



Cheshire Forest Homeowners Association

500 Cheshire Forest Drive
Chesapeake, VA 23322

Special Meeting of the Board of Directors

November 10, 2025

According to Article 3, Board of Directors, Section 3.6 Meetings, and 3.6.3 Special Meetings of the Association of the Cheshire Forest Homeowners Association By-Laws a Special Meeting of the Board was called by the President of the Board of Directors. Proper written notice of the meeting was given to the Membership.

The President, Mrs. Karol, established a quorum and called the meeting to order at 6:01 pm. The Board was represented by Mr. Orbison, Vice President; Mr. Heinecke, Treasurer; Mr. Graham, Secretary; Mr. Granata, and Mrs. McKlveen, Directors. Mrs. McKlveen recorded the minutes of the meeting.

Homeowners Present: Ten Members were present for the meeting.

Homeowners Forum: The required forum was held, and no questions or comments were asked or directed to the Board.

Proposed Resolutions:

- A: Virtual Meeting Resolution - Mrs. Karol moved to accept Resolution 25-01: Procedures Related to Virtual Meetings as written. Mr. Graham seconded the motion. The motion passed unanimously. (Appendix A)
- B. Book & Records Resolutions - Mr. Granata moved to accept Resolution 25-02: Book and Records Right of Examination as written. Mr. Heinecke seconded the motion. The motion passed unanimously. (Appendix B)
- C. Firearm & Weapons in Common Areas - Mrs. Karol moved to table Resolution 25-03: Firearms and Weapons in the Common Areas for further discussion. Mr. Heinecke seconded the motion; the Resolution was tabled.
- D. Security Camera Resolution - Mrs. Karol moved to accept Resolution 25-04: Security Camera Resolution as written. Mr. Granata seconded the motion. The motion passed unanimously. (Appendix C)
- E. Due Process Resolution - Mrs. Karol moved to accept Resolution 25-05: Procedures Related to Due Process as written. Mr. Graham seconded the motion. The motion passed unanimously. (Appendix D)

Proposed Architectural Committee Revised Guidelines:

The Proposed Architectural Committee Revised Guidelines were reviewed. Additional work is needed, and the guidelines remain in draft form.

Clubhouse Renovation Proposals: Proposals were reviewed and discussed. Information is still required. No action was taken.

With the Agenda completed, the meeting was adjourned at 9:55 p.m.

The next regularly scheduled meeting of the Board of Directors follows the Annual Meeting of the Membership on Tuesday, November 18, 2025.

A handwritten signature in black ink, appearing to read "Matt Graham".

Secretary, Matt Graham

A handwritten signature in black ink, appearing to read "Todd Heinecke".

Todd Heinecke President,

**RESOLUTION
of the
Board of Directors of
CHESHIRE FOREST HOMEOWNERS ASSOCIATION, INC.**

(Resolution 25-01: Procedures Related to Virtual Meetings)

This **RESOLUTION** is made on the 10th day of November 2025 by the Board of the Cheshire Forest Homeowners Association, Inc., hereinafter called the "Association."

WHEREAS, Virginia Code §55.1-1832 of the Virginia Property Owners' Association Act provides that any meeting of the Association or the Board of Directors, including any subcommittee or other committee of the Association or Board of Directors, may be held entirely or partially by electronic means, provided that the Board of Directors has adopted guidelines for the use of electronic means for such meetings ensuring that persons accessing such meetings are authorized to do so and that persons entitled to participate in such meetings have an opportunity to do so; and

WHEREAS, Virginia Code §55.1-1832 of the Virginia Property Owners' Association Act further provides that voting, consent to, and approval of any matter may be accomplished by electronic means, provided that a record is created as evidence of such vote, consent, or approval and maintained as long as such record would be required to be maintained in nonelectronic form; and

WHEREAS, Virginia Code §55.1-1815 of the Virginia Property Owners' Association Act further provides that unless expressly prohibited by the governing documents, a vote, proxy, or absentee ballot may be submitted by electronic means, provided that the Board of Directors has adopted guidelines for such voting by electronic means; and

WHEREAS, Virginia Code §55.1-1832 of the Virginia Property Owners' Association Act provides that the Board of Directors shall determine whether any meeting may be held entirely or partially by electronic means; and

WHEREAS, the Board of Directors has determined that it is in the best interest of the Association to allow meetings to be held entirely or partially by electronic means, rather than Members having to be physically present at the same location; and

NOW THEREFORE BE IT RESOLVED THAT the Board of Directors, after proper motion, second, and discussion, hereby adopts the following procedures relating to virtual meetings of the Association:

I. Meetings

- A. The Board of Directors shall determine within a reasonable time before any meeting of the Association or the Board of Directors, including any subcommittee or other committee of the Association or Board of Directors, whether the meeting will take place by virtual means, in person, or by some combination thereof.
- B. If any meeting of the Association or the Board of Directors, including any subcommittee or other committee of the Association or Board of Directors, shall take place entirely or partially virtually, the Board of Directors shall determine the virtual place for the meeting by the use of a virtual platform, which will allow access to the meeting by all Members of the Association by sound and/or video conferencing. The meeting notice will inform Members of the means and methods for participating in the meeting electronically. The selected platform will enable all Members to view and/or hear the proceedings concurrently with the actual meeting.

- C. Owners will be required to confirm their ownership of a Lot within the Association before being able to attend the meeting. Validation procedures will include a registration requirement and/or verification of the attendee's identity, matching the name of at least one Owner of record of a lot, as per the Association's books and records.
- D. At the Board's discretion, there may also be a physical meeting location at the same time as the virtual meeting. Should an Owner advise the Board of Directors, in writing, within a reasonable time before the meeting that they are not capable of attending the meeting by electronic means, the Association will make available a reasonable alternative for such person to conduct business with the Association without the use of such electronic means.

II. Proxies or Absentee Ballots

- A. A proxy or absentee ballot of the Association will be mailed or delivered electronically to each Member before any meeting of the Association requiring a vote of the Membership.
- B. The proxy or absentee ballot must be submitted per the instructions outlined in the notice of the Association meeting. The meeting notice will include information on the chosen virtual platform, instructions on how to submit a proxy or absentee ballot, details on how to vote electronically, and the deadline for submission.
- C. Delivery of a proxy or absentee ballot to the Association may be electronic or paper. A deadline for submission of the proxy or absentee ballot shall be outlined in the meeting notice and will be before the commencement of the meeting. The submission of proxies or absentee ballots electronically shall conform to the requirements of Section IV below.
- D. The notice of the meeting will also include instructions on the use of the proxy or absentee ballot, including clarifying who may serve as a proxy, the formalities required for a valid proxy or absentee ballot, and the timing by which the proxy or absentee ballot must be received to be counted.
- E. Members submitting electronic proxies or absentee ballots will be required to confirm their ownership of a Lot in the Association. Validation procedures will depend on the virtual platform being used. They may include unique voting codes or other identifying features to ensure that the person participating is, in fact, the Member of record.

III. Quorum

- A. The presence of any Member in person, by proxy, or by absentee ballot will be counted as being present for quorum purposes at any virtual meeting.
- B. If a quorum is established at the commencement of the virtual meeting, a quorum will be deemed present throughout the meeting even if the Member or proxy holder leaves the virtual meeting once the meeting is called to order.

IV. Voting

- A. The Board may make an electronic voting platform available to all Members, which will serve to receive proxies or absentee ballots and votes for the election of directors. The meeting notice will include instructions on using the voting platform.
- B. Candidates whom the Nominating Committee nominates will be noted on the electronic voting platform, the proxy, or the absentee ballot.
- C. Members submitting electronic votes, proxies, or absentee ballots will be required to validate their ownership. Validation procedures will depend on the virtual platform used, if any, but may include a secure email address designated solely for collecting votes, unique voting codes, and/or other identifying features to ensure that the person voting is a Member entitled to vote per the Association's Governing Documents.

V. Miscellaneous

- A. The Association will create and maintain a record as evidence of the Member's attendance in person, by proxy or absentee ballot, and the votes cast at the meeting. The Association will also maintain paper votes, proxies, and absentee ballots as part of its books and records. If a virtual platform is used, it will be capable of creating such a record.

BE IT FURTHER RESOLVED that this Resolution shall (i) be effective immediately upon execution, (ii) shall be published to the Members of the Association, and (iii) a copy shall be placed among the books and records of the Association.

IN WITNESS WHEREOF, the Board of Directors of Cheshire Forest Homeowners Association, Inc., has set their hands on this 10 day of November 2025.

CHESHIRE FOREST HOMEOWNERS ASSOCIATION, INC.

BY: Erin M. Karol
(signature)

Erin M. Karol, President
(print)

ATTEST: W. Matthew Graham
(signature)

W. Matthew Graham, Secretary
(print)

**RESOLUTION
OF THE
BOARD OF DIRECTORS OF
CHESHIRE FOREST HOMEOWNERS ASSOCIATION, INC.**

(Resolution 25-02: Books and Records Right of Examination)

This RESOLUTION is made on the 10th day of November 2025 by the Board of the Cheshire Forest Homeowners Association, Inc., hereinafter called the "Association."

WHEREAS, Virginia Code Section 55.1-1815 of the Virginia Property Owners' Association Act provides that charges for access to the Association's books and records may be imposed; and,

WHEREAS, Virginia Code Section 55.1-1815(D) of the Virginia Property Owners' Association Act provides that charges may be imposed only in accordance with a cost schedule adopted by the Board; and

WHEREAS, the Board of Directors desires to create a policy and procedure by which owners in good standing may request and be provided access to books and records.

NOW THEREFORE, it is hereby **RESOLVED** that the Board of Directors of **CHESHIRE FOREST HOMEOWNERS ASSOCIATION, INC.** hereby adopts the following policy to be used for Members requesting access to the Association's books and records.

A. **RIGHT OF EXAMINATION**. All books and records kept by or on behalf of the Association, including, but not limited to the Association's Membership list, addresses and aggregate salary information of association employees, shall be available for examination and copying by an owner in Good Standing or his authorized agent so long as the request is for a proper purpose related to his membership in the association, and not for pecuniary gain or commercial solicitation. This right of examination shall exist without reference to the duration of membership and may be exercised (i) only during reasonable business hours or at a mutually convenient time and location and (ii) upon five (5) days' written notice reasonably identifying the purpose for the request and the specific books and records of the association requested.

B. **RIGHT TO WITHHOLD**. Books and records kept by or on behalf of an Association may be withheld from examination or copying by owners and contract purchasers to the extent that they are drafts not yet incorporated into the association's books and records, or if such books and records concern:

1. Personnel matters relating to specific identified persons or a person's medical records;
2. Contracts, leases, and other commercial transactions to purchase or provide goods or services currently in or under negotiation;
3. Pending or probable litigation. Probable litigation means these instances where there has been a specific threat of litigation from a party or the legal counsel of a party;
4. Matters involving state or local administrative or other formal proceedings before a government tribunal for enforcement of the association documents or rules and regulations promulgated pursuant to §55.1-1819;

5. Communications with legal counsel which relates to subdivisions 1 through 4 or that are protected by the attorney-client privilege or the attorney work product doctrine;
6. Disclosure of information in violation of the law;
7. Meeting minutes or other confidential records of an executive session of the board of directors held in accordance with subsection C of § 55.1-1816;
8. Documentation, correspondence, management, or board reports compiled for or on behalf of the association or the board by its agents or committees for consideration by the board in executive session; or
9. Individual unit owner or member files, other than those of the requesting lot owner, including any individual lot owner's or member's files kept by or on behalf of the association.

C. GOOD STANDING. Good Standing shall mean a Member is current in the payment of assessments and any other financial obligation to the Association, including assessments or charges, and compliant with all other responsibilities of membership, including, but not limited to, maintenance of his or her Lot in a condition that does not violate any term or provision of the Association's Governing Documents.

D. REQUEST FORM. In order to exercise the Right of Examination, Members must fully complete, sign, and date the attached Request Form, Exhibit A, or a substantially similar form, and file, by mail, fax, or email, with the Association to the attention of the Association's Managing Agent at the following address:

Cheshire Forest Homeowners Association, Inc.
Community Manager
United Property Associates
301 Bendix Road, Suite 300
Virginia Beach, VA 23452
Email: propertymanager@cheshireforest.org
Fax: (757) 497-9133

E. SCHEDULE. Members may be required to pay a charge prior to the providing of copies of Books and Records to a Member in Good Standing. The Association adopts the attached Fee Schedule, Exhibit B, for copies and hourly charges related to the review and duplication of the Association's Books and Records.

F. ESTIMATE OF COSTS. Upon receipt of a completed Request Form and within a reasonable timeframe, the Association shall provide the Member with an estimate of the costs associated with responding to the request.

G. PAYMENT. Prior to the Association performing any work related to the request, Members must pay the estimated charges in advance. Upon receipt of payment (or clearance of a personal check), the Association shall arrange a meeting at a mutually convenient time to provide the Member with copies of the requested records within five (5) days of receiving the payment. The Association has the right, but not the obligation, to provide requested records by electronic transmission.

H. RECONCILIATION. Upon completion of the requested services, the Association shall compare the estimate with the actual costs incurred. If the amount paid exceeds the actual costs, the Association shall promptly refund the difference to the Member. If the actual costs exceed the estimate, the Association shall notify the Member, and the Member shall be obligated to pay the difference. The Association may charge the Member's assessment account for any unpaid charges and may withhold additional services and/or copies until payment is received.

I. WAIVER. The Association shall have the right to waive any of the above requirements, including fees and costs.

BE IT FURTHER RESOLVED that this Resolution shall (i) be effective immediately upon execution, (ii) a copy of this Resolution shall be published to each Owner, and (iii) a copy shall be placed among the books and records of the Association.

IN WITNESS WHEREOF, the Board of Directors of Cheshire Forest Homeowners Association, Inc., has set their hands on this 10 day of November 2025.

CHESHIRE FOREST HOMEOWNERS ASSOCIATION, INC.

BY: Erin M. Karol
(signature)

Erin M. Karol, President
(print)

ATTEST: W. Matthew Graham
(signature)
W. Matthew Graham, Secretary
(print)

Exhibit A

RECORD REQUEST FORM (2024)

You may use this form to request copies of or inspect the official records of the CHESHIRE FOREST HOMEOWNERS ASSOCIATION, INC. ("Association"). To properly submit a request, please complete, sign, and date this form and mail, fax, or email it to the Association's Managing Agent at the address below:

Cheshire Forest Homeowners Association, Inc.
Community Manager
United Property Associates
301 Bendix Road, Suite 300
Virginia Beach, VA 23452
Email: propertymanager@cheshireforest.org
Fax: (757) 497-9133

Name of Requesting Owner: _____

Lot Address: _____

Phone Number: _____

Preferred Method of Communication: _____ Mail _____ E-mail

If Email, provide your Email address: _____

Please Describe the records you wish to copy and/or inspect: _____

Please Describe the purpose of your request: _____

Please check applicable box(es):

I am requesting to receive copies of the above-referenced records []

I am requesting to conduct an in-person inspection of the above-referenced records []

I am requesting to inspect the records on _____ at _____.

(The Association will provide you with confirmation of the appropriate time, date, and location for the inspection.)

Please note that not all Association records are available for review and inspection, per Virginia Code Section 55.1-1815. You will be notified if your request contains records subject to withholding. You will also be notified

of the estimated cost, if any, related to your request, and such charges must be paid in advance of the Association fulfilling your request.

Be advised, the Association is only obligated to respond to record requests from those members of the Association who are in "Good Standing" as defined by the Association's Books and Records Policy.

Please date, sign, and submit this completed form or a substantially similar request to the Association at the address listed above.

Signature

Date

Exhibit B

FEE SCHEDULE (2024)

Labor - \$75 per hour (\$15.00 per 15-minute increments)

Materials - Copy cost of \$.15 per page for black and white; \$.75 per page for color; copies of larger documents (greater than 8.5" X 11") shall be charged the actual copying cost from a third party.

**RESOLUTION
OF THE
Board of Directors of
Cheshire Forest Homeowners Association, Inc.**

(Resolution 25-04: Security Camera and Monitoring Policy)

This **RESOLUTION** made this 10th day of November 2025 by the Cheshire Forrest Homeowners Association, Inc., hereinafter referred to as the Association."

WHEREAS, the Board of Directors voted to permit the installation of security cameras in the Clubhouse to monitor the Common Area during the regularly scheduled Executive Board Meeting held on June 21, 2022. To ensure that video camera footage and data are not abused or misused, the Board of Directors (hereinafter referred to as the "Board") agreed that this security camera policy would be enacted to govern the use and access to such video.

NOW THEREFORE, it is hereby Resolved that the Board, after proper motion, second, and discussion, hereby adopts the following policy and procedures relating to the Association's security camera, footage, and data:

Purpose and Scope of Video Surveillance

The purpose of this policy is to provide for the safety and protection of Association property and assets at the clubhouse, swimming pool, tennis courts, and play area. The Board hopes that the video camera will not only deter inappropriate behavior but also be used as a means of identification and prosecution in the event of damage, personal injury, or criminal activity.

The scope of the video will be limited to the public areas of the common space, such as the clubhouse's exterior, swimming pool, tennis courts, parking lot, and adjacent areas.

Association members should NOT consider the video system a real-time safety or security system for residents and guests visiting the common areas, the clubhouse, pool, or tennis courts, as it will not be monitored 24 hours a day. Members, residents, and guests are expected to conduct themselves in a manner that maintains appropriate behavior and actions at these locations to prevent injury to themselves and damage to Association property. The Association is not responsible for any injuries or accidents resulting from the improper conduct of members, residents, or guests.

Policy Statement

The Board recognizes the need to balance an individual's right to privacy and the need to ensure the safety and security of community assets. The Board, therefore, has adopted this policy, which upholds these rights but provides the necessary mechanisms for protecting Association property.

Type of Equipment

The Association will use Digital Video Recorders (DVRs) to collect and retain video for a minimum of thirty (30) days or longer, depending on the equipment purchased, the capacity of internal storage devices, and the need to review footage.

2. Placement

Video recording equipment shall be placed in visible locations that offer the best surveillance options, considering desired coverage, specific surveillance targets, and ambient lighting conditions. Cameras will be located only in the common areas of the clubhouse, swimming pool, tennis courts, and adjacent parking lot. The cameras will be positioned so as not to intrude on a homeowner's property or privacy willfully.

Signage shall be erected in a conspicuous location(s), notifying all parties that the area is under video surveillance.

3. Maintenance

While the cost of Digital Recording Equipment (DRE) does sometimes preclude the cost of maintenance, any equipment that must be sent outside the community for maintenance shall have its internal recording media erased before the equipment is removed. Any on-premise servicing by an outside service technician will be done in the presence of a member of the Board of Directors or its authorized agent.

Access to Video Records

1. Association

Access to video surveillance records shall be secured and restricted to the Board of Directors and designee. Video surveillance footage shall only be viewed in response to an event that has occurred, including but not limited to vandalism, property damage, personal injury, litigation evidence, criminal activity, insurance investigation, and suspicious activity.

2. Law Enforcement

Law enforcement representatives shall have access to the video data pursuant to a validly issued warrant, court order, or other valid law enforcement request or investigation.

3. Association Members

Members of the Association shall have access to review the video footage of data only after submitting a written request to review an alleged incident and pursuant to the requirements below:

- A. Reasonable requests to review the video footage or data shall be granted upon showing proof of allegations of incidents involving alleged criminal activity or negligent acts that result or could have resulted in damage to or physical harm to persons or property. Examples of proof required include, but are not limited to, police reports, affidavits, and pictures showing personal or physical damage.
- B. Reasonable requests to view video footage or data must first be submitted to the Association Manager or Board and approved by the Board before viewing by the following:
 - (i) Submit a written request to the Board.
 - (ii) The Board or its designee shall review the request within forty-eight (48) hours. Upon a majority vote of the Board, which may be accomplished electronically, the request will be approved.

- (iii) Any denial of a request to the Board shall be accompanied by a written explanation of the reason(s) for such denial. The requester may appeal the denial by writing to the Board within five (5) business days of receipt of the written denial. The Board will reconvene in person or electronically within seventy-two(72) hours and render a final, binding determination in writing to the requestor. No data shall be erased during the appeal period.
- (iv) Upon approval, the Board or its designee shall schedule a review with the requestor within forty-eight (48) hours. No Member of the Association will be provided a copy of any video footage unless by court order.

4. Storage

The active video recording shall be stored in secure enclosures with limited access. Archived video records shall be stored only for investigative or legal purposes. They shall be stored in a locked, secure location in the Cheshire Forest Club House office, or with law enforcement or the appropriate legal counsel, depending on the reason for archiving.

Custody, Control, Retention, and Disposal of Video Records

The Association does not plan to keep video recordings except when necessary for investigations or used as evidence. Under normal conditions, video footage will be automatically erased or overwritten by the recording device once its capacity is full. Important records related to evidence or investigations that need to be retained will be transferred to portable media, such as a DVD or flash drive, and stored in a sealed, labeled envelope for the required duration, based on the investigation or retention policies. When the investigation concludes or the recordings are no longer needed, the portable media will either be destroyed or become property of law enforcement or the requesting agency.

BE IT FURTHER RESOLVED that this Resolution shall (i) be effective immediately upon execution, (ii) shall be published to the Members of the Association, and (iii) a copy shall be placed among the books and records of the Association.

IN WITNESS WHEREOF, the Board of Directors of Cheshire Forest Homeowners Association, Inc., has set their hands on this 10 day of November 2025.

CHESHIRE FOREST HOMEOWNERS ASSOCIATION, INC.

BY: Erin M. Karol
(signature)

Erin M. Karol, President
(print)

ATTEST: 

W. Matthew Graham, Secretary (print)
(signature)

**RESOLUTION
of the
Board of Directors of
CHESHIRE FOREST HOMEOWNERS ASSOCIATION, INC.**

(Resolution 25-05: Procedures Related to Due Process)

This **RESOLUTION** is made on the 10th day of November 2025 by the Board of Directors of the Cheshire Forest Homeowners Association, Inc., hereinafter called the "Association."

WHEREAS, 3.7 Powers and Duties of the Bylaws of Cheshire Forest Homeowners Association Inc., ("Bylaws") provides that the Board of Directors ("Board") shall have and are delegated all of the powers, responsibilities, and duties necessary for the administration of the Association's business and affairs and may do all acts and things as are not by law or Governing Documents required to be exercised and done by the Owners. Such power and responsibilities shall include, without limitation, the following, which may be more fully set forth in the Declarations or the Property Owners Act of Virginia;

WHEREAS, Section 3.7 Paragraph (a) of the Bylaws provides that the Board shall have the power to adopt and amend rules and regulations governing the use of the Common Area and to the extent provided in the Declarations, the use of the Lots and the Property, and the conduct of the members, residents and their guests, and to publish same and establish penalties for infractions thereof; and

WHEREAS, Section 3.7 Paragraph (b) of the Bylaws authorizes the Board to suspend the voting rights and or right of a Member to use the Common Area during any period in which such member shall be in default in the payment of any assessment levied by the Association for more than 60 days; and

WHEREAS, Section 3.7 Paragraph (d) of the Bylaws specifies that the Association shall employ a manager("Managing Agent"); and

WHEREAS, the Declaration of Covenants, Conditions, Restrictions, and Easements authorizes the Board to regulate the external design, appearance and location of improvements, landscaping and improvements on the Property in such a manner so as to preserve and enhance values and to maintain a harmonious relationship among structures and the natural vegetation and topography, and empowers the Board to adopt procedures for the exercise of its architectural control duties;

WHEREAS, Code of Virginia, Title 5. Property and Conveyances, Chapter 26, Virginia Property Owners' Association Act 1998, Section 55-513 ("Act") provides the Association with the power, to the extent provided in the Declaration or rules and regulations adopted pursuant thereto, to assess charges against lot owners for violations of the Association's governing documents for which the lot owner or his family members, tenants, guests or other invitees are responsible;

WHEREAS, the Board deems it to be in the best interest of the Association and its members to establish procedures whereby action may be taken relative to questions of compliance by lot owners with provisions of the Act or the Association's governing documents.

NOW THEREFORE BE IT RESOLVED THAT the Board of Directors, after proper motion, second, and discussion, hereby adopts the following procedures relating to Due Process.

BE IT FURTHER RESOLVED that this Resolution shall (i) be effective immediately upon execution, (ii) shall be published to the Members of the Association, and (iii) a copy shall be placed among the books and records of the Association.

Section 1. FIRST NOTICE OF VIOLATION

Any report of a violation shall be confirmed on site by a member of the Board of Directors or the Managing Agent. When a violation is confirmed, a **First Notice of Violation** shall be mailed to the non-compliant lot owner, and such first notice shall typically request that (1) correction of the violation be made within seven days of the date of the **First Notice of Violation**, and that (2) the lot owner notify the Association that the violation has been abated.

The First Notice of Violation shall advise the lot owner of the nature of the offense, the provision of the governing documents, rules, and regulations or Architectural Design and Maintenance Guidelines violated, specify the remedy required, and the time period in which the lot owner may correct the violation without further action by the Association.

Section 2. SECOND NOTICE OF VIOLATION

If the violation is not corrected within the ten (10) days of the date of the first notice, a **Second Notice of Violation** shall be sent to the non-compliant lot owner, and such second notice shall typically demand that (1) correction of the violation be made within seven(7) days of the date of the **Second Notice of Violation**, and (2) the lot owner notify the Association the violation has been abated.

Section 3. NOTICE OF HEARING

If the lot owner does not remedy the violation of the governing documents within the time prescribed in the Second Notice of Violation, the Board Shall serve a Notice of Hearing, on the alleged violating party(ies) at least fourteen days before the hearing by one or more of the following means: (i) personal service; or (ii) registered or certified mail, return receipt requested, and addressed to the parties at the address appearing on the books of the Association. Service by mailing shall be deemed effective upon mailing in a regular depository of the United States mail. The Notice of Hearing sent to the parties shall be substantially in the form attached as Exhibit 1, but may include other information.

Section 4. HEARING

(a) The President of the Association shall serve as hearing officer and preside over the hearing, unless otherwise determined by the Board. Association legal counsel may attend at the request of the Board.

(b) At the beginning of the hearing, the hearing officer shall explain the rules and procedure by which the hearing is to be conducted. The Board may determine the manner in which the hearing is to be conducted, so long as the rights set forth in this Resolution are protected. The hearing need not be conducted according to technical rules relating to evidence and witnesses. Generally, any relevant evidence shall be admitted if it is the sort of evidence of which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make the admission of such evidence improper. Hearsay evidence may be used for the purpose of supplementing or explaining other evidence, but shall not be sufficient in and of itself to support a finding.

(c) Neither the Complainant nor the Respondent need be in attendance at the hearing. The hearing will be in closed session.

Section 5. DECISION

To be effective, a decision of the Board shall be made by a majority vote. The decision shall be written and accompanied by both the majority and minority opinions, if any. The decision shall be issued and distributed to the parties within seven days of the conclusion of the hearing. Copies of the decision shall be distributed to the parties by either hand delivery or by certified mail, return receipt requested.

Section 6. DISCIPLINARY OPTIONS

If the Board determines after a hearing that a party is in violation of the governing documents, the Board may impose disciplinary action. Disciplinary action may include, but is not limited to, the following:

- (a) Assessment of a one-time monetary charge of up to \$ 50.00 per occurrence or up to a \$10.00 per day monetary charge for a violation of a continuing nature that remains uncorrected.
- (b) Issuance of a Cease and Desist Request.
- (c) Application for injunctive relief or damages.
- (d) Recovery of costs and reasonable attorneys' fees.

N WITNESS WHEREOF, the Board of Directors of Cheshire Forest Homeowners Association, Inc., has set their hands on this 10 day of November 2025.

CHESHIRE FOREST HOMEOWNERS ASSOCIATION, INC.

BY: Erin M. Karol
(signature)

Erin M. Karol, President
(print)

ATTEST: W. Matthew Graham
(signature)
W. Matthew Graham, Secretary
(print)