



Loudoun County, Virginia
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Department of Building and Development

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Technical and Procedural Newsletter

June 4, 2020

TO: Members of the Land Development and Engineering Design Community

FROM: Alan Brewer, Director

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). A Tech Memo dated May 30, 2018 added a “shelf life” to such letters, requiring that they be current to within ninety (90) days of the request for bond release, since older letters had proven to be inconsistent with the current state of the project and any developing issues.

Coordination with industry representatives has recently resulted in the conclusion that the ninety day period is too short a duration to feasibly secure and maintain “fresh” documents, particularly those that are dependent on HOAs and/or BOAs that may meet less frequently.

Therefore, effective as of this date, HOA and BOA letters of acceptance must have dates no earlier than within 180 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.