#### AMENDED AND RESTATED BY-LAWS

OF

#### GOLF COURSE VIEW CLUSTER ASSOCIATION

(Adopted by the Board of Directors on September 10, 2002)

#### ARTICLE I

## **OFFICES**

The principal office of the corporation in the Commonwealth of Virginia shall be located in the County of Fairfax. The corporation may have such other offices, either within or without the Commonwealth of Virginia, as the directors may from time to time determine.

The corporation shall have and continuously maintain in the Commonwealth of Virginia a registered office and a registered agent whose office is identical with such registered office, as required by the Virginia Nonstock Corporation Act. The address of the registered office and the registered agent may be changed from time to time by the directors and the registered office may be, but need not be, identical with the principal office of the corporation in the Commonwealth of Virginia.

#### ARTICLE II

## **MEMBERS**

<u>Section 1. Membership in the Corporation</u>. The following shall be members of the corporation:

(A) Gulf Reston, Inc., a Delaware corporation (which, together with any successor to all or substantially all its business of developing the community of Reston, is referred to herein as the ("Developer of Reston"), and

(B) All persons owning of record any dwelling unit on the property shown within Golf Course View Cluster on the plat attached to the Deed of Dedication, or on any Subsequent Plat filed pursuant to the Deed of Dedication (hereinafter referred to as the "Property") (except a person taking title as security for the payment of money or the performance of an obligation). No person (other than the Developer of Reston) shall be a member of the corporation after he ceases to be the owner of record of any dwelling unit on the Property.

The directors of the corporation may, after affording the member an opportunity to be heard, suspend any person from membership in the corporation during any period of time when there exists a violation of any of the provisions of the Deed of Dedication (including, but not limited to, the failure to make any payment to the corporation when due and payable under the terms of the Deed of Dedication) with respect to the dwelling unit he owns or when he is in violation of any rule or regulation adopted by the corporation with respect to the Property.

Each member of the corporation, by becoming such, agrees that he shall be personally responsible for the payment of the charges created under the Deed of Dedication with respect to the dwelling unit he owns and for compliance by himself, his family, guests, and invitees, with the provisions of the said Deed and the rules and regulations adopted by the corporation with respect to the Property.

The qualifications set forth herein for membership in the corporation shall be the only qualifications for such membership.

Section 2. Voting Rights. The members of the corporation shall have the right to vote for the election and removal of directors. Each member of the corporation shall have one vote, except that:

- (A) Any person owning a multi-family dwelling and/or more than one dwelling unit shall have the number of votes equal to the number of dwelling units (including any contained in such a multi-family dwelling) owned.
- (B) When any dwelling unit on the Property is owned of record in joint tenancy or tenancy-in-common, or in any other manner of joint or common ownership, such owners shall collectively be entitled to only that number of votes to which one person would be entitled were he the owner of such dwelling unit. Such vote shall be exercised only by the unanimous action or consent of the owners of record of such dwelling unit who are entitled to vote with respect thereto.
- (C) Only a member of the corporation (other than the Developer of Reston) residing in the dwelling unit with respect to which he is entitled to vote, shall have the right to vote.

## ARTICLE III

## MEETING OF MEMBERS

Section 1. Annual Meeting. The first annual meeting of the members shall be held in 1974 and shall be held in that year and thereafter on the second Monday in June at the hour of 7 p.m. for the purpose of electing directors and/or for the transaction of such other business as may come before the meeting. If the date fixed for the annual meeting shall be a legal holiday in the place where the meeting is to be held, such meeting shall be held on the

next succeeding business day. If the election of directors shall not be held on the day designated herein for the annual meeting or at any adjournment thereof, or pursuant to Section 5 hereof, the Board of Directors shall cause the election to be held at a special meeting of the members held as soon thereafter as conveniently may be.

<u>Section 2. Special Meetings</u>. Special meetings of the members may be called by the President, the Board of Directors, or members of the corporation holding not less than one-fifth of the votes.

Section 3. Place of Meeting. The Board of Directors may designate any place within or without the State of Virginia as the place for any annual or special meeting called by the Board of Directors and the President may designate any place within or without the State of Virginia as the place of meeting for any special meeting called by him. If no designation is made or if a special meeting is called by the members of the corporation, the place of meeting shall be the principal office of the corporation.

Section 4. Notice of Meetings. The corporation shall publish notice of any annual or special meeting of members in the manner provided by law. Written notice stating the place, day, and hour of the meeting and, in case of a special meeting, the purpose or purposes for which the meeting is called, shall also be mailed or delivered not less than ten or more than fifty days before the date of the meeting, except as otherwise specified by law, either personally or by mail, by or at the direction of the President or the Secretary or the person calling the meeting, to each member of the corporation at his address as shown on the records of the corporation. A member may, in a writing signed by him, waive notice of any meeting

before or after the date of meeting stated therein. Failure to mail or deliver any notice to any member shall not affect the validity of the published notice.

Section 5. Informal Action by Members. Any action required or permitted by law to be taken at a meeting of the members of the corporation may be taken without a meeting, if a consent in writing setting forth the action so taken shall be signed by all of the members of the corporation.

Section 6. Quorum and Manner of Acting. Members holding one-fifth of the total votes shall constitute a quorum at any meeting. If a quorum is not present at any meeting of members, a majority of the members present may adjourn the meeting from time to tune without further notice. The act of a majority of the members present at a meeting at which a quorum is present shall be the act of the members, unless the act of a greater number is required by law, or by the Articles of Incorporation of the corporation, or by these By-Laws.

Section 7. Conduct of Meetings. The directors may make such regulations as they deem advisable for any meeting of members, in regard to proof of membership in the corporation, evidence of the right to vote, the appointment and duties of inspectors of votes, and such other matters concerning the conduct of the meeting as they shall deem fit. Such regulations shall be binding upon the corporation and its members.

#### ARTICLE IV

#### **DIRECTORS**

<u>Section 1. General Powers.</u> The affairs of the corporation shall be managed by its directors.

Section 2. Number and Tenure. The number of directors shall be seven. Five directors, as successors of the original five directors of the corporation, shall be elected for a term of three years, and until their respective successors are elected. Two additional directors shall be elected for a term of one year, and until their respective successors are elected. Any vacancy occurring in the initial or any subsequent Board of Directors may be filled at any meeting of the Board of Directors by the affirmative vote of a majority of the remaining directors, though less than a quorum of the Board of Directors, or by a sole remaining director and if not previously so filled, shall be filled at the next succeeding meeting of the members of the corporation. Any director elected to fill a vacancy shall serve as such until the expiration of the term of the director, the vacancy in whose position he was elected to fill.

Section 3. Regular Meetings. A regular annual meeting of the Board of Directors shall be held on the day following the annual meeting of members at such time and place, within or without the State of Virginia, as may be specified in the notice thereof. If the date fixed for the regular annual meeting shall be a legal holiday in the place where the meeting is to be held, such meeting shall be held on the next succeeding business day. The Board of Directors may provide by resolution the time and place, either within or without the State of Virginia, for the holding of additional regular meetings of the Board without other notice than such resolution.

Section 4. Special Meetings. Special meetings of the Board of Directors may be called by or at the request of the President or any two directors. The person or persons authorized to call special meetings of the Board may fix any place, within or without the State of Virginia, as the place for holding any special meeting of the Board called by them.

Section 5. Notice. Notice of any meeting of the Board of Directors for the holding of which notice is required shall be given at least two days previous thereto by written notice delivered personally or sent by mail or email to each director at his address as shown on the records of the corporation. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail in a sealed envelope so addressed, with postage thereon prepaid. If notice be given by email, such notice shall be deemed to be delivered when the email is sent. Any director may, in a writing signed by him, before or after the time of stated therein, waive notice of any meeting. The attendance of a director at any meeting shall constitute a waiver of notice of such meeting. Neither the business to be transacted at, nor the purpose of, any regular or special meeting of the Board need be specified in the notice or waiver of notice of such meeting, unless specifically required by law, by the Articles of Incorporation of the corporation, or by these By-Laws.

Section 6. Quorum. Except as otherwise provided by law or by the Articles of Incorporation of the corporation, or by these By-Laws, a majority of the Board of Directors shall constitute a quorum for the transaction of business at any meeting of the Board; but if less than a majority of the directors are present at said meeting, a majority of the directors present may adjourn the meeting from time to time without further notice.

Section 7. Manner of Action. The act of a majority of the directors present at a meeting at which a quorum is present shall be the act of the Board of Directors, unless the act

of a greater number is required by law, or by the Articles of Incorporation of the corporation, or by these By-Laws.

Section 8. Compensation. Directors as such shall not receive any stated salaries for their services, but by resolution of the Board of Directors a fixed sum and expenses of attendance, if any, may be allowed for attendance at each regular or special meeting of the Board; but nothing herein contained shall be construed to preclude any director from serving the corporation in any other capacity and receiving compensation therefor.

Section 9, Informal Action by Directors. Any action required by law to be taken at a meeting of directors, or any action which may be taken at a meeting of directors, may be taken without a meeting if a consent in writing, setting forth the action so taken, shall be signed by all the directors.

#### ARTICLE V

#### **OFFICERS**

Section 1. Officers. The officers of the corporation shall be a President, one or more Vice Presidents (the number thereof to be determined by the Board of Directors), a Secretary, and a Treasurer. The Board of Directors may elect such other officers, including one or more Assistant Secretaries and one or more Assistant Treasurers, as it shall deem desirable, such officers to have the authority and perform the duties prescribed from time to time by the Board of Directors. Any two or more offices may be held by the same person, excepting the offices of President and Secretary. The President shall be a director of the corporation. Other officers may be, but need not be, directors of the corporation.

Section 2. Election. Term of Office and Vacancies. The officers of the corporation shall be elected annually by the Board of Directors at the regular annual meeting of the Board of Directors. Each officer shall hold office until his successor shall have been duly elected. A vacancy in any office arising because of death, resignation, removal, or otherwise may be filled by the Board of Directors for the unexpired portion of the term.

<u>Section 3. Removal</u>. Any officer may be removed by the Board of Directors whenever, in its judgment, the best interest of the corporation will be served thereby.

Section 4. Powers and Duties. The officers of the corporation shall, except as otherwise provided by law, by the Articles of Incorporation, by these By-Laws, or by the Board of Directors, each have such powers and duties as generally pertain to their respective offices, as well as such powers and duties as may from time to time be specifically conferred or imposed by the Board of Directors. The President shall be the chief executive officer of the corporation.

#### ARTICLE VI

## **COMMITTEES**

Section I. Committees of Directors. The Board of Directors, by resolution adopted by a majority of the directors in office, may designate one or more committees, each of which shall consist of two or more directors, which committees, to the extent provided in the resolution, shall have and exercise the authority of the Board of Directors in the management of the affairs of the corporation, provided, however, that no such committee shall have the authority of the Board of Directors to approve an amendment to the Articles of Incorporation of the corporation or a plan of merger or consolidation.

Section 2, Other Committees. Other committees not having and exercising the authority of the Board of Directors in the management of the affairs of the corporation may be designated by a resolution adopted by the Board of Directors, to perform such duties and to have such powers as may be provided in the resolution.

<u>Section 3. Rules</u>. Each committee may adopt rules for its own government not inconsistent with the terms of the resolution of the Board of Directors designating the committee or with rules adopted by the Board of Directors.

## **ARTICLE VII**

#### <u>SEAL</u>

The Board of Directors shall provide a corporate seal, which shall be in the form of a circle and shall have inscribed thereon the name of the corporation, the year of its incorporation, and the words "Corporate Seal-Virginia".

#### **ARTICLE VIII**

#### <u>AMENDMENTS</u>

These By-Laws may be altered, amended, or repealed and new By-Laws may be adopted by the Board of Directors.

# GOLF COURSE VIEW CLUSTER ASSOCIATION RULES AND REGULATIONS

(Amended and Restated, as Adopted by the Board of Directors on September 10, 2002)

#### RULES AND REGULATIONS ON COLLECTION OF ASSESSMENTS

(Amended by the Board of Directors and effective on April 12, 2011)

WHEREAS Article VII, Section VII.3 (a) of the Reston Deed of Dedication (the "Reston Deed"), as amended, creates the obligation of each owner to pay such assessments as are established and levied by the Association, and

WHEREAS Article VII, Section VII.3(c) grants the Association's Board of Directors the power to annually fix the assessment and the date or dates such assessment shall become due; and

WHEREAS, in accordance with Article VII, Section VII.1(d)(2) the Board of Directors has the power; a) to permit payment of the annual assessment in installments and to declare the entire balance of such assessment immediately due and payable upon default in the payment of any such installment; b) to charge a late fee on delinquent Cluster assessments and charge interest on delinquent assessments and charges and c) to assess the costs, including attorney's fees and court costs, of collecting delinquent assessments and charges,

NOW, THEREFORE, BE IT RESOLVED that assessment procedures be as follows:

- The annual assessment shall be fixed by the Board of Directors on or before
   December 31st of the preceding year for the following year.
- 2. The annual assessment may be payable in equal quarterly installments, due on January 15th, April 15th, July 15th and October 15th of each year.
- 3. If a homeowner pays the annual assessment in full on or before February 1st, he or she will be entitled to a ten percent (10%) discount.
- 4. All documents, correspondence and notices relating to the charges shall be mailed to the record address of the homeowner as it appears on the books of the Association, or as modified in writing by the homeowner. It is the sole responsibility of the homeowner to keep the Association advised of a correct mailing address at all times.
- 5. Nonreceipt of a bill shall in no way relieve the homeowner of the obligations to pay the amount due by the due date.
- 6. The Board of Directors shall impose a late charge of \$25.00 on any assessment installment not received by the thirtieth (30th) day after the due date, when the assessment shall be deemed "delinquent".
- 7. Once the account is deemed delinquent, the Board of Directors shall cause to be sent out a "first delinquent notice" informing the homeowner that a late charge has been added to the account and that the homeowner must pay the delinquent assessment plus the late fee by the specified date that is sixty (60) days from the date the installment was due.

- 8. If the account remains unpaid on the sixtieth (60<sup>th</sup>) day after the due date, the Board of Directors shall charge interest at the rate of one and a half percent (1.5%) per month on the entire balance of the account until such time as the account is paid in full.
- 9. If the account remains unpaid on the sixtieth (60<sup>th</sup>) day after the due date, the Board of Directors shall cause a "second delinquent notice" to be sent. The notice shall state that the account must be paid by the specified date. That date shall be ninety (90) days from the date the installment was due. The notice shall further state that if the account is not paid in full by that date, the account will be turned over to the Association's attorney for legal action, including the filing of a lien for the full unpaid balance of the account and a lawsuit, and that the delinquent homeowner will be responsible for all fees incurred by the Association related to the collection process, including, but not limited to, attorney's fees, filing fees, court costs, Notary Public fees, mailing costs and investigation fees. Attorneys fees and the costs of collection may be treated the same as assessments for purposes of liens and/or court proceedings
- 10. If the account remains unpaid on the ninetieth (90<sup>th</sup>) day after the due date, the assessment will be "accelerated" (the entire annual assessment will be declared immediately due and payable) and the account turned over to the Association's attorney for collection.
- 11. Payments received on account will be applied in the following order:
  - a. late fees;
  - b. past due assessments and/or charges;
  - c. costs of collection, including attorneys fees; and,
  - d. current assessments and/or charges.

- 12. If the Association receives a check from a homeowner that fails to clear the homeowner's account, a reasonable service charge in the amount of fifty dollars (\$50.00), or the maximum permitted by law, will be charged to the homeowner, in addition to any fees charged to the Association by the Association's bank or other depository for processing the bad check, which fees will be posted to such homeowner's account
- 13. Notwithstanding any provisions of these rules and regulations to the contrary, the Board of Directors may enter into a payment arrangement with a delinquent homeowner when, in the sole discretion of the Board, it has been determined that extenuating circumstances exist so as to warrant such special arrangement, and the Board receives reasonable assurances from the homeowner that all amounts in arrears including delinquent assessments, late charges, interest, attorneys fees, lien fees, court costs, and any other collection costs will be paid in accordance with the terms of such agreement.

## RULES AND REGULATIONS ON KEEPING AND CONTROL OF ANIMALS

# 1. Unrestricted dogs prohibited: leash law.

No dog shall run unrestricted on the Cluster common area. Any person who is the owner or custodian of a dog found unrestricted shall be in violation of this Amendment. Dog owners shall not place such dog in the custody of any other person not physically capable of maintaining effective control or restricting such dog.

In accordance with Section 41-2-4 of the Fairfax County Code, it is the duty of the Animal Warden or Deputy Animal Warden to seize and impound any dog found off the property of its owner or custodian when such dog is unrestricted.

#### 2. Animals causing unsanitary conditions.

In accordance with the Fairfax County Code, Section 41-2-6, this section prohibits any person who owns, has in his possession or under his control any animal or animals, from keeping such animal or animals in such a manner as to cause unsanitary conditions.

# RULES AND REGULATIONS ON LIMITATION ON STORAGE OF BOATS, TRAILERS

#### AND CAMPERS

No private or commercial boats, trailers, or campers may be parked, stored, left, abandoned or otherwise placed on the common ground parking areas or on any other property of the Golf Course View Cluster Association.

The President of the Association, with the concurrence of a majority of the Board of Directors, has the right to cause any such boat, trailer, or camper located on property of the Golf Course View Cluster Association in violation of these Rules to be removed by towing or other appropriate method of removal, at the sole risk and expense of the owner thereof, consistent with the Cluster Association's Rules and Regulations on Parking and Vehicle Safety.

## RULES AND REGULATIONS ON PARKING AND VEHICLE SAFETY

WHEREAS Article VII, Section VII. l(b) of the Reston Deed of Dedication provides that the purposes of a Cluster Association are to own and manage Cluster common area and to promote the peace, health, comfort, safety and general welfare of the owners and occupants of the Cluster; and

WHEREAS Article VII, Section VII.2(b) grants the Cluster Association's Board of Directors the right to establish reasonable rules of use governing the Cluster common area, including parking rules;

NOW THEREFORE, BE IT RESOLVED that to assure the safety and parking convenience of cluster residents, the Board of Directors shall regulate the use of cluster drives and courts. The objectives of these rules and regulations are to provide, insofar as practical and feasible:

- 1. Access of public and private service vehicles to cluster streets, courts, grounds, and townhomes.
- 2. Clear vision to vehicle drivers of pedestrians, moving vehicles, bicyclists, skateboarders, roller-skaters, children, and others everywhere within cluster drives, courts, and court entrances.
  - 3. Clear vision to residents of courts from the ground-floor.
- 4. Access of residents to court parking near their homes at the same place at all times, including freedom from complete or partial blocking of access.

The Board of Directors shall exercise the following powers to obtain the stated objectives:

## 1. Mark and assign parking spaces.

- a. The 210 parking spaces in the courts of the Cluster will be marked with white paint by painting circles on the vertical and horizontal faces of the concrete curbs.
- b. The 210 parking spaces in the courts of the Cluster will be numbered consecutively from 1 to 210 with white paint, using three-inch numbers on the vertical portion of the curb.

c. Two of the 210 parking spaces in the courts of the Cluster will be assigned to each townhome in the Cluster for its occupants to use in parking personal transportation motor vehicles in regular use.

## 2. Designate no-parking areas.

- a. No parking areas are designated by painting the horizontal and vertical surfaces of the curb with yellow paint.
- b. Fire lanes have been designated with yellow paint on one side of the street leading through the Cluster, on both sides of the entrances leading into the courts, and on certain areas inside the courts.
- c. A safety zone has been designated with yellow paint on the street below the playground in the upper court.
- 3. Restrict the use of drives and courts to parking for personal transportation vehicles in regular use.

The following vehicles are expressly prohibited from being parked overnight on the property of the Cluster:

- a. Vehicles in storage and not intended for regular use, as evidenced by their not having valid state registration plates, and/or where applicable, current state inspection and/or county vehicle licenses;
- b. Vehicles that are junk vehicles, a "junk vehicle" being defined as any motor vehicle, trailer or semi-trailer that cannot be operated in its existing condition because the parts necessary for operation such as-but not limited to-tires, windshield, engine, drive train, driver's seat, steering wheel or column, gas or brake pedals are removed, destroyed, damaged or deteriorated;

- c. Commercial vehicles, including any vehicle with a carrying capacity of three quarters of a ton or more, and including any vehicle regardless of capacity that displays advertising or a company name, that is licensed as a "for hire" vehicle, or that carries dealer registration plates;
  - d. Recreational vehicles, campers, trailers, boats, and mobile homes;
  - e. Vehicles with a Gross Vehicle Weight in excess of 6,600 pounds;
- f. Abandoned vehicles or vehicles unlawfully or improperly parked on property of the Cluster, an "abandoned vehicle" being defined as a vehicle that does not bear a current state license plate and/or a valid state inspection certificate and/or a current county license and that has been in a specified location for four days without being removed.

## 4. Restrict the size of vehicles that may be parked.

Except for service vehicles, other vehicles may not be parked in an assigned space or in any valid spaces on the street passing through the Cluster if the vehicles exceed any one of the following limits:

- a. A length of 215 inches;
- b. A height of 85 inches;
- c. A width of 82 inches.

Service vehicles may be parked in designated parking spaces and on the street passing through the Cluster only while services are being performed.

- 5. Tow vehicles, at the owner's risk and expense, after reasonable notice, with the concurrence of the President (or Vice President, in the President's absence) and one other Board member, to enforce these provisions.
  - a. Reasonable notice consists of:

- 1. Notifying owners and occupants of Cluster townhomes of these rules by distributing copies;
- 2. Posting signs at both ends of the street running through the Cluster that read "Assigned Parking, Towing Enforced, If Towed Call 691-2131" (if applicable, insert other applicable phone number of towing company) and "Fire Lanes, No Parking";
- 3. Observing the following policy: Vehicles improperly parked in assigned parking spaces and in designated no-parking areas may be towed without further notice assuming proper signage. Regarding other prohibited vehicles, the Board of Directors may, after written notice to the owner, cause any vehicle parked in violation of these rules to be towed at the owner's risk and expense. Except in the case of abandoned vehicles, towing shall not take place until 24 hours after the delivery of the notice to the owner, in person or by certified mail, or 72 hours after the posting of a notice on the vehicle, if a good-faith effort has failed to identify the owner. Certified mail shall be deemed to have been delivered at 5:00 p.m. on the date that a return receipt was signed. If certified mail is returned unclaimed, adequate notice shall be deemed to have been given, and the vehicle may be towed immediately. A suspected abandoned vehicle shall have a notice placed on it stating that it is being investigated as a possible abandoned vehicle; once the four-day period of non-movement included in the definition of abandonment has expired, it may be towed without further notice.
  - b. Verification of parking violations requires that
    - (1) one of the Board members be notified of the violation,
    - (2) a Board member visually verify that the violation is valid, and

(3) the concurrence for towing be obtained by a second Board member. (Note that one of the two Board members must be either the President or Vice President.) Once reasonable notice has been given, as defined above, and these three steps have occurred, one of the Board members can contact the towing company to remove the vehicle from the Cluster. State law requires that any time a vehicle is towed, the local police must be advised that the towing is taking place; this notification is usually done by the towing company.

#### DUE PROCESS RULES AND REGULATIONS

- 1. As provided for by Va. Code Section 55-513, as amended, the Board of Directors shall have the power to establish, adopt, and enforce rules and regulations with respect to use of the common areas and with respect to such other areas of responsibility assigned to the corporation by the Deed of Dedication, except where expressly reserved by the Deed of Dedication to the members. Rules and regulations may be adopted by resolution and shall be reasonably published or distributed throughout the Cluster. A majority of votes cast, in person or by proxy, at a meeting convened in accordance with the provisions of the Bylaws and called for that purpose, shall repeal or amend any rule or regulation adopted by the Board of Directors. Rules and regulations may be enforced by any method normally available to the owner of private property in Virginia, including, but not limited to, application for injunctive relief or damages, during which the court may award to the Association court costs and reasonable attorneys' fees.
- 2. As provided for by Va. Code Section 55-513, as amended, the Board of Directors shall also have the power to (i) suspend a member's right to use facilities or services, including utility services, provided directly through the Association for nonpayment of assessments which are more than sixty days past due, to the extent that access to the lot through the common areas is not precluded and provided that such suspension shall not endanger the health, safety, or property of any owner, tenant, or occupant and (ii) assess charges against any member for any violation of the declaration or rules and regulations for which the member or his family members, tenants, guests, or other invitees are responsible.

Before any such charges or suspension may be imposed, the member shall be given an opportunity to be heard and to be represented by counsel before the Board of Directors.

Notice of a hearing, including the charges or other sanctions that may be imposed, shall be hand delivered or mailed by registered or certified mail, return receipt requested, to the member at the address of record with the association at least fourteen days prior to the hearing.

The amount of any charges so assessed shall not be limited to the expense or damage to the Association caused by the violation, but shall not exceed fifty dollars for a single offense or ten dollars per day for any offense of a continuing nature and shall be treated as an assessment against the member's lot for the purposes of the Association's Rules and Regulations and Virginia Code § 55-516. However, the total charges for any offense of a continuing nature shall not be assessed for a period exceeding ninety days. After the date a lawsuit is filed challenging any such charges, no additional charges shall accrue. If the court rules in favor of the Association, it shall be entitled to collect such charges from the date the action was filed as well as all other charges assessed pursuant to this section against the lot owner prior to the action.

The hearing result shall be hand delivered or mailed by registered or certified mail, return receipt requested, to the member at the address of record with the Association within seven days of the hearing.