



Loudoun County, Virginia

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Department of Building and Development

Land Engineering Division

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Technical and Procedural Newsletter

May 30, 2018

TO: Members of the Land Development and Engineering Design Community

FROM: Gary Clare, Land Engineering Division Manager

The purpose of this correspondence is to inform the Land Development and Engineering Design Community of technical and procedural updates that have recently transpired. Please distribute this information to applicable personnel within your organization.

IN THIS EDITION: HOA and BOA Letters of Acceptance

Background:

Facilities Standards Manual (FSM) Section 8.305.E.3.h and current Bond Committee policy both call for a letter of acceptance to be provided by the entity responsible for the future maintenance of selected private infrastructure components being released from a performance bond. This is most commonly provided to the County by the Homeowners Association (HOA) or Business Owners Association (BOA). However, there is no written guidance regarding the date of or “shelf life” of such acceptance letters.

A case recently occurred in which the HOA letter of acceptance was dated three years in advance of the bond release request, and may have been dated in advance of the actual completion of the final section of subdivision.

The Bond Committee has directed staff to ensure that such letters have dates that coincide sufficiently with the request for release.

Therefore, effective as of this date, HOA and BOA letters of acceptance must have dates no earlier than within ninety (90) days of the request for performance bond release. If a release package is found to have a letter older than this, the applicant shall be requested to provide a more current letter of acceptance, i.e. based on the current condition of the project.

APPLICABLE STANDARDS:

Loudoun County Facilities Standards Manual, Chapter 8, Section 305.E.3.h.