

## POLICY RESOLUTION 07-01

### **Policy Governing the Responsibility of Owners to Notify Association of any Restrictions concerning Membership Privileges that their Tenants will Exercise**

**WHEREAS**, the Article VII, Section 7.1(4) of the Bylaws provides the Board of Directors with the power to adopt, publish and enforce Rules and Regulations;

**WHEREAS**, Article VII, Section 7.28 of the Declaration Covenants, Conditions and Restrictions for Lorton Valley (“Declaration”) provides Owners with the right to lease their property so long as the term is for a period of at least 6 months;

**WHEREAS**, Article VII, Section 7.28 of the Declaration also states that Owners bear legal responsibility for any violation of the Association Documents or Rules or Regulations committed by their tenants;

**WHEREAS**, in the context of developing policies on how residents may lease the clubhouse and pool facilities for private parties, the Board has determined it to be in the best interest of the Association to create a policy which requires Owners to notify the Association in writing if the Owner does not want the Association to grant privileges to his or her tenants in order to allow Owners the opportunity to opt-out of legal responsibility for the actions of their tenant.

**NOW, THEREFORE, BE IT RESOLVED** that the Board adopts the following Policy Resolution:

#### **I. RESPONSIBILITIES**

- A. If an Owner leases his property, the Association will assume that the lease assigns the following membership privileges to the tenant: (i) the right to lease the clubhouse for private events, (ii) the right to use the swimming pool during the pool season, and (iii) the right to use the fitness center (collectively “Membership Privileges”), subject to the Rules and Regulations adopted by the Board.
- B. In such event, the Owner shall bear legal responsibility for the actions of the tenant in connection with the exercise of these Membership Privileges, as provided for in Article XII, Section 12.1 of the Declaration.

#### **II. OPT-OUT PROVISION**

- A. If an Owner does not want to accept legal responsibility for the actions of his or her tenants with respect to the tenants’ exercise of Membership Privileges, the Owner must notify the Association in writing. The Association will then deny the tenant with the right to exercise the Membership Privileges expressed above.

- B. The written notice shall be sent to the Association's managing agent, at the following address:

Terry McGuire, Vice President  
Cardinal Management Group  
4330 Prince William Parkway, Suite 201  
Woodbridge, VA 22192

The written notice must generally state the Owner does not want the Association to provide his tenant with pass keys, fobs, or electronic access cards for the use of the fitness center, the rental of the clubhouse for private events, or the use of the pool facility.

- C. Upon receipt of this written notice, the Association's managing agent will not provide any tenant with the right to rent the clubhouse, receive pass keys, fobs, electronic access cards, or pool passes until the Owner authorizes the Association to do so in writing.
- D. Nothing herein affects the other rights of those individuals who rent property within the Association.

The effective date of this Resolution shall be March 1, 2007.

***Duly adopted by the Board of Directors at their business meeting on February 12, 2007 and mailed to Lorton Valley membership on May 15, 2007.***