



BIRKDALE COMMUNITY ASSOCIATION, INC.

BOARD RESOLUTION 2026 – 10

Covenants Committee Charter

The Board of Directors of Birkdale Community Association, Inc. at their meeting held on 8/6/2026 approved the COVENANTS COMMITTEE CHARTER attached hereto to be effective immediately. This resolution and policy supersede any previous policies approved by the Board.

President

Secretary

Birkdale Community Association
Covenants Committee Charter

Approved _____, 2026

Effective _____, 2026

This document supersedes all previous documents.

1. Purpose

The Birkdale Community Association (BCA) Covenants Committee maintains the integrity of the Association by overseeing the enforcement of the community's Codes, Covenants, and Restrictions (CC&Rs) that regulate the external appearance, use, and upkeep of properties.

2. Authority

The Architectural Review Committee was established pursuant to the Master Protections, Article VI. It is empowered to establish and enforce standards and guidelines for new construction, and modifications to existing construction. The Board of Directors, in the exercise of its power pursuant to Section 55-513(A) of the Code of Virginia and other sources, has also created a Covenants Committee to enforce compliance with BCA's Declarations, Articles of Incorporation, Bylaws, and Architectural Standards and Guidelines.

Birkdale Architectural Standards and Guidelines, Section IV, DEFINITIONS, 4.10 COVENANTS COMMITTEE:

"The Covenants Committee is established by the Board of Directors to enforce community standards contained herein or in the Master Declarations or Single-Family Protections. The Covenants Committee's responsibility includes areas not involving new construction, alterations, or other areas under the purview of ARC."

3. Duration

The Covenants Committee is a Standing Committee and continues until it is dissolved by the Board.

4. Membership

- Board appoints a maximum of 5 BCA Owners as members.
- Board appoints Chairperson.
- The Chairperson may recommend Owners for consideration for Covenants Committee membership to the Board of Directors.
- Committee Members serve 2-year renewable, staggered terms.
- Members must maintain good standing with the HOA. Good standing shall be defined as the absence of any liens, privilege penalty, outstanding assessment or fine balances, CC&R Violations or pending legal action.
- Committee Members may be removed for cause at any time by a majority vote of the BCA Board of Directors.

5. Responsibilities

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- Administer BCA's "Violation Complaint and Due Process Resolution" current form as adopted by the Board of Directors.
- Perform periodic and annual inspections of all Birkdale properties.
- Report and review violations of BCA's Governing Documents: Architectural Standards and Guidelines, Declarations, Articles of Incorporation, and Bylaws.
- Monitor compliance with the CC&Rs of the BCA
- Take enforcement action when necessary.
- Maintain a file of each violation status via Community Management software.
- Serve as an appeal point of ARC decisions.
- Levy reasonable fines (up to \$50 per offence or \$10/day for up to 90 days for continuous violations).

6. Meetings

- Comply with BCA's standards and the Code of Virginia 55.1-1816.
- Advertise meetings with date, place, time, and open to all BCA members.
- Provide one agenda and packet of committee materials for the membership.
- Permit recording during open meetings.
- Executive Session may occur during an "open" meeting after an appropriate motion authorizes the Committee to discuss legal, personnel, or contracts. Following an Executive Session and resuming the open committee meeting, the Committee may vote on recommendations to present to the Board.
- Chairperson shall appoint a secretary to record Minutes at each Committee meeting: Minutes should be filed with the Community Manager within 5 days following approval by the Committee.
- Include "Member Voice" opportunity at every meeting. See BCA Resolution 2025-001, "Member Voice Guidelines."

7. Reporting

- Chairperson
 - Submit written report and recommendations to the Board at each regular Board of Directors' meeting.
 - Submit a written report monthly for publication in "Birkdale Bulletin."
 - Provide a written summary report for each Annual Meeting in October.
 - Communicate Committee's decisions to Community Manager.
- Committee Secretary
 - Creates Minutes for each Committee meeting and files with the Community Manager within 5 days following Committee's approval.

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8. Limitations

The Covenants Committee has no independent authority to contract or spend HOA funds.