

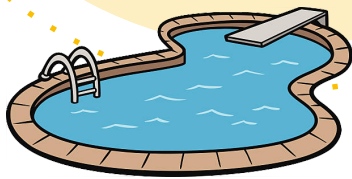
# Virginia Woods

Property Owners' Association News



Fall 2023

## Pool News



The pool retaining wall was repaired this summer and was extended to help prevent erosion and soil runoff. French drains were installed along the east side of the pool property, fill gravel and soil were placed, and sod was installed. This fall, the wooden fence on the eastern boundry will be replaced with a wrought-iron fence.

The pool will close for the winter on October 4th, 2023.



### National Night Out

October 3, 2023 5:30-7:30pm

Neighborhood Pool

food, first responders, games for kids



### Annual VWPOA Budget Meeting

October 17, 2023 7:30 p.m.

200 Appalachian Way



Virginia Woods Property Owners  
Association  
[www.vwpoa.com](http://www.vwpoa.com)

## Board News

Three VWPOA board positions will be open in May 2024, as the current officeholders will have reached their term limits. Following is a list of those positions and an explanation of the duties required for each position.

**President:** Represents VWPOA to homeowners and others within the community. Ensures the completion of legally-required activities and communications for the neighborhood (annual meeting, budget meeting, dues letters, etc.); ensures common areas are maintained; conducts regular meetings of the board; manages executive board and committees.

**Vice-President:** Reviews the condition of neighborhood homes to ensure that individual properties are maintained in accordance with neighborhood covenants and restrictions; follows legal process when dealing with covenant violations; communicates with homeowners to resolve violations; reports to executive board regarding homeowner violations and resolutions; fills in for president when needed.

**Secretary:** Follows legal requirements for VWPOA document retention; records and publishes meeting minutes; ensures proper informational filings with necessary government entities (county and secretary of state); maintains neighborhood contact information; ensures neighborhood votes are conducted properly.

If no homeowners step up to fill these seats, it could have detrimental effects on the neighborhood. These concerns will soon be discussed with HOA attorneys and then shared with the homeowners in upcoming communications.

If you are interested in filling a board vacancy, please contact Michelle McDaniel, the current board president, at [pres@vwpoa.com](mailto:pres@vwpoa.com).

# Around Here

# Covenants Corner

“Why does the board care what my house looks like anyway?” and other things



On August 31, 2023, an accident near the corner of Lake Forest and Virginia Parkway damaged the neighborhood retaining wall. VWPOA is working with the driver's insurance company. Once the adjustment process is complete, a mason will make repairs. All affected homeowners will be notified regarding the scheduled repairs, as it may be necessary for the mason to access their properties in order to repair the wall.



On September 3, 2023, a Spectrum box caught fire on Jamestown Lane. The fire department quickly extinguished the flames and Spectrum restored service to affected homes the next day through a temporary fix. A permanent repair will take place at a later date.



## Homeowner Contact Information

Please provide your cell phone number and email address to [secretary@vwpoa.com](mailto:secretary@vwpoa.com). Your updated contact information will allow for receipt of this newsletter and other POA-related correspondence in electronic format. Contact information will be for VWPOA board use only.



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After researching the matter, your VWPOA board would like to share what has been learned about the process for handling covenant violations. Your all-volunteer board has tried many methods to communicate with homeowners to bring homes into compliance, some of which have worked, and others of which haven't. The board has tried to refine this process in response to feedback from homeowners, especially regarding the wording of correspondence. The board feels they have reached an acceptable process, which is as follows:

**When a covenant violation is noted by the board**, a reminder letter is sent to the homeowner in an effort to resolve the violation. (Sometimes a board member has observed violations while canvassing the neighborhood, and other times a homeowner has made a complaint regarding the condition of a neighbor's property. In these instances, the board has reviewed the covenants and determined that the home is indeed in violation of the covenants.) This step in the process is not required by law, however VWPOA wants to attempt to resolve violations in a manner that is agreeable to both the homeowner and the VWPOA without escalating the issue. It is important for homeowners to respond to these communications by emailing the vice president at [vp@vwpoa.com](mailto:vp@vwpoa.com) in an effort to have a productive discussion on resolving violations. The board wants to work with homeowners and understands that sometimes there are financial or circumstantial challenges to an immediate resolution, and opening a line of communication is the first step in finding an agreeable way of doing so.

**If no communication is established by the homeowner after the reminder letter** and a violation is not resolved by the date requested, a Chapter 209 Notice will be sent to the homeowner via certified mail. Chapter 209 Notices are a legal requirement that are necessary before the board takes further action. This is a more formal letter and will describe the violation and whether it is of a curable nature, and it will inform the homeowner of their right to a hearing before the VWPOA board within 30 days of the date of the notice. It will also advise homeowners of other rights that may be available to them. If the covenant violation is of a curable nature, the notice will inform the homeowner that they are entitled to a reasonable period of time to cure the violation and will specify the date by which the violation must be resolved in order to prevent further action.

**If a homeowner doesn't respond to the official Chapter 209 Notice**, doesn't request a hearing within the 30-day period, and/or doesn't resolve the violation by the specified date, the VWPOA board will decide how to proceed from that point. They board may choose to exercise self-help remedies or take legal action against the homeowner.

**Texas law provides POA's with a legal avenue** to access a homeowner's property in order to cure violations and/or to maintain common areas (such as a boundary wall). In instances like these, the homeowner will receive notice of intent to access the property. A law enforcement officer will accompany the workers and as long as the POA follows applicable procedures, trespass laws will not apply. It is the hope of the POA that the process will not reach this point, however continued lack of action by homeowners may leave the VWPOA no other choice, as improperly-maintained properties may affect the home values of everyone in the neighborhood and the VWPOA has the responsibility of acting to prevent property-value decline.