

# MAINTENANCE STANDARDS

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To: FSPHA Homeowners and Tenants  
From: FSPHA Board of Directors  
Date: September 20, 2000  
Subject: FSPHA Maintenance Standards (Revised 9/13/00)  
(formerly Minimum Maintenance Standards)

The Board has received many complaints from the membership that the Minimum *Maintenance Standards* are not being strictly enforced. The attached revision and following policy statements are in response to these complaints.

## **How do the *Maintenance Standards* affect me?**

It is important for all current and prospective Homeowners and Tenants to read and understand the *Maintenance Standards*, as it is the intention of the Board to enforce them.

Many Homeowners have located in our Patio Home community, at least in part, because of the protection provided by the *Maintenance Standards*.

Virginia law requires that buyers of property in our community be provided with FSPHA rules and *Maintenance Standards*.

All Homeowners who rent their homes are required by FSPHA rules to provide their tenants with these documents as well. Therefore, all of our Homeowners and Tenants are aware that the *Standards* exist and, by buying or renting their homes, have automatically agreed to abide by these rules and *Standards*. Therefore, the Board believes that it is important to insure that the *Maintenance Standards* are enforced.

The *Standards* provide guidelines for Homeowners and Tenants to follow to assure that their properties are attractive, well maintained and consistent with other neighborhood properties.

The conscientious Homeowner or Tenant will not find it difficult to comply with the *Standards*.

**When should I seek Board approval for home improvements, and how do I go about it?**

Approval from the Board of Directors is required whenever Homeowners wish to make architectural changes to their property. Examples of architectural changes that require Board approval are:

1. installing steel or vinyl siding
2. changing house color
3. adding/changing a porch or covered entry
4. adding/changing doors and windows
5. adding/changing a fence or other outside structure

Requests for approval required under these *Maintenance Standards* should be made in writing to the Board, and may be submitted by mail to the FSPHA address or by giving the request to any

Board member, preferably the one in charge of Architectural Control. The Board will be glad to advise you as to what kind of information is needed for the request.

Seeking Board approval should not be viewed as an obstacle to home improvement. In all likelihood the Board will approve your plans. If the plans violate the *Standards*, it may require only a small change to bring them in line.

**How will the Board enforce the *Standards*?**

The FSPHA Board of Directors will make periodic inspection tours and notify Homeowners of items requiring attention under the *Maintenance Standards*. The Board intends to work with each Homeowner in a helpful, positive manner. If, however, the *Standards* violation is not corrected, the Board will take steps necessary to correct the violation. This may include the action allowed under the Association's *Covenants*, wherein the Board may itself correct the violation and bill the Homeowner for the associated cost, including the filing of a lien on the Homeowner's property if the costs are not repaid to the Association.

As with other legal issues, ignorance of the requirement will not be an effective defense or protection. Simply doing something covered by the *Standards* "the way a neighbor did it" is not enough to meet the *Standards*. The neighbor may have done something not in compliance with the *Standards*, and that error is not a reasonable excuse for another error.

**What about past violations when the *Standards* were not enforced?**

The Board is aware that there exist in our Patio Home community a number of variations from the *Maintenance Standards* that have occurred over the years - instances where the *Maintenance Standards* were neither followed nor enforced. Some of these violations cannot reasonably be changed; we will just have to live with them. Others will be dealt with by the Board on an individual basis with each Homeowner concerned, and a reasonable timetable for corrective action will be determined. For example, if a home has been painted in a color that violates the *Standards*, the Board will work with the Homeowner to make sure an appropriate color is chosen the next time the home is to be painted, even if ownership changes.

**In conclusion, the key to comfortable, protected, hassle-free coexistence in any neighborhood is cooperation among Homeowners. Working together to maintain our properties, we will maximize the opportunity for our properties to rise in value and benefit both ourselves and our neighbors.**

## **MAINTENANCE STANDARDS**

September 13, 2000

Extracts from the *Covenants* and *By-Laws* pertinent to maintenance standards are:

"... all of the properties described above shall be held, sold and conveyed subject to the following easements, restrictions, covenants, and conditions, all of which are for the purpose of enhancing and protecting the value, desirability, and attractiveness of the real property.

These easements, covenants, restrictions, and conditions shall run with the real property and shall be binding on all parties having or acquiring any right, title or interest in the described properties...

"[in the event that an] Owner fails to maintain Properties at the minimum standards of the subdivision as published by the Directors, the Association may maintain said Properties and charge the owner for said maintenance, which charge shall become a lien...

"Leases shall include a statement that the homeowner has provided the tenant with copies of the Association's *By-Laws*, *Declaration of Covenants*, and ... *Maintenance Standards*, and that the tenants or occupants, while not members of the Association, are subject to the regulations contained in these documents."

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**I. House structure**

A. **Siding.** All siding shall be of wood paneling, seamless steel (vinyl-coated), or vinyl siding, and kept free of defects caused by delamination and warping. All siding shall be securely fastened to house without protruding nails so as to present a neat and even appearance. Styles of siding are:

1. Texture 1-11 (grooves 4" apart)
2. V-Groove (grooves 8" apart)
3. Reverse board and batten (grooves 1" wide and 8" apart)
4. Cedar siding (individual boards 10" wide)
5. Vinyl-coated seamless steel siding, color and style subject to Board approval.
6. Vinyl siding, subject to Board approval when the following conditions are met:
  - a. Materials to be used must be of a high quality. Appropriate trim must be specified in the homeowner's contract.
  - b. Siding style must closely resemble the siding styles currently approved for Four Seasons Patio Homes.
  - c. Color must meet the same standards outlined for other siding styles.
  - d. Installation must be done by a permanent area-based siding company of good reputation who will guarantee the quality of the materials and installation.

B. **Paint/Stain.** External paint/stain shall be solid color paint/stain in earth tone colors, and maintained in good condition so as to contribute to the attractiveness of the community. Care must be taken that stain shall not be peeling, flaking, fading or darkening with age. The entire house, including exposed cinder block must be the same color. Front door, garage door, shutters and trim may be of another color, subject to the approval of the Board. Approval of the Board is required before any color changes are made.

C. **Glass Surfaces.** Glass surfaces must be free from cracks, fogging and breaks.

D. **Exterior Changes.** "No building, fence, wall or other structure shall be commenced, erected or maintained upon the Properties, nor shall any exterior addition to or change or alteration therein be made until the plans and specifications showing the nature, kind, shape, height,

materials, and location of the same shall have been submitted to and approved in writing ... by the Board of Directors of the Association." Decks, porches, fences, shutters and awnings must be approved by the Board. Where present, screens, shutters, awnings and window boxes must be kept in good state of repair.

E. **Roofs.** All shingles should be self-sealing asphalt shingles (various colors) and should be free from buckles and securely attached. The roof should present an appearance free from sags.

F. **Gutters and Downspouts.** Gutters and downspouts shall be painted, securely fastened, free from sags and attractive in appearance.

G. **External Lighting.** Fixture attached to the house shall be securely fastened, free of broken glass, and painted if applicable. Free-standing lamp posts shall be secured in the ground with no exposed wiring and maintained in

the same manner as fixtures attached to the house.

**II. Fences:** There is no requirement that a fence be installed on the property. However should a fence be installed the following maintenance standards will apply:

A. Fencing constructed of picket boards or solid boards mounted to posts firmly entrenched in the ground, shall be free of sags, damaged or rotted wood and shall be painted/stained the same color as that of the house, or may be allowed to weather naturally. [am. August 17, 2004]

B. Fencing constructed of post and pole or split rail where the natural wood is exposed may not be painted/stained but rather allowed to weather naturally.

C. Plain wrought iron fencing is allowed. (am. June 2006)

D. Vinyl fencing in a color that matches the siding of the house is also allowed. White vinyl fencing is not allowed. If white vinyl fencing is installed, it must be painted to match the color of the siding on the house. (am. June 2007)

E. All fence installation plans must be submitted to the Architectural Committee for review before installation of the fence.

**III. Driveways and Walkways.** Driveways and walkways shall be kept in good repair to present an attractive appearance.

**IV. Lawns, Shrubs, Flower Beds.** Lawns, shrubs and flower beds should be maintained to present an attractive appearance.

**V. Trees.**

A. Homeowners are responsible for, and should remove dead trees and/or limbs within their property lines. Such limbs and trees, if not removed by owners, will be removed by the Board at owner's expense.

B. Homeowners are responsible for trimming branches, shrubs or other plants growing within their property lines and overhanging public sidewalks to permit unimpeded use of the walks.

C. Homeowners may trim the overhanging parts of trees and shrubs growing on neighboring properties.

D. The Association will assume responsibility for the timely removal from private property common area trees felled by storms, but is not responsible for any damage these trees may cause.

**VI. Common Areas.**

A. Common areas will be maintained by the Association. Individual homeowners may assist.

B. Any trash, brush or other discarded material placed in the common areas by individual homeowners will be removed by the Association at the homeowner's expense.

**VII. General**

A. The Architectural Control Committee will make inspection tours from time to time during the year and notify homeowners of needed improvements to meet maintenance standards.

B. Each homeowner, by acceptance of his or her respective deed, has accepted all the terms of the *Four Seasons Patio House Subdivision Declaration of Covenants, Conditions, and Restrictions*, to include the above maintenance standards.

**The foregoing was approved for publication by the Board at its September 13, 2000 meeting.**