

**Bay Breeze Point  
Homeowner's Association  
Board of Directors Resolution # 041221-3**

**RE: Changes to BBP Policy Resolution 03-01 "Due Process Procedures for Enforcement of Covenants and Rules" to Comply with Virginia Virtual Meeting Guidelines (HB1816 Virginia 2021)**

**Background:** In 2020, COVID-19 impacted the HOA's ability to implement BBP Policy Resolution 03-01, as written, primarily due to meeting size and site constraints/restrictions. Hence, interim procedures were developed using temporary authorities granted by Virginia to hold virtual meetings. Now, Virginia's General Assembly has approved permanent virtual meeting authorities (HB1816 Virginia 2021) effective July 1, 2021. Given these permanent virtual meeting authorities, BOD Resolution 051120 will be replaced with this Resolution effective July 1, 2021.

**Discussion:** As written and approved, Policy Resolution 03-01 entails scheduling a formal due process hearing (DPH) to be held at a specific site and time before a Hearing Committee and informs the respondent of the right to attend such a hearing in-person. However, in 2020 Commonwealth of Virginia guidelines and rules restricted group meetings and venues due to health and safety concerns. These restrictions impacted all normally held in-person HOA actions, e.g., monthly BOD meetings are now accomplished electronically. Given these restrictions, DPH procedures were temporarily amended to protect the health and safety of participants. Now, Virginia has approved permanent virtual meeting authorities (HB1816 Virginia 2021) effective July 1, 2021.

**Approved BOD Guidance:** Using the authorities of Article VII, Section 7.1(r) and Article IX, Section 9.3 of the "Declaration of Covenants, Restrictions, Reservations and Easements of Bay Breeze Point" and approved Virginia virtual meeting authorities (HB1816 Virginia 2021), BBP Policy Resolution 03-01 is amended as follows:

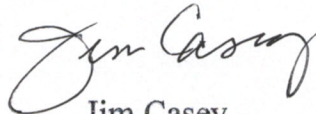
- Formal in-person meetings between Hearing Committee and Respondent(s) will not normally be held
- Respondent will provide written statements to the Hearing Committee in lieu of in-person oral statements – these written statements will be provided seven (7) days prior to the DPH to the Hearing Committee via the HOA's Property Manager

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- HOA management team will schedule an electronic hearing to discuss: the violation; respondent's oral and written statements; and approve a position
- If respondent requests to make oral statements to the Hearing Committee, BBP's Property Manager will provide respondent (appropriate property owner(s)) with specific electronic meeting access information

This permanent DPH guidance amendment is effective July 1, 2021.

The Board of Directors approved this resolution on April 12, 2021.



Jim Casey  
President