



The Quarterly Assessment Spring 2019 Edition

Seminar Series

Our Firm's 2019 Seminar Series has been scheduled! The dates and locations for the Seminar sessions can be found on our website, <https://www.chadwickwashington.com/seminars/>. Each Seminar includes a Legislative Update, plus four or five other topics. The sessions will be approved by the Community Association Managers International Certification Board (www.camicb.org) to fulfill continuing education requirements for the CMCA® certification. We hope to see you there!

HUD Says You Are Your Neighbor's Keeper

By Wil Washington

Not so long ago, community associations safely viewed disputes between neighbors as neighbor-to-neighbor disputes that did not involve the association. Associations would typically direct the combatants to work it out among themselves. The disputes were rarely viewed as violations of the association's covenants. Even if they were seen as such, given the difficulty in proving nuisances and the associated cost of prosecuting such claims, many associations did not see the effort as being worthwhile.

Associations are particularly ill-equipped to act as law enforcement officers. Accordingly, victims of bad neighbors were frequently on their own. Rules violation hearings over disputes between neighbors are often tedious, unseemly and difficult to officiate. In many cases it is difficult to determine who is to blame. For many years there was little for an association to fear from ignoring or shelving participation in neighbor-to-neighbor disputes. However, things are not what they used to be.



[Read full article](#)

Requests for Reasonable Accommodations and Modifications: A Guide on How to Handle them Appropriately

By Olga Tseliak

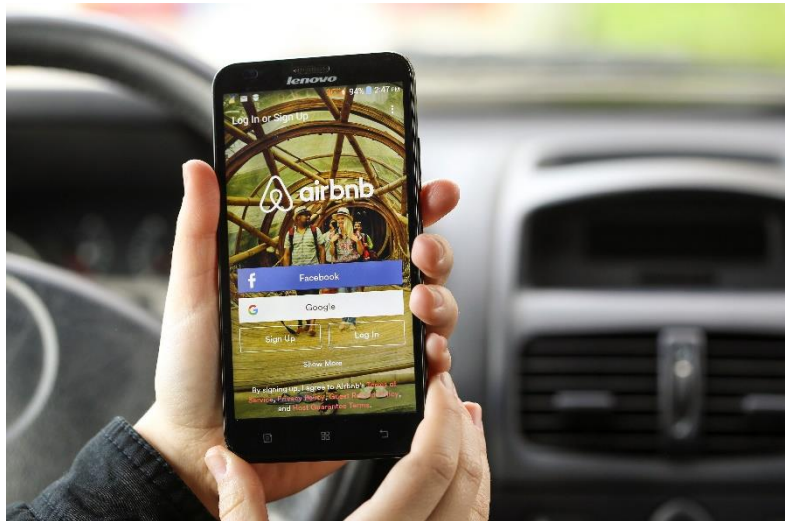
In many cases involving violations of the federal Fair Housing Act (the “Act”) or similar state/local fair housing laws by community associations, violations have occurred unintentionally as a result of an inability to sufficiently recognize when a particular request may implicate fair housing, or a failure to handle requests appropriately. To minimize the risk of liability from fair housing claims, it is important for managers and directors to know how to respond to requests for reasonable accommodations or modifications.

[Read full article](#)

New Restrictions on Short-Term Lodging in Fairfax County Effective October 1, 2018

Recent changes to the Fairfax County Zoning Ordinance provide more onerous requirements for short-term lodging in residential dwellings. Under the Zoning Ordinance, short-term lodging is the renting of a room or space that is suitable or intended for transient occupancy (i.e., occupancy for fewer than 30 consecutive nights), in exchange for a fee. Prior to October 1, 2018, short-term lodging was only permitted in Fairfax County with a special exception approved by the Board of Supervisors.

In response to the proliferation of short-term rental websites (e.g., Airbnb, VRBO) and the increased interest in short-term lodging, the Board of Supervisors amended the Zoning Ordinance to more directly address short-term lodging with specific limitations and restrictions. Effective October 1, 2018, short-term lodging is now permitted in any zoning district that allows residential use, subject to the issuance of a short-term lodging permit and other requirements set out in § 10-105 of the Zoning Ordinance.



[Read full article](#)

Virginia Common Interest Community Board Newsletter

The Virginia Common Interest Community Board has recently published its Winter 2019 newsletter which contains articles which may be relevant to both directors and managers. Please click [here](#) to be directed to the CICB's newsletter.

Recent Firm Happenings



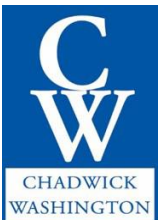
Brendan Bunn has been elected to serve a two-year term on the Board of Governors of the College of Community Association Lawyers ("CCAL"). CCAL was established in 1993 by the Community Associations Institute, with membership consisting of attorneys who have distinguished themselves through substantial contributions to the evolution and practice of community association law. There are fewer than 150 CCAL members nationwide. Brendan began his term in 2019.



Sara Ross has been elected to the Washington Metropolitan Chapter of the Community Association Institute (WMCCAI) Board of Directors to serve a three-year term. Sara has also been selected to serve on the 2019-2020 National CAI Amicus Review Committee. The Committee reviews prospective amicus briefs to be filed in important community association law decisions around the country.



On February 23, 2019, Sara Ross, Jerry Wright and Bruce Easmunt presented at the Washington Metropolitan Chapter of the Community Association Institute (WMCCAI) Conference and Expo. WMCCAI's Conference & Expo is the largest gathering of community association professionals in the D.C. Metro Area and is the largest event across CAI chapters worldwide. 2019 Conference & Expo was held at the Walter E. Washington Convention Center with education sessions and exhibitors.



Chadwick, Washington, Moriarty, Elmore & Bunn, P.C.
3201 Jermantown Road, Suite 600
Fairfax, Virginia 22030
(703) 352-1900
www.chadwickwashington.com

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