

LOCATION

Cyber Café
2451 Midtown Avenue
Alexandria, VA

TIME

7:00 PM

2019

MEETING DATES

August 27

September 24

October 22

November 26

December 24 (will be changed with Committee)

MIDTOWN ALEXANDRIA STATION CONDOMINIUM

Rules and Covenants Meeting – Open Session

August 27, 2019

AGENDA

1. **Call to Order**
2. **Agenda Approval**
3. **Resident Forum (2 min limit)**
 - a. Residents can bring up questions, issues or requests
4. **Review of Ongoing Business**
 - a. **Handbook/Policy Resolutions**
 - i. **Flooring policy**
 - ii. **Grill deck hours**
 1. **survey follow up**
 - b. **Outstanding ACRs**
 - i. **Joining of 2 units**
 - c. **Status of Complaints**
 - i. **Pool/Party Room**
 - ii. **Keeping door of units open**

- iii. **Parking spot G3-88 oil leakage/truck**
 - iv. **Guest parking lot usage by residents**
 - v. **Treatment of pets**
 - d. **Violations**
 - e. **Status of Hearings**
 - i. **Pool/Party room Decision**
- 5. **Discussion of New Business**
 - a. **ACR**
 - i. **Requirements for submitting ACR to management**
 - ii. **Creation of an ACR for repairs (in kind)**
 - b. **RACI document review**
- 6. **Disciplinary Hearings/ Mediation Sessions**
- 7. **Executive Session and/or Committee Discussion of Disciplinary Actions**
 - a. **Management follow up**
- 8. **Result of Hearings**
- 9. **Adjournment**

MEETING NOTES:

Attendees:

Eric & Ana & Brittni (phone) - committee
Gina - resident

Not present

BoD liaison Kathy
Committee member Carmen

Resident forum

Gina: What processes are being followed to ensure accountability through management office?

- R&CC send the RACI (Responsible, Accountable, Consulted, Informed) document that was jointly developed by BoD (Stacey & Milia) and R&CC to management for daily reference in regards to business at MASC
- The system of checks and balances (RACI) developed in 2018 to keep things transparent hasn't been revoked, has it? If so, at which BoD meeting was this topic discussed and where are the notes stating what occurred?
 - originally developed because management wasn't complying to the work that needed to be done at MASC.

Does R&CC have oversight and insight into complaints that are being flowed through management? Is it discretionary by management?

- ACRs and Complaints forms have both R&CC and Management emails listed for reporting. In most cases both receive these forms. In some cases some turn in the forms to the front desk and they are scanned by Management and sent to R&CC via email.
- Proper protocol is for Management to send an immediate response to the submitter that their form has been received and it is in process of discussion with the R&CC.

Are all processes being followed by committee?

- R&CC tries to communicate about ACRs and Complaints within 24 hrs of receiving them. The decision is then sent to Management to submit letters to the residents.
 - ACR - approval or denial, or request for more details on project
 - R&CC has 45 days to respond to these ACR forms before a resident can begin working or schedule their work to be done
 - Complaint - review of the initial complaint is discussed and if it is not clearly a violation, an email to Management is sent for Management to send the "violation" a letter to give them an opportunity to address the complaint that was filed against them. They have 5 days to respond to that letter.
 - Once the response letter is received, R&CC discusses both sides and then comes to a decision of whether a violation was in fact present or not.
 - The Resident who submitted the complaint must be notified within 14 days of his/her submission that an action was taken. This is a letter sent by management.
 - Management sends the "violation" a decision letter regarding whether they are in violation and what the consequence, if any, will be.
 - Residents have the ability to appeal this decision. A hearing may be held.
 - All letters are to be sent via email (pdf) and hand delivered to the unit/address on file.

What is being put in force if management is failing, what is being done?

- R&CC has brought failures or lack of action to Management and the BoD via emails. The BoD is responsible for ensuring that Management works on behalf of the Community.

Is the matrix that was created "RACI" being followed?

- In 2016 Management and R&CC had the list of original fixtures from the building to use for comparison and for updating units as things are changed.
- To R&CC current knowledge there have been no discussions about RACI during BoD meetings and we have no knowledge that they are not to be followed as they were developed for accountability.
- Not all parties follow RACI specifications i.e. email response time, letter follow up time, etc.

Some of these issues will be discussed later in meeting

Eric: new members for R&CC? How do we find out about them? Do we have input over their joining?

- One resident has been waiting for over a month for approval of Board. R&CC was told the Board forgot to add it to August agenda for discussion/approval.

Ongoing business

Flooring Resolution - never made it onto the BoD agenda, but discussed in July meeting. Need BoD to follow up and vote on the flooring resolution.

- Underlayment needed and it cannot be glued down to the concrete flooring.
- Upon reviewing the recent July minutes that were added to Townsquare, it appears that the policy was approved.
 - OLD BUSINESS: 60 • Flooring Resolution 61 62 (M) MOTION: Upon motion duly seconded and carried, the Board of Directors agreed to approve 63 Policy Resolution 2019-01 Floor Resolution. Director Hill MOVED, and the motion was 64 SECONDED by Director George. All were in favor and the motion PASSED unanimously.

Pool/Grill Hours - need clarification if they are moving forward or if this is done

- is the survey R&CC developed going to go out?
- ***No resolution as of August R&CC meeting.***

ACR

- **joining units** - This decision is up to the BoD as per the MASC Handbook.
 - 3 BoD (Milia, Reuben, Kathy) said in email they wouldn't approve this request
 - Brittnei brought up we can tell residents that the consensus from the BoD is "not approved", but if they want to do the inspection they can. We have no right to tell them not to do the inspection if they really want it.
 - Eric brought up if a contractor or architect says "no" then we don't have to continue the conversation.
 - Do we know what walls are load bearing? We assume that typically these condo buildings don't have internal load bearing walls within units. The load bearing occurs around the elevator shafts and the outer columns around building.

- ***No resolution as of August R&CC meeting.***

Complaints

- **Party room/Pool** - As far as R&CC knows, complaints have not been responded to for the residents who submitted. The dates stated as required for response time in our governing documents have passed.
 - Management/BoD said nothing about what is currently going on to the residents.
 - If the complaint filers had been notified with an update, R&CC does not have record of this communication.
 - ***No resolution as of August R&CC meeting.***
- **Unit door left open to hallway** - As of now the resident has complied and no other complaints have come in.
- **Truck leaking in G3-88** - Owner of the spot is responsible for his renter's car leaking - resident needs to clean and get their car inspected to fix the leak.
 - Has this Owner gotten a hold of his renter and confirmed that action will take place? This is not a stationary vehicle, it is moved regularly.
 - Management could have our own cleaning done in the parking spot, and then fine the Owner in addition to a fee assessment for the cleaning as a reimbursement to the Association.
 - ***No resolution as of August R&CC meeting.***
- **Visitor parking lot usage by residents** - Reuben thinks that we need to try to accommodate a resident with an oversized/too tall truck who can't fit in the garage.
 - Brittini says that this resident lived here longer than he has had the truck, so he knew it wouldn't fit. This resident put aftermarket tires on the vehicle which subsequently increased height. The Handbook has stated the same information about vehicle height restriction from the start. There are many people who abuse parking privileges in the building, and this resident is being given the exception.
 - Who approved initial extension and for how long?
 - Gina says he has been here for at least 10 years and knew the rules. He knew it wouldn't fit.
 - Reuben/Sacha stated they might be able to give him a key to the side parking lot gate.
 - R&CC raises question of the liability in doing that.
 - This sets a precedence
 - What happens when a Resident buys an RV or a boat and wants to park it here?
 - As per the handbook, vehicle passes can be issued for 10 nights total per month. One pass can be issued for multiple nights, but each night counts against the monthly allotment.
 - 10 day passes are allotted to each unit
 - Management has created a log for each floor to monitor the usage of passes per unit. Easier to search than the current system of looking through the passes individually.

- ***No resolution as of August R&CC meeting.***
- **Unattended pet/crate**
 - Can we do anything about this? Nothing about this is in the handbook, so there isn't an obvious violation.
 - Recommendation to refer person to fairfax county PD to file a complaint of animal cruelty against the resident.
 - ***No resolution as of August R&CC meeting.***

Hearings

- Hearings must be open to public/community due to transparency issues.
- The only portion of the hearing/meeting which is shut down is for conducting discussion between committee members about the decision. Once a decision is made the meeting can be opened up to the public again.
- For R&CC hearings, all pre discussions on matters of a hearing need to be kept separate from BoD, so they are impartial in case of follow up appeal by Resident.
- Hearing has to be published 14 days in advance outlining what is to be discussed
 - This allows residents an avenue for appeal
- R&CC charter says that we were created separate from the BoD to ensure rules are being followed
- Governed by law (in addition to Association rules), the resident must have their decision given to them within 7 days of the hearing taking place.
 - Resident has 14 days to appeal, from the date of receiving the decision.
- **Pool/Party room** - no decisions have been given to R&CC, did the resident get his notice?
 - The lawyer originally sent a letter for the hearing to the resident
 - The lawyer is to send the decision notice to the resident by today (7 days from hearing being held)
 - Response to resident complaints is pending hearing results from the BoD
 - ***No resolution as of August R&CC meeting.***

New Business

ACR - We may need to just clarify the ACR as it is now so that residents

- Does insurance become an issue? i.e. if a plumber is replacing a ring on the toilet, does a plumber need insurance?
 - Every owner is required to have home insurance upon moving in.
 - The work that is done in your unit is on you if there is a problem.
 - Eric to update the form with track changes for committee to review
- What requires ACR?
 - changing a toilet for bolts being rusty does not require ACR
 - if touching the walls which could impact the residents next to you, you need ACR
 - a vanity doesn't need an ACR
 - but if you're replumbing then you need ACR
 - MASC lawyer said if you're opening a wall - ACR
- ****Common area wall damage.**

- Management needs to submit ACR for purposes of a tracking mechanism of building, not for R&CC approval. Need to know who did the work and what was done. Historical purposes.

RACI document

- Responsible, Accountable, Consulted, Informed
- Management, Committees, and BoD have specific tasks they are responsible for. RACI explains what is required for transparency
 - i.e. Management responds to a complaint or ACR immediately to let the resident know the message has been received. Then R&CC discusses and provides feedback to Management for next steps and for Management to send notice letters.
 - It's a way to track that BoD, Committees and Management are following rules and are being consistent and fair.
 - It is brought up that management continues to not follow the guidelines/rules for posting minutes, agenda, hearings, sending emails, etc in a timely manner.
- No accountability for following up on these things
 - R&CC has recently been sending more emails about follow up to BoD and Management, but some messages are not addressed.
 - R&CC is trying to do good for the community and make sure that rules and responsibilities are being followed to ensure fairness to all residents.
 - ****Structure of Accountability**
 - BoD President is responsible for keeping Management accountable. The BoD keeps the BoD President in check. The BoD is kept in check by R&CC.
 - Has the BoD rescinded the RACI document?
 - BoD President is a representative of the Residents to Management.
 - Importance of attending BoD meetings to voice concerns about Community at the Resident Forum portion.
 - Management needs to follow their contract guidelines. Residents can't order management to do something. Residents must be productive and offer solutions to the problems that are arising.