

SYMPHONY VILLAGE AT CENTREVILLE HOMEOWNER'S ASSOCIATION, INC.

DOCUMENT AMENDMENT EXECUTIVE SUMMARY

Dear Members,

Below you will find an executive summary of the Governing Document amendments that the Board of Directors is proposing. These amendments were prepared with the assistance of counsel and represent a comprehensive effort to update the Association's Governing Documents. For the amendment vote, the enclosed Proxy Ballot identifies each proposed amendment based on the numbered change listed in this summary. References in this Executive Summary are to the documents as amended. Please complete the three (3) page Proxy Ballot to vote for or against the amendments to each document, and vote to approve or disapprove each amendment.

I. Articles of Incorporation

1) **Global Changes**

- a. Deleted references to the Declarant and the Development Period, except in limited circumstances. The term "Declarant" refers to the original development company, which is no longer involved in the governance of the community.
- b. Deleted references to Class A and B members – with the expiration of the Development period, there is only one class of membership.
- c. Deleted outdated references to initial officers and documents.
- d. Updated terms and definitions, such as including use of "email."
- e. Corrected typos and formatting discrepancies, including updating the numbering of sections based on new deletions and insertions.

2) **Third Article**

Updated the principal office and resident agent of the Association.

3) **Eighth Article**

Specified the day on which the Annual Meeting is to be held.

4) **Ninth Article**

Clarify that Directors' terms are to be two years.

5) **Ninth Article**

Amended process for filling vacancies in the Board of Directors.

6) **Twelfth Article**

Reduce votes required to amend articles from 75% to 60%, to match Declaration and Bylaws and adhere to the Maryland Homeowners Association Act (herein referred to as 'HOA Act').

7) Fourteenth Article

Clarified requirements for annual audit of the Association.

8) Eighteenth Article

Changed dissolution requirement to be consistent with Declaration.

II. Declaration of Covenants

1) Global Changes

- a. Deleted references to the Declarant and the Development Period, except in limited circumstances. The term “Declarant” refers to the original development company, which is no longer involved in the governance of the community.
- b. Deleted references to “Phases,” as the community is fully developed.
- c. Deleted references to Class A and B members – with the expiration of the Development period, there is only one class of membership.
- d. Updated terms and definitions, such as including use of “email.”
- e. Defined the role of General Manager/Managing Agent, and transferred responsibilities (e.g. record keeping) from the Association to the General Manager.
- f. Corrected typos and formatting discrepancies, including updating the numbering of sections based on new deletions and insertions.

2) Explanatory Statement

Updated to reflect current status of the Association and the community.

3) Article 1.1 – Definitions

Added requirement of membership to definition of “Officer.”

4) Article 1.1 – Definitions

Removed “putting green” from definition of required “Recreational Facilities.” No decision has been made to remove the putting green. Instead, it is under review by the Operations Committee for repair, renovation or removal. If repair and/or renovation is the outcome, amenities are not required to be stated in HOA governing documents.

5) Article 5.5.iii – Limitations on Easements

Added authority for Board, after providing due process, to suspend membership privileges for delinquency or violations as a limitation on Members’ rights of enjoyment.

6) Article 6.2.iv – Special Assessments

Allow Board to implement a Special Assessment by a majority vote rather than two-thirds vote.

7) Article 6.2.iv – Special Assessments

Clarified that special assessments may become a lien if unpaid.

8) Article 6.2.v – Individual Assessments

Amended to state that costs assessed against an owner are due 15 rather than 10 days after notice is issued.

9) Article 6.5 – Collection of Assessments

Removed provision for \$25 late charge, in conformance with the HOA Act.

**10) Article 7.1.i – General;
Article 7.1.iv – Entrance Features and Rights-of-Way**

Removed “bus shelters” from Association’s upkeep responsibilities.

11) Article 7.1.ii – On Lots

Removed the word “bi-annual” from covenant requiring the Association to mulch landscape beds, and the word “reasonably” from covenant requiring owners to keep Lots clear to facilitate mowing.

12) Article 8.5.vi – Association Property

Added express prohibition on planting, trimming, or removing trees in common areas without Board approval.

13) Article 8.5.viii – Signs

Added allowance for political campaign signs that satisfy the definitions and time periods set by the Town of Centreville municipal code.

**14) Article 8.5.x – Landscaping: Sight-lines;
Article 8.5.xvii – Clothes Drying Equipment**

Change ban on outdoor clothes lines to permission for drying racks within specified guidelines, as required by Maryland law.

**15) Article 8.5.xii – Fences;
Article 8.5.xx - Pools**

Banned hot tubs and deleted references to them.

16) Article 8.5.xii – Fences

Added language to clarify that invisible dog fences are permitted in rear yards.

17) Article 8.5.xiii – Vehicles

Deleted restriction on vehicles on public rights-of-way, as it is outside Association authority.

18) Article 8.5.xiii – Vehicles

Deleted size restriction on SUVs at lots without a garage.

19) Article 8.5.xvi - Animals

Clarified restrictions on specific dog breeds and Board’s authority to govern pets within the community.

20) Article 8.5.xvi - Animals

Removed direct authority for the Board to have dog run constructed on the Common Area.

21) Article 8.5.xviii – Newspaper Tubes

Prohibit newspaper tubes.

**22) Article 8.6 – Rules and Regulations;
Article 11.1.i – Additional Liability**

Added references to Due Process section of the Declaration.

23) Article 8.7 – Leasing

Added requirement that all leases in the community comply with the age requirement, and that lease agreements be provided to the Association prior to beginning any rental.

24) Article 9.1.i – Purpose

Deleted term limitation for Covenants Committee members.

25) Article 9.1.ii (a) – Powers

Removed authority for Covenants Committee to regulate design and use of the Common Area.

26) Article 9.1.ii (e) – Powers

Added requirement that Members be provided at least 30 days to review proposed Design Standards before a Board vote.

27) Article 10.4 – Other Insurance

Changed required amount of security bond to refer to HOA Act.

28) Article 11.1.i – Additional Liability.

Removed liability to Owners for costs incurred by an Owner’s acts or omissions.

29) Article 11.1.v – Legal Proceedings

Allow attorney fees to be sought as part of enforcement actions.

30) Article 11.1.vii – Charges and Suspension of Rights

Increased maximum charge from \$50 to \$100, and for continuing violations from \$10/day to \$20/day.

31) Article 12.1 – Notice to Board of Directors.

Removed requirement for Owners to provide name and address of Mortgagee.

32) Article 13.2 .vi – Amendment by the Association

Moved amendment limitations required by the County from deleted section of Declaration to new section.

33) Article 13.3.i – Approval of Mortgagees

Changed requirement to approve extraordinary actions from majority of Members and mortgagees to 60%.

III. Bylaws

1) Global Changes

a. Deleted references to the Declarant and the Development Period, except in limited circumstances. The term “Declarant” refers to the original development company, which is no longer involved in the governance of the Condominium.

b. Deleted references to Class A and B members – with the expiration of the Development period, there is only one class of membership.

c. Updated terms and definitions, such as including use of “email.”

d. Delegated roles previously filled by the Board or Association generally to the management agent.

e. Corrected typos and formatting discrepancies, including updating the numbering of sections based on new deletions and insertions.

2) Article 1.2 – Principal Office

Updated the principal office of the Association.

3) Article 3.1 – Annual Meetings

Specified the day on which the Annual Meeting is to be held.

4) Article 3.3 – Notice of Meetings

Limited Notice of meetings of the Members to be sent no more than 90 days in advance.

5) Article 3.7 - Voting

Amended majority vote requirements to match Declaration.

6) Article 3.8 – Suspension of Voting Privileges

Extend required delinquency period to suspend voting privileges from 30 days to 90 days.

7) Article 4.1 – Number and Qualification

Amended minimum age for directors from 21 to 55 and set size of the Board to be between 3 and 5 directors to match Articles.

8) Article 4.2 – Term of Office

Reduced term of Directors from three years to two.

9) Article 4.2 – Term of Office

Defined process for filling vacancies in the Board.

10) Article 4.3 – Removal

Amended rules for removing and replacing Directors, clarified rules for delinquent Directors, and added restriction on Directors running again after resigning.

11) Article 4.5 – Action Taken Without a Meeting

Require actions taken by the Board outside of a meeting to be ratified at the next meeting of the Board.

12) Article 5.1 – Nomination

Remove requirement for Nominating Committee chair to be a Board member, change committee size from two to three members.

13) Article 5.2 – Election

Added procedure for resolving ties in an election of Directors.

14) Article 7.1 (c) – Powers

Extend required delinquency period to suspend membership privileges from 30 days to 90 days to match HOA Act add reference to Declaration’s grant of authority for this power.

15) Article 7.1 (d) – Powers

Article 7.1 (k) – Powers

Moved paragraph (d) to paragraph (k) for continuity.

16) Article 7.1 (g) – Powers

Added power for Board to terminate a management agreement without cause on 90 days’ notice.

17) Article 7.1 (h) – Powers

Removed power for Board to unilaterally authorize patronage refunds from annual receipt surplus.

18) Article 7.1 (i) – Powers

Added authority for Board to wield power of attorney for the members' interests in the Common Areas, so as to ensure consistent and efficient management of those elements in which all members share ownership.

19) Article 7.1 (j) – Powers

Added explicit authorization for Board to borrow money.

20) Article 7.2 (c) (1) – Duties

Reduced time between approval of annual assessment amount and the assessment period from 30 days to 15 days.

21) Article 7.2 (c) (2) – Duties

Reduced required notice of budget assessments prior to the next assessment period from 30 days to 15 days.

22) Article 8.6 – Vacancies

Defined process for filling vacancies in the Board.

23) Article 8.8 (d) – Treasurer

Added requirement that the accountant performing the annual audit of the Association be a CPA.

24) Article 10.2 – Covenants Committee

Changed Covenants Committee members from terms of 1-3 years to serving at the pleasure of the Board.

25) Article 15.2 – Entitlement to Attorney's Fees

Allow attorney fees to be sought as part of enforcement actions.

26) Article 15.3 - Fines

Increased maximum charge from \$50 to \$100, and for continuing violations from \$10/day to \$20/day.