



## BIRKDALE COMMUNITY ASSOCIATION

### BOARD RESOLUTION 2026 – 3

#### Standards of Conduct Policy

The Board of Directors of Birkdale Community Association at their meeting held on February 5, 2026, approved the revised ASSESSMENTS COLLECTION POLICY attached hereto to be effective immediately. This resolution and policy supersede any previous policies approved by the Board.

*Elizabeth G. Martello*

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President

*[Signature]*

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Secretary



## Birkdale Community Association – Standards of Conduct Policy

### I. Recitals

WHEREAS, the Birkdale Community Association (“Association”) is a Virginia property owners’ association and the Board of Directors (the “Board”) is authorized to adopt rules and policies governing Association matters, common areas, and Association meetings and other functions, consistent with the Association’s Declaration, Articles of Incorporation, and Bylaws (collectively, “Governing Documents”) and applicable law; and

WHEREAS, federal and Virginia fair housing laws prohibit discrimination and harassment, including conduct that may create an intimidating, hostile, or offensive environment in connection with housing and housing-related services and facilities; and

WHEREAS, the Board finds it is in the best interests of the Association to establish clear expectations for respectful conduct and procedures for reporting and addressing inappropriate conduct.

NOW, THEREFORE, BE IT RESOLVED that the Board adopts the following Standards of Conduct; Policy (the “Policy”):

### II. Purpose

The purpose of this Policy is to:

1. Promote civil, respectful, and businesslike communications and interactions within the community and at Association meetings and other functions;
2. Prohibit harassing, intimidating, derogatory, demeaning, and offensive conduct; and
3. Help prevent discrimination or the creation of a hostile environment in violation of fair housing laws.

### III. Applicability and Scope

This Policy applies to all:

- Board members and officers;
- Committee members and volunteers;
- Association members (owners);
- Residents (including tenants and occupants); and
- Guests, invitees, and other visitors of members or residents.

This Policy applies to conduct occurring:

[Adopted February 5, 2026. Effective February 5, 2025. This document supersedes all previous documents.](#)



- At Board meetings, membership meetings, and committee meetings (including hearings);
- In the common areas and other Association-controlled property;
- At Association-sponsored events; and
- In communications related to the Association or community (in person, written, email, text, phone, social media, and virtual meeting platforms).

#### **IV. Standards of Conduct**

All persons covered by this Policy must conduct themselves in a manner that is respectful and does not interfere with others' ability to participate in meetings, use and enjoy their homes, or access Association services/facilities.

Expected conduct includes:

- Speaking and acting respectfully, even during disagreement;
- Allowing others to speak without interruption;
- Directing concerns to issues, not personal attacks;
- Following meeting rules and the directions of the presiding officer; and
- Complying with fair housing obligations in all Association-related interactions.

#### **V. Prohibited Conduct**

The following conduct is prohibited when connected to the community or the Association, whether directed at a Board member, other owner, resident, guest, managing agent, vendor, or any other person:

##### **1. Harassing, Intimidating, Derogatory, Demeaning, or Offensive Conduct**

Examples include, without limitation:

- Yelling, screaming, or aggressive gestures;
- Threats of physical harm, property damage, or retaliation;
- Bullying, stalking, or repeated unwanted contact;
- Profanity or insults directed at an individual;
- Personal attacks about a person's character, appearance, intelligence, or dignity;
- Repeated interruption or refusal to follow meeting procedures after direction by the presiding officer; and
- Conduct that a reasonable person would consider humiliating, threatening, or abusive.

##### **2. Discriminatory Conduct / Hostile Environment**



The Association prohibits discrimination, harassment, or hostile environment conduct based on any protected characteristic under applicable fair housing laws. This includes, without limitation, conduct based on race, color, religion, national origin, sex, familial status, disability, and other characteristics protected by Virginia or federal law.

Examples include, without limitation:

- Slurs, epithets, or derogatory comments about a protected characteristic;
- Mocking a disability or targeting a person due to a requested accommodation;
- Sexual harassment or unwelcome sexual comments;
- Targeted intimidation or differential treatment in connection with access to Association services, facilities, meetings, or housing-related benefits.

## **VI. Meeting Decorum and Immediate Enforcement Authority**

### **1. In-Person Meetings**

The presiding officer (or designee) may:

1. Issue a warning and direct the offending person to stop the conduct;
2. Call a brief recess if needed to restore order; and/or
3. Require the person to leave the meeting if the conduct continues after a warning or materially disrupts the meeting.

### **2. Virtual Meetings**

The presiding officer (or designee) may:

1. Issue a warning and direct the offending person to stop the conduct;
2. Mute the person after warning if disruptive conduct continues;
3. Disable chat features as needed to maintain order; and/or
4. Remove/disconnect the person from the virtual meeting if conduct continues after a warning or materially disrupts the meeting.

Nothing in this Policy is intended to limit lawful participation; it regulates conduct, not viewpoints.

## **VII. Reporting Procedure**

### **1. When to Report**

Anyone who experiences or witnesses conduct believed to violate this Policy should report it as soon as practicable.

**If there is an immediate threat to safety, call 911 first.**

Adopted February 5, 2026. Effective February 5, 2025. This document supersedes all previous documents.



## **2. How to Report**

Reports may be made to either:

- The Association's managing agent, or
- Any member of the Board.

Reports are preferred in writing. If a report is initially made orally, the reporting party should follow up in writing when possible.

## **3. What to Include**

To help the Association respond, reports should include (to the extent known):

- Date, time, and location (or meeting type/platform);
- Names of the person(s) involved and any witnesses;
- A detailed description of what occurred;
- Any documents, screenshots, photos, recordings (if lawfully obtained), or other evidence; and
- The reporting party's preferred contact information.

## **4. Confidentiality / Non-Retaliation**

The Association will make reasonable efforts to handle reports discreetly and share information only as needed to respond and comply with law and due process.

Retaliation for making a good-faith report under this Policy is prohibited and will be treated as a violation.

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## **VIII. Review and Response to Reports**

Upon receipt of a report, the managing agent and/or Board may, as appropriate:

- Acknowledge receipt (when contact information is provided);
- Request additional information;
- Document the incident and any related prior incidents;
- Consult Association legal counsel as appropriate;
- Implement reasonable interim measures within the Association's authority; and/or
- Determine whether enforcement action, law enforcement involvement, or legal action is appropriate.

## **IX. Sanctions and Corrective Actions**

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Violations of this Policy may result in one or more of the following actions, as determined appropriate by the Board and/or managing agent, consistent with the Governing Documents and applicable law:

**1. Meeting removal / muting / disconnection**

If the conduct occurs during a meeting and does not stop after a warning (or muting in a virtual meeting), the person may be required to leave or may be muted/removed/ disconnected.

**2. Discontinuing communication except as required by law**

The Association may discontinue non-essential communications with a person who engages in conduct in violation of this Policy, while still responding as required by statute, the Governing Documents, or court order.

**3. Requiring all communications to be in writing**

The Association may require that communications be submitted only in writing (including email), directed to the managing agent or a designated Board contact, and limited to Association business.

**4. Imposition of Violation Charges**

The Board may impose violation charges against any member of the Association for violations of this Policy in accordance with Article IX, Section 9.1 of the Declaration, as amended, and §55.1-1819 of the Virginia Property Owners' Association Act. Before violation charges are imposed the owner shall be given notice and the opportunity for a hearing before the Board.

**5. Informing law enforcement if appropriate**

The Association may contact law enforcement regarding threats, stalking, trespass, assault, property damage, or other potentially criminal conduct, or when safety is at risk.

**6. Legal action**

The Association may pursue legal remedies as appropriate (e.g., injunctive relief or other relief permitted by law and the Governing Documents).

If the alleged violator is a Board member, officer, or committee member, the Board may also consider any internal governance actions available under the Governing Documents and applicable law (in addition to the measures above).

**X. No Waiver; Severability; Amendments**

Failure to enforce this Policy in a particular instance does not waive the Association's right to enforce it in the future.

If any portion of this Policy is determined unenforceable, the remaining portions shall remain in effect.

The Board may amend or repeal this Policy by resolution.