process and violations policy to supplement the WPHOA Governing Documents to effectively enforce the Covenants, Conditions, and Restrictions of the WPHOA, maintain a uniform neighborhood appearance, and protect the property values in the WPHOA community. In consultation with the Association's attorneys, the WPHOA Board of Directors drafted, later approved, and adopted the **WPHOA Policy Resolution for Violation Notices, Disputes, and Sanctions (Fines)**. The **Violations Policy** became effective on January 1, 2024.

This new **Violations Policy** fills a long overdue need for WPHOA to address community compliance violations by utilizing the state of Maryland's established due process procedures as described in **Section 11B-111.10 of the Maryland Homeowners Association Act**. These are straightforward due process procedures for HOAs to follow before imposing penalties for violations of an HOA's Governing Documents. The procedures also allow for the recovery of attorney's fees (which most, if not all, HOA's Declaration of Covenants, Conditions, and Restrictions (often referred to as "Covenants" or "CC&Rs") did not allow until Maryland law allowed it.) These due process procedures were a requirement WPHOA Board of Directors needed to adopt to supplement WPHOA's Governing Documents to update the enforcement process to comply with Maryland law.

A copy of the **WPHOA Policy Resolution for Violation Notices, Disputes, and Sanctions (Fines)** was mailed to all WPHOA Unit Owners/homeowners/members in December 2023.

A downloadable PDF version of the **Violations Policy** is available on the WPHOA official website, accessible by this shortened URL: <http://tinyurl.com/7wk6vj8y>.

Included in this newsletter is a flowchart summarizing the *Violations Policy*. A PDF version of this **Violations Policy** flowchart is available on the WPHOA official website, accessible by this shortened URL:

<http://tinyurl.com/2s4ebhs6>.



Waterford Place Homeowners Association, Inc.

Violations, Due Process & Sanctions (Fines) Policy

(January 2024)

Prepared by Jacquie Roberts, WPHOA Board of Directors

Compliance/Alleged Violations Due Process as Stated in the WPHOA-Adopted Violations Policy (eff. 1/1/2024)

Complaints/Alleged Violations reported to and received by the Management Agent

Complaints/Alleged Violations researched, documented, and investigated (including a site visit) by the Management Agent to verify violation(s)

NOTIFICATIONS (Sect. II A-D)

“FIRST NOTICE” cease-and-desist letter/notice shall be sent to the Unit Owner/Alleged Violator by the Management Agent

“FIRST NOTICE” Letter specifies:

- Nature of Alleged Violation
- Action required to abate the alleged violation and time allotted (No Later Than 15 days; No More Than 30 days) to avoid further sanction
- Any further violation of the same rule may result in the imposition of sanction **after notice and the opportunity for a hearing**

AFTER “FIRST NOTICE” IS SENT

ABATED: If the alleged violation is abated within the specified period of time and, upon inspection, is verified by the Management Agent, no further enforcement action or sanctions will apply for this specific violation.

NOT ABATED: If the violation continues past the period of time specified in the “First Notice” letter for abatement without penalty or the same rule is violated subsequently, a “Right to Hearing Notice” shall be provided to the Unit Owner/Alleged Violator.

NOTE: For violations that are hazardous, life-threatening, or severe (as determined by the Board), the time allowed to abate shall be fifteen (15) days or less, depending on the nature of the hazard. The time allowed to abate shall be thirty (30) days for all other violations.

“RIGHT TO A HEARING NOTICE”

“RIGHT TO A HEARING NOTICE” specifies:

- Nature of Alleged Violation
- The right of the Unit Owner/Alleged Violator to request a hearing before the Board of Directors within 30 days from the date of the “Right to Hearing Notice” letter (*following the procedures under Section III of the WPHOA Violations Policy*)
- **OR** – The Unit Owner, in lieu of requesting a hearing, to acknowledge in writing that the alleged violation has occurred, and it will cease and/or not recur.

ABATED, IN LIEU OF THE UNIT OWNER REQUESTING A HEARING:

If, upon inspection or notification, it is found after receipt of the acknowledgment of violation from the Alleged Violator/Unit Owner that the violation has ceased, no further enforcement action shall be taken unless and until a further violation occurs.

NO HEARING REQUESTED BY THE UNIT OWNER, VIOLATIONS CONTINUE: If no hearing is requested, and upon inspection, it is found that the Alleged Violator/Unit Owner *continues to be in violation after thirty (30) days following the “Right to Hearing Notice,”* the Board, at the next meeting, in Executive Session, shall deliberate as to whether the violation occurred and decide whether a sanction is appropriate for the violation. **The sanctions (if any) to be imposed shall be made by at least a quorum of the Board in Executive Session, pursuant to Article VII, Section 14 of the Declaration.**

All documents, correspondence, and notices shall be mailed to the address that appears in the books of the Association or to such other address as is designated in writing by the Alleged Violator/Unit Owner. Non-resident Unit Owners shall furnish the Board with an address where the Unit Owner shall promptly receive mail.

Compliance/Alleged Violations Due Process as Stated in the WPHOA-Adopted Violations Policy (eff. 1/1/2024)

HEARINGS

If the Alleged Violator/Unit Owner requests a hearing within 30 days of the date of the “Right to Hearing Notice”, the Board shall send the Alleged Violator/ Unit Owner a notice that specifies the time, location, and format (in-person, remote via video conferencing) of the hearing; the invitation to present any statement, evidence, and witnesses on their behalf to right to have an attorney; examine and cross-examine witnesses; and the proposed sanctions to be imposed.

AFTER A HEARING IS REQUESTED BY THE UNIT OWNER/ALLEGED VIOLATOR

The Alleged Violator/Unit Owner will be notified in writing that the hearing will take place at the location and in the format (in-person, remote via video conferencing) on the scheduled date and time (which time may not be less than ten (10) days after the date the request for a hearing was provided) and **shall be presided over in Executive Session by at least a quorum of the Board pursuant to Article VII, Section 14 of the Declaration.**

AT THE HEARING

At the hearing, the Alleged Violator/Unit Owner shall be afforded a reasonable amount of time (at the discretion of the Board but no less than five (5) minutes) to present any statement, evidence, and witnesses on their behalf and cross-examine witnesses. If the Alleged Violator/Unit Owner intends to bring witnesses, the Alleged Violator/Unit Owner shall inform the Board through the Management Agent at least five (5) days before the hearing.

Proof of notice of the hearing shall be entered at the hearing in the meeting minutes. The proof of notice shall be deemed adequate if a copy of the notice and a statement of the date and manner of providing the notice are entered in the minutes by the officer or director who provided the notice. The notice requirement shall otherwise be deemed satisfied if the Alleged Violator/Unit Owner appears at the meeting.

DECISION

A decision shall be made at the hearing or within a reasonable time thereafter, and a written statement of the hearing results and sanctions, if any, imposed will be read and incorporated in the meeting minutes. Notification of the hearing results shall be mailed to the Alleged Violator/Unit Owner within fifteen (15) days from the hearing date. A decision made in accordance with these procedures shall be appealable to the courts of Maryland.

If any Unit Owner fails to comply with the Maryland Homeowners Association Act, Section 11B-111.10, the Declaration, or By-Laws, or a decision rendered in accordance with this policy, the Unit Owner may be sued for damages caused by the failure or for injunctive relief, or both, by the Association or by any other Unit Owner. The prevailing party in any proceeding under this policy is entitled to an award for counsel fees as determined by the court.

HEARINGS DECORUM: Hearings shall be conducted in a reasonable and business-like manner. Notwithstanding any other provision in this policy, the presiding Board member may deem the hearing not being conducted in such a manner and may adjourn the hearing at any time.

Compliance/Alleged Violations Due Process as Stated in the WPHOA-Adopted Violations Policy (eff. 1/1/2024)

SANCTIONS

Fines may be imposed upon any Unit Owner who, after being given the opportunity for a hearing, has been found in violation of any of the **Declaration, Articles of Incorporation, By-Laws, or any rule or regulation promulgated by the Association**. The fines shall become a binding personal obligation of the Unit Owner, shall be a lien upon the Lot/the property, and may be collected as stipulated in **Articles VI and VII in the Declaration and the Association's duly adopted collections policy**.

FINES (NO HEARING REQUESTED)

If No Hearing is Requested/ Continuing Violation or Further Violation of the Same Rule Within 12 Months of the "First Notice" cease-and-desist letter

\$25.00 per day (total fine accumulation not to exceed \$1,000 per violation) will be charged against the Unit Owner's account/Lot **beginning on the 31st day after the "Right to Hearing Notice"/letter date** and will continue until the violation is corrected or the fine accumulation totals \$1,000 *per violation*.

FINES (HEARING REQUESTED)

Hearing is Requested/Following the Conclusion of Hearing Where the Decision to Impose Sanctions was the Result

\$25.00 per day (total fine accumulation not to exceed \$1,000 per violation) will be charged against the Unit Owner's account/Lot **beginning on the 10th day after notice of the decision to impose sanctions was sent to the Unit Owner**. The fines will continue until the violation is corrected or the fine accumulation totals \$1,000 *per violation*.

WPHOA'S RIGHT TO ENTER ANY LOT TO REMEDY ANY VIOLATION

The Association or its agent may enter any Lot to remedy any violation. The costs of such action shall become a binding personal obligation of the Unit Owner, shall be a lien upon the Lot/property, and may be collected as stipulated in **Article VII, Section 13 of the Declaration**.

For additional reference, see **Article XI, Exterior Maintenance, Section 1, Duty to Maintain, of the Declaration**.

If any Unit Owner fails to comply with the **Maryland Homeowners Association Act, Section 11B-111.10**, the **Declaration**, or **By-Laws**, or a decision rendered in accordance with this policy, the Unit Owner may be sued for damages caused by the failure or for injunctive relief, or both, by the Association or by any other Unit Owner. The prevailing party in any proceeding under this policy is entitled to an award for counsel fees as determined by the court.

The Association may seek relief through the court system (including the Montgomery County Commission on Common Ownership Communities). If the Association successfully brings an action against a Unit Owner, the costs of such action, including all legal fees, pursuant to **Article XII, Section 4 of the Declaration**, and **Section 11B-111.10 of the Maryland Homeowners Association Act**, shall become a binding personal obligation of the Unit Owner(s), shall be a lien upon the Lot/the property, and may be collected as stipulated in **Article V of the Declaration**.

SPRING 2024

2024 BOARD MEETINGS

Waterford Place HOA Board meetings will be held virtually using Zoom videoconferencing at 7 PM. Residents (homeowners and non-owners) are encouraged to attend the monthly meetings. Meetings are held every 3rd Monday!

March 18, 2024	April 15, 2024 (PMP)
May 20, 2024	June 17, 2024 (PMP)
July 15, 2024	August 19, 2024
September 16, 2024 (PMP)	October 21, 2024 (PMP)
November 18, 2024	December 16, 2024

2024 AERC MEETINGS

Waterford Place AERC meetings will be held virtually using Zoom videoconferencing at 7 PM. Homeowners, especially those who submit AECR applications, are encouraged to attend the monthly meetings. **Meet when applications have been submitted and scheduled for review.**

March 11, 2024	April 8, 2024
April 15, 2024	April 22, 2024
May 13, 2024	June 3, 2024
June 17, 2024	July 8, 2024
July 22, 2024	August 5, 2024
August 19, 2024	September 9, 2024
October 7, 2024	November 4, 2024
December 2, 2024	January 2025 (TBD)

PARKING REGULATIONS

Please park your vehicle(s) in the residential parking spot(s)/driveways/garages assigned to your home. Common Area parking spaces are intended for visitors.

According to the Governing documents, the Association prohibits the parking of commercial vehicles except in the garage with the door closed. All violations will be towed at the owner's expense. **If you witness an illegally parked vehicle within the community, contact Henry's Wrecker Service at (301) 869-4800 and/ or email parking@waterfordplacehoa.org.**

Note: Streets, driveways, lots, and parking spaces shall not be used to repair or perform extraordinary maintenance of automobiles or other vehicles. Do not park on sidewalks.

PARKING POLICY ENFORCEMENT BEGINS APRIL 1ST



<http://tinyurl.com/473tynd6>

PROPERTY MANAGEMENT PEOPLE, INC.

955A Russell Avenue,
Gaithersburg, MD 20877
(p) 301-963-3337 x2208
(f) 240-361-0649
(e) Jesse.James@pmpbiz.com

Office Hours: 9 AM - 5 PM (Monday- Friday)
After-Hours Emergency Hotline:
1-800-336-8009, #6

Montgomery County Numbers

Fire and Rescue (Non-Emergency): 240-683-6520
Police (Non-Emergency): 301-279-8000
Animal Control (Non-Emergency): 240-773-5900

TRASH DISPOSAL & RECYCLE PROTOCOL



The Association's Trash Disposal and Recycling protocol does not have to be a hassle and helps keep our community clean. So, before you haul out the trash, here are a few reminders:

Ensure your trash is properly sealed in a heavy-duty plastic bag, placed inside a trash container, and covered with a lid. Pick up trash and/or recycle containers as soon as possible after the trash/recycling service contractors have collected items on the trash/recycling collection days. As stated in the WPHOA *Declaration of Covenants, Conditions, and Restrictions*, safely store the containers out of sight/public view from the roadway.

Place trash/recycle containers outside on the curb/ sidewalk no earlier than 6:00 p.m. the night before collection days. Following the guidelines helps prevent unwanted animals, such as **rats, squirrels, raccoons, crows, vultures**, etc., from creating a mess and setting up nests inside homes or Common Areas.

Regular trash collection days are Monday and Thursday. Trash collection will not occur on the holidays observed by J&J Trash Service, Inc. or when the Montgomery County landfill/transfer station is closed. If one of these holidays/closures falls on a regular collection day, that day will be skipped until the next regularly scheduled collection day. [If Monday is a holiday, the next pickup will be Thursday; If Thursday is a holiday, the next pickup will be Monday.]

The regular recycling collection day is Monday. The recycling holiday schedule follows Montgomery County.