



HICKORY FARMS COMMUNITY NEWSLETTER

Early Spring?

HICKORYFARMS.ORG

P.O. BOX 2239, FAIRFAX, VA

IN THIS ISSUE

Hickory Farms Calendar for 2019 For Board meeting location see page 11 and please contact a Board member.
March 12 - Board of Directors Meeting

Architectural Control Letters of Violation There are several homeowners who have received ACC letters at least two years in a row and the recipients have taken no corrective action. Often the issue could be remedied quickly with materials from the hardware store and a few hours of labor. Board members have sometimes helped homeowners with raking, mowing, edging, driving debris to the dump and other tasks. However, there are a few who still have not taken action.

Because the HFCA Deed and Declaration changes are still pending, in situations like this the HFCA might need to involve a lawyer to enforce restrictive covenant compliance resulting in appropriate actions and/or repairs.

When the pending Deed and Declaration changes are approved, the HFCA could once again assess a homeowner \$10 per day for a maximum of 90 days. Hopefully, repairs would be made within that time. For more information, see page 5 of this newsletter. (<https://law.lis.virginia.gov/vacodepopularnames/property-owners-association-act/>) [See paragraph § 55-513. Adoption and enforcement of rules. Item "D"]

Next steps for correction

- If you receive an ACC letter notifying you of violations please contact the ACC about correcting the problems.
- If you are aging in place or have a disability, and are not able to make the repairs, Fairfax County has resources that may be of help. <https://www.fairfaxcounty.gov/familyservices/older-adults>

For the most part, 98% to 99% of Hickory Farms property owners correct restrictive covenant violations without need for additional ACC actions or legal engagement. For those very, very few cases where property owners refuse to respond or work with the ACC, additional actions including attorney intervention may be required.

If you wish to know more about ACC policies or want to volunteer, please email Pam at acc@hickoryfarms.org.

Calendar	1
Architectural Control Letters of Violation	1
Student Yellow Page	4
Deed & Declaration Change	5
Mail Boxes	9
Sidewalks, Gutters, and Street Damaged During the Winter?	9
Neighborhood Watch	10
Home Security Tips	10
Personal Safety for Women Workshop	10
Directory	11

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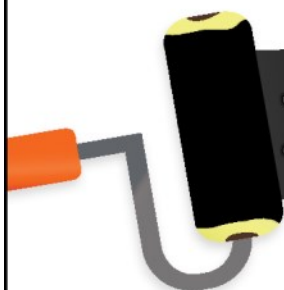
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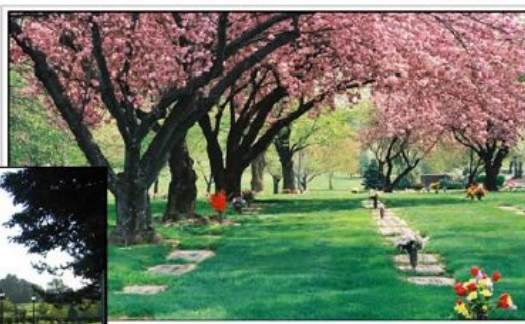
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References Available

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(703) 323-5202 – www.fmpark.com

Fairfax Memorial Funeral Home & Crematory

Contact us for funeral and cremation services

(703) 425-9702 – www.fmfh.com



Student services including snow shoveling for the next storm

Here is the latest version of the HF Newsletter Student Yellow Pages. If you wish to offer services such as snow removal, raking leaves, lawn mowing, babysitting, general home maintenance, etc., email kirk_randall@hotmail.com

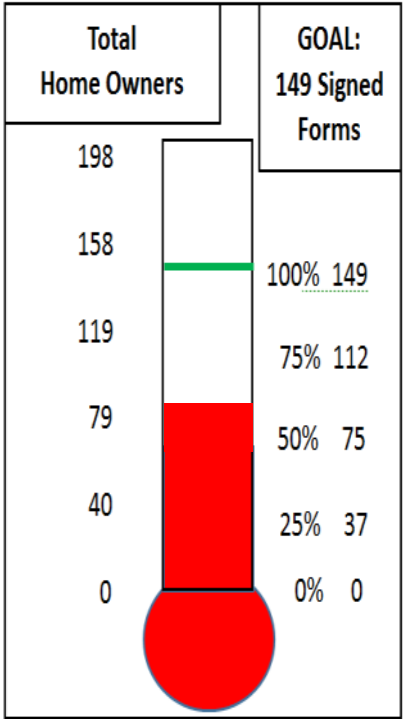
Bridgette Buchanan (15) 703-307-7323	Babysitting and dog sitting
Britney Mulliner (17) 571-474-7277	Babysitting (6 years experience including newborns) dog sitting.
Cody Dempster (16) (Home) 703-503-0561 (Text) 703-776-0101	Yard work (raking leaves, lawn mowing, etc.) snow shoveling, housework
Dominic Cannata (17) 703-568-9896	Lawn mowing, shoveling, cleaning, mulching, any odd job.
Dylan Mehrman (16) 478-230-5066	Lawn mowing
Erika Maaseide (16) 703 659-5321	Babysitting; has experience with Special Needs children
George Coddling (13) 703-223-4101	Shovel snow
Kent Coddling (17) 703-317-7319	Shovel snow
Paul Cannata (18) 786-445-5318	Lawn mowing, shoveling, cleaning, mulching, any odd job.

Deed and Declaration Change Final Countdown Underway!

For the past year and a half, a proposal to amend our Deed and Declaration founding document have been circulating through our neighborhood. A change to the Deed and Declaration document requires 149 of our 198 property owners (75%), in writing to make the change. To date, 84 property owners have approved the changes by filling out the Deed and Declaration Amendment form. Also, 6 property owners have indicated that they disapprove of the changes.

Thanks to those 90 property owners for responding! 108 property owners have not provided a position – for or against. We need to hear from the remaining 105 property owners! And we need to hear from you NOW!

The need for the amendments is driven by Virginia court decisions that now require an express authority in a Deed and Declaration document in order to assess charges for violations of the Homeowner Association Deed and Declaration Restrictive Covenants, Bylaws and Rules and Regulations. Our Deed and Declaration document, written in the mid-1970's, does not have that express language. From our establishment in 1975 up until the court decisions, Hickory Farms established charges for non-compliance. The charges are defined in our Rules and Regulations document. As your volunteer Board of Directors, we previously had three options to deal with non-compliant property owners. First option, interact with a property owner directly to resolve the issue. On a positive note, this option works 98 to 99% of the time! Second option, after non-response from property owner, initiate charges for non-compliance. Third option, seek legal action for non-compliance. The first option involved volunteer actions and communications with individual property owners. The second option involved notice and then application of charges to the non-compliant property owner. The third option involves legal fees that the Association would need to extend until the legal case was decided, meaning our overall expenses would increase and put upward pressure on the Annual Assessment each Hickory Farms property owner pays (currently \$200 per year). Without the Deed and Declaration amendments, we do not have option number 2. To enforce our Restrictive Covenants, Bylaws and Rules and Regulations, we would need to proceed directly from Option 1 interaction to Option 3 legal action, increase our legal expenses, which will result in higher Annual Assessment fees. The Board would like to avoid increasing the Annual Assessment fee and believes the Deed and Declaration amendments will assist in keeping the Annual Assessment as low as possible.



If you have already sent in your approval (or disapproval) **thank you!** If not, attached to this newsletter is the **Deed and Declaration Amendment Form**. Please fill it out completely at the bottom and return it to: **HFCA, P.O. Box 2239, Fairfax, Virginia 22031**. If you have any questions or if do not approve of the Deed and Declaration Amendments, please call or text me at 703-989-0751 or send an email to [hfca@hickoryfarms.org](mailto:hfica@hickoryfarms.org) noting your disapproval. We need to count every homeowner!

Please do not let this go another month for you to respond. In order to keep Hickory Farms as a great place to live, **we need your participation and response!**

Thanks!
Bruce Bernhardt
HFCA Director and Vice President
703-989-0751

**INSTRUMENT FOR OWNER AGREEMENT TO
AMENDMENT OF DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
OF HICKORY FARMS COMMUNITY ASSOCIATION**

The undersigned Owner(s) of the Lot in HICKORY FARMS COMMUNITY ASSOCIATION listed below, hereby execute(s) this instrument to evidence his/her/their agreement to amend the DEED OF DEDICATION AND DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, of HICKORY FARMS COMMUNITY ASSOCIATION in the following manner:

First, to amend Article V, Section 1 by adding a new subsection (g), which states as follows: (A portion of the existing text follows in brackets for purposes of context; the new language is double-underlined)

[ARTICLE V - PROPERTY RIGHTS]

[Section 1. Owners' Easements of Enjoyment. Every member shall have a right and easement of enjoyment in and to the Common Area and such easement shall be appurtenant to and shall pass with the title to every assessed lot, subject to the following provisions:]

(g) the right of the Association to assess charges for rules violations in accordance with provisions of the Virginia Property Owners Association Act, as the same may be amended from time to time, or in accordance with any other provision of Virginia law that may authorize assessment of such charges, as is more fully described in Article VIII, Section 1 hereof.

Second, to amend Article VIII, Section 1 by adding a new subsection (g), which states as follows: (The new language is double-underlined)

Article VIII, Section 1:

Section 1. Enforcement. (a) The Association, or any Owner, shall have the right to enforce, by any proceeding at law or in equity, all restrictions, conditions, covenants, reservations, liens and charges now or hereafter imposed by the provisions of this Declaration. Failure by the Association or by any Owner to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter.

(b) In addition, the Board of Directors shall have the authority to assess charges for violations of the Declaration or Bylaws of the Association and and/or of the Rules and Regulations adopted pursuant to authority given in those documents, in accordance with provisions of the Virginia Property Owners Association Act as the same may be amended from time to time, or in accordance with any other provision of Virginia law that may authorize assessment of such charges.

I/We agree to the adoption of these Amendments:

Signature of Owner

Date

Signature of Co-Owner (if any) Date

Owner's Name Printed

Co-Owner's Name Printed (if any)

Address of Home: _____



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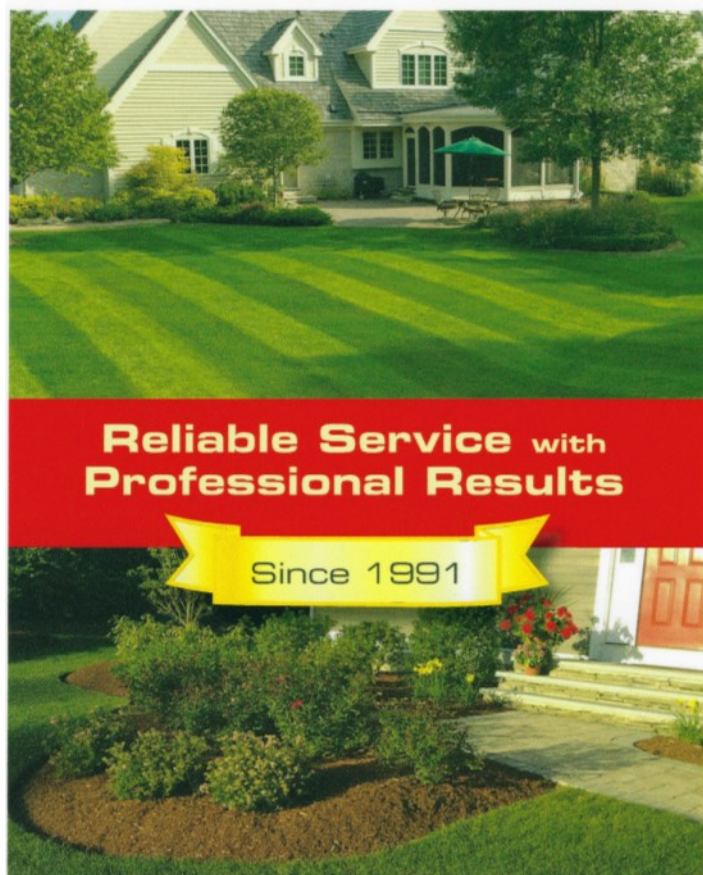
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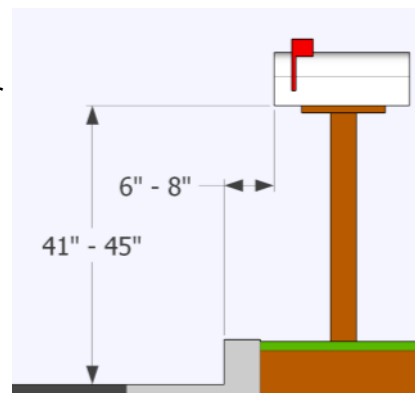
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Mail Boxes The rain and snow have pushed our mail boxes into interesting positions this winter. The USPS recommends placing your mailbox 41" to 45" from the road surface to the bottom of the mailbox or point of mail entry and 6" to 8" back from the curb. Source: <https://www.usps.com/manage/mailboxes.htm>

Mail Boxes can be gently shimmed straight and upright. Shelf cleaner spray can remove that layer of grime. Adhesive remover can remove stickers and tape. However, it might be smart to leave the small stars and dots affixed to your mailbox. These are used by newspaper delivery crews to identify who gets what.



Sidewalks, Gutters, and Street Damaged During the Winter?

If you see a broken sidewalk or curb or any problem with the streets, contact VDOT at 800-367-ROAD (7623) or visit <http://www.virginiadot.org/travel/citizen.asp>. VDOT will add the item to its database and, if there are enough problems in our community that have been reported and VDOT has the money, they will fix the problem. They have been quick to respond in recent years.



Neighborhood Watch Schedule January—March 2019

Day of the Week	Date	Person 1	Person 2
Fri	Feb 15	David Tropiano	Sarah Tropiano
Sat	Feb 16	Tom Barrett	Pam Barrett
Fri	Feb 22	John Coyne	Linda Coyne
Sat	Feb 23	Jim Marshall	Carol Marshall
Fri	Mar 1	Pete Scala	Rose Scala
Sat	Mar 2	George Rozenkranz	Bob Montgomery
Fri	Mar 8	Jim Bever	Barbara Bever

Day of the Week	Date	Person 1	Person 2
Sat	Mar 9	Bruce Bernhardt	Nancy Bernhardt
Fri	Mar 15	John Kitzmiller	
Sat	Mar 16	Ron Arnold	Charles Walters
Fri	Mar 22	Dave Dempster	Dawn Dempster
Sat	Mar 23	Brenton Mulliner	Susan Mulliner
Fri	Mar 29	David Froberg	Beverly Froberg
Sat	Mar 30	Will Lunsford	Mark Jean-Pierre

We are working to enlist 50 residents/teams on the roster! Contact Debbi Buchanan at 703.307.7323 or simplydebbi1@gmail.com for information or to be added to the roster.

Home Security Tips:

- Change your alarm code every once in a while.
- Lock all interior doors leading to the main house. This includes basement and garage doors.
- Trim bushes around windows.
- Lock tool sheds (easy source of tools to gain entry to your home).
- Consider enhanced locking devices for sliding windows or patio doors (“pins” or “charley bars”).
- If you think someone might be poking around your house, press the emergency button on your car’s remote. The noise should scare them off.

Personal Safety for Women Workshop, From Certified Crime Prevention Specialist Michael Stewart, West Springfield District

The Fairfax County Police Department will be hosting a Personal Safety for Women Workshop on February 28th, 2019 - 6:00 pm -8:00 pm at 6140 Rolling Road, Springfield, VA 22152 The personal safety workshop is designed to introduce women to a variety of self-protective options in a short, non-physical, discussion format. The basic workshop covers prevention strategies, as well as the pros and cons of various options for ending an attack. Discussion is designed to help people identify their risks and evaluate their strengths, as well as explore their options.

[For more information](#) or see Nextdoor.

HFCA Board & Volunteers

Members & Officers

President: Chuck Stewart

Vice President: Bruce Bernhardt

Secretary: John Kitzmiller

Common Areas: Melissa Stark

ACC: Pam Barrett

Treasurer: Jim Bever

Assistant Treasurer: Dante Gilmer

Neighborhood Watch: Debbi Buchanan

At Large: Telah Jackson & Kirk Randall

Webmaster: Bryan Crabtree

Community Yard Sale: Pete Scala

Valued Volunteers

HFCA Email (Listserv): David Tropiano, Kirk Randall & Stefan Schwarz

Newsletter Editor: Chuck Stewart (**Volunteer Needed**)

Social Committee: Meredith Perkins, Lauren Crabtree, Melissa Stark, Krissy Lunsford, Sarah Tropiano & Angela Turner

Architectural Reviews (ACC): Pam Barrett (Chair), Debbi Buchanan, Keith Ferguson, Donna Garfield, Ed Kiechlin, Kirk Randall, Brian Roethlisberger & Josef Gasimov

Newsletter Delivery: John Kitzmiller, Heather Webb, Dante Gilmer, Sondra Arnold, Ed Kiechlin, Claire & Sean Coleman & Debbi Buchanan

Email Us

HFCA Board: hfca@hickoryfarms.org

Pam: acc@hickoryfarms.org

Bryan: webmaster@hickoryfarms.org

Chuck: president@hickoryfarms.org

Jim: treasurer@hickoryfarms.org

Melissa: commonareas@hickoryfarms.org

Board Meetings are normally held at 7:30 at 10110 Round Top Ct. Contact a Board member for more information.

Please email President@HickoryFarms.org if you plan to attend so he may fit you into the agenda.

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