

**BOARD OF SUPERVISORS  
BUSINESS MEETING  
ACTION ITEM**

**SUBJECT:** Loudoun County Resident Curator Program Guidelines

**ELECTION DISTRICT:** Countywide

**CRITICAL ACTION DATE:** At the pleasure of the Board

**STAFF CONTACTS:** Artie Right, Program Manager, General Services  
Ernest Brown, Director, General Services

**PURPOSE:** The purpose of this item is for the Board of Supervisors (Board) to consider Program Guidelines for a Loudoun County Resident Curator Program. The *draft* Resident Curator Program Guidelines (Attachment 1) describe how a qualified individual, organization, or commercial entity could serve as the caretaker (or curator) of a County-owned historic property via a lease agreement. The Program, if adopted would be one of the tools to preserve and maintain historic properties through public-private partnerships.

**RECOMMENDATION:** Staff recommends that the Board adopt the Resident Curator Program Guidelines (Attachment 1), direct staff to implement the Program, and proceed with the identification of eligible properties.

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**BACKGROUND:** During its Business Meeting on September 15, 2020, the Board voted (9-0) to direct County staff to proceed with developing an ordinance for the proposed Resident Curator Program<sup>1</sup>. On March 10, 2021, the Board voted (8-0-1: Chair Randall absent) to adopt the ordinance and directed staff to return to the Board with program guidelines<sup>2</sup>.

A Resident Curator Program is a preservation tool that Loudoun County may employ to implement the policies in the [Heritage Preservation Plan](#) (Chapter 7, Stewardship of County-Owned Heritage Resources) (Attachment 2), which presents nine policies that articulate the County's intent to take a leadership role in heritage preservation and to protect and preserve heritage resources through acquisition, maintenance, and public engagement/education related to County-owned heritage properties.

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<sup>1</sup> [09-15-20 Business Meeting-Item 6 Copy Teste](#)

<sup>2</sup> [03-10-21 Board Public Hearing-Item 4 Copy Teste](#)

**CONSIDERATIONS:** The following are key considerations for program implementation:

- A. **Program Guidelines** - Under a typical “Curator Agreement and Lease,” the curator is responsible for the maintenance, and daily operations of the property in exchange for discounted rent or other considerations. Rehabilitation and renovation of the properties varies and is subject to negotiation.
- B. **Potential Sites** – An initial review and analyses by the Heritage Commission, the Department of General Services (DGS) and the Department of Parks, Recreation and Community Services, suggested there are sites in the County that may benefit from a Resident Curator Program. Evaluation of new sites for possible inclusion would be necessary. However, the majority of the existing County-owned historic properties are already programmed or are in the process of being programmed for a public use.

After staff has identified a potential site, but prior to the application process beginning, a site analysis would be performed for each property. The analysis would include, at a minimum, information on the location and history of the property, zoning, land use, square footage, property description, historic designation status, assessment of current conditions, current/past use, and identification of repair, rehabilitation, and preservation needs.

- C. **Program Administration** – Until there is a broader inventory of properties eligible for the Program, the administration of the Resident Curator Program can be managed by existing agencies and staff. DGS is the primary department for administering the program, coordinating the associated efforts of other departmental agencies, and reporting back on the Program’s functions.
- D. **Maintenance Costs** – Prior to proposing a Resident Curator, a full assessment of costs will be performed and analyzed to determine the cost savings to the County if a site is accepted as a Resident Curator property.
- E. **Site Preparation Costs** – Loudoun County may need to improve properties to make them feasible for a potential lease. Stewardship plans and property analysis will be used to identify when such improvements need to be made prior to leasing a property.
- F. **Appropriate Programming** – It will be important to know what the property will be used for and how it aligns with policies in both the Loudoun County Heritage Preservation Plan and the Loudoun County 2019 Comprehensive Plan. It will also be important to know how the curator will engage the public and offer reasonable public access to the property as required by the Code of Virginia. The curator would be required to provide a plan addressing these items in the application.

**ISSUES:** There are no known issues at this time.

**FISCAL IMPACT:** Adoption of the program should not in itself have a fiscal impact on the County. As the Program is implemented, the County would realize a fiscal benefit from assigning the rehabilitation and long-term maintenance of properties to a resident curator. However, there

may be an initial outlay of funds for any site preparation deemed necessary to prepare a property for the Resident Curator Program. Existing staff and consultant resources would be redirected to complete site evaluations, leasing, and monitoring. Site improvements and other costs may arise on a case-by-case basis depending on the lease arrangements for each property.

**ALTERNATIVES:** The Board may:

1. Adopt the Resident Curator Program Guidelines as proposed.
2. Request additional information and/or changes to the Resident Curator Program Guidelines to be presented at a future Board or Board subcommittee meeting.
3. Take no action on the proposal and direct staff on how to proceed.

**DRAFT MOTIONS:**

1. I move that the Board of Supervisors adopt the Resident Curator Program Guidelines provided as Attachment 1, direct staff to implement the Program and proceed with the identification of eligible properties as outlined in the June 1, 2021, Board of Supervisors Business Meeting Action Item.

OR

2. I move an alternate motion.

**ATTACHMENT:**

1. Resident Curator Program-Draft



**LOUDOUN COUNTY  
DEPARTMENT of GENERAL  
SERVICES**

**RESIDENT CURATOR PROGRAM**

PROGRAM INFORMATION,  
SCOPE AND PARAMETERS

**Loudoun County Resident Curator Program  
Program Information, Scope and Parameters**

# General Services Staff

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# Resident Curator Program Development Project Team Members **Staff Work Team**

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Wahaj Memon, Senior Assistant County Attorney, County Attorney's Office

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## **Community Technical Advisory Committee**

Loudoun County Heritage Commission

Loudoun County Historic District Review Committee

**Loudoun County Resident Curator Program  
Program Information, Scope and Parameters**

**Loudoun County Resident Curator  
Program**

Program Information, Scope and Parameters

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Revised 5/27/2021.

# Loudoun County Resident Curator Program

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# Resident Curator Program Introduction

## Background

### Virginia Code Establishing Resident Curator Programs

In January 2011, the General Assembly amended Virginia Code Ann. § 15.2-2306 authorizing localities to develop resident curator programs. The Code enables localities to create, by ordinance, “a resident curator program such that private entities through lease or other contract may be engaged to manage, preserve, maintain, or operate, including the option to reside in, any such historic area, property, lands, or estate owned or leased by the locality.” Additionally, the curator is required to provide reasonable public access consistent with the historic property’s nature and use.

### Loudoun County Resident Curator Program Ordinance

The Board of Supervisors adopted the Resident Curator Program Ordinance in 2021. This program, designed to preserve and maintain historic properties owned or leased by the County, will lease historic properties to individuals or businesses, requiring that resident curators maintain and improve the leased properties according to the [Secretary of the Interior’s Standards for the Treatment of Historic Properties](#), 36 CFR Part 68 (2013), as amended..

## Resident Curator Program Stated Goal and Objective

The objective of the Loudoun County Resident Curator Program (RCP) is the preservation of historic buildings within the county. The end goal is to rehabilitate and maintain underutilized historic properties and provide periodic public access to appreciate the historical significance of the properties. Public access requirements shall be evaluated on a case-by-case basis and should be consistent with the property’s nature and use.

The RCP is designed to preserve historic properties by offering long-term leases to qualified tenants who agree to rehabilitate and maintain these historic resources in accordance with established preservation standards. A curator can be a private citizen, a non-profit entity, or a for-profit entity.

Any proposed rehabilitation of these sites must meet the [Secretary of the Interior’s Standards for Rehabilitation](#) and the curator must provide reasonable public access to the property. In return, curators pay no rent, providing they continue to fulfill their contractual obligations. Curators are responsible for upkeep, property maintenance expenses, utilities, and county property taxes.



## **Summary of the Resident Curator Program**

By definition, the RCP enables an individual, a group of individuals, or an organization, to serve as the curator of a property. Loudoun County's RCP is intended to reduce the public costs associated with the care and preservation of the properties by enabling groups or individuals to take over the responsibility. In addition to caring for the day-to-day management of the property, the curators are responsible for the rehabilitation and continued maintenance of the property. Properties that are included in the RCP have been deemed historically significant and either meet the County's established criteria of eligibility for curation and/or also may meet the National Historic Register criteria.

## **Resident Curator Program Overview – Rehabilitate, Reuse and Maintain**

The Loudoun County RCP allows the county to address underutilized publicly owned historic properties by entering a long-term lease with qualified tenants who agree to rehabilitate, maintain, and provide upkeep of the property in accordance with the Secretary of the Interior's Standards for the Treatment of Historic Properties.

The RCP arose to address historically significant structures that may be deteriorating on public land. Public/private partnerships created through RCPs in other jurisdictions have provided a successful stewardship solution for these important cultural resources.

A resident curator is a contractual agreement between Loudoun County and the curator, where the curator agrees to provide the service of rehabilitation and on-going maintenance of a property in exchange for the long-term occupation of the property. A curator can be a private citizen, a non-profit entity, or a for-profit entity. The proposed rehabilitation must meet the Secretary of the Interior's Standards for the Treatment of Historic Properties, and the Curator must provide "reasonable public access" to the property.

## **Determining the Length of the Curator Lease**

A gross annual fair market rental amount will be established through a third-party appraisal.

The curator's annual estimated costs to manage and maintain the property will then be deducted from the gross annual fair market rental amount, to determine the curator's net annual rental obligation. The total estimated rehabilitation expenses will be divided by the net annual rental obligation to determine the length of the lease. In most cases, curators will accrue much of the rent obligation for the term through the costs of rehabilitation. If the curator fulfills the rental obligations established in this paragraph and where the cost of rehabilitation exceeds the cash rent amount, no cash rent will be collected during the base lease term, providing the curator continues to fulfill the obligations under the lease. As part of the lease negotiations, a reduction in fair market rental value obligation may be considered during the rehabilitation phase if the property is not habitable (e.g., nonfunctional kitchen, bathroom, or utilities) until the curator is able to obtain a Residential Use Permit or Non-Residential Use Permit.

Once the rehabilitation of the property is complete, the curator can remain on the property for the length of the lease terms without paying any rent, provided that they are meeting their contractual obligations, including managing, and maintaining the property. The curators are responsible for the management, maintenance, and general upkeep of the property for the lease term. They are also responsible for all utilities and county property taxes.

# Purpose of the Curator Application

The purpose of the curator application is to identify and select a curator who:

- Demonstrates a commitment to the rehabilitation, management and maintenance of the historic property and its associated structures and surrounding landscape, in accordance with the Secretary of the Interior's Standards for the Treatment of Historic Properties.
- Proposes a use compatible with the historic nature of the resource, the general management plan for the property, and the mission of the Heritage Commission consistent with the County's Heritage Preservation Plan and Comprehensive Plan.
- Demonstrates the required resources and skills to ensure the long-term preservation of the property.
- Demonstrates a sensitivity and responsiveness to the public nature and public availability of access to the property.

# Criminal Background Checks

A criminal background check may be requested at the time of application review.

# Credit Reports

A credit report may be requested at the time of application review.

# Restrictions on Property Access

While many of these structures are located on public property, most of the buildings are not open to the public at this time. **Do not enter the interior of these structures without authorization, and assistance from the Loudoun County Department of General Services.**

# Accuracy of Information

The Loudoun County Department of General Services (DGS) makes no express or implied representations or warranties as to the accuracy and/or completeness of any of the information provided. The information provided is subject to errors, omissions, change of cost, lease or conditions, additional changes in and different interpretations of laws and regulations, prior sale, lease, or financing.

# Freedom of Information Act

The Virginia Freedom of Information Act (FOIA) provides that, with some specific exemptions and exceptions, all public records are open for public inspection. All public records are presumed open unless an exemption is properly invoked. Once submitted, the information an applicant or interested party gives to the Resident Curator Program becomes a public record and is therefore subject to FOIA. For more details about FOIA, visit <https://www.loudoun.gov/973/Your-Rights-Loudouns-Responsibilities> or <https://law.lis.virginia.gov/vacodepopularnames/virginia-freedom-of-information-act/>.

# State and Federal Rehabilitation Tax Credits

Curators seeking rehabilitation tax credits should do so as early in the process as possible. The applicant is asked to advise the county and DGS of any tax credit application or any anticipated application to better understand the context of a particular proposal(s). Information on State and Federal tax credits can be obtained from:

## **Virginia Department of Historic Resources**

2801 Kensington Ave.  
Richmond, VA 23221  
Telephone: 804.367.2323  
<http://www.dhr.virginia.gov/>

## **Heritage Preservation Services**

National Park Service  
1201 "Eye" Street, NW (2255)  
Washington, DC 20005  
Telephone: 202.513.7270  
[http://www.cr.nps.gov/hps/tps/tax/NPS\\_HPS-info@nps.gov](http://www.cr.nps.gov/hps/tps/tax/NPS_HPS-info@nps.gov)

# Responsibilities of Curator and County

## **County Responsibilities**

### **Programmatic Responsibilities**

- Staff for program administration - including Project Launch Manager and Project Launch Work Team and permanent Program Manager and Program Selection/Work Team.
- Identification of properties which meet the criteria for the RCP.
- Prepare Determination of Eligibility form for County inventory for Historic Sites and /or Heritage Register.
- Coordinate marketing the RCP and individual properties.

- Determination of minimum investment requirement if Condition Assessment/Treatment Plan is not used (as defined below in next section).
- Determination of acceptable proposed uses.
- Coordination with the Commissioner of Revenue for determining Property Tax Assessment.
- Develop criteria and process for evaluating rehabilitation proposals and curator's skills, ability, and proposers' financial capacity to execute work plan and maintain property.
- Provide authorship, monitoring and enforcement of lease agreements.

### **Property Requirements and Obligations**

- Historic Structure Report - to be completed for the properties which are selected to be advertised for proposal. This includes but not limited to:
  - Building Conditions Assessment.
  - Treatment Plan for rehabilitation to determine minimal mandatory improvements as well as basis for curator's estimated potential financial investment.
- Property appraisals to determine Fair Market Rental Value.
- Survey and delineate boundaries.
- Maintaining property insurance on the structure.
- Monitoring of rehabilitation project – Terms of access for monitoring both rehab project and property will be spelled out in lease.
- On-going monitoring and annual inspection of property conditions once rehabilitation is complete.
- Other potential obligations as agreed to in lease.

## **Curator Responsibilities**

### **Rehabilitation Plan**

- Submit and follow work plan for historic rehabilitation of property which meets the Secretary of the Interior's Standards for the Treatment of Historic Properties.
- Submit plans for Historic District Review Committee (HDRC), and/or the Heritage Commission, as required by the County's zoning ordinance.

- Meet minimum investment requirements as determined by Treatment Plan or other method of determination.
- Adhere to work plan timeline and conduct work within the agreed upon schedule.
- Obtain and pay for any, and all building permits, and any other necessary permits and bonds.
- Ensure that all contractors and subcontractors be properly licensed, bonded, and insured.
- Maintain records and photo documentation throughout the rehabilitation of the property.

### **Tax Credits (if applicable)**

- Prepare Historic Certification Application to qualify for Historic Tax Credits for those properties not already individually listed on the state or federal historic registers.
- Fulfill State requirements of documentation and submittals if seeking Historic Rehabilitation Tax Credits.

### **Insurance**

- Maintain Renter's Insurance Policy and additional Liability Coverage.
- All contractors engaged by the curator must be licensed to do the work, obtain appropriate permits and carry:
  - Builder's Risk Insurance for the full value of the project for work which will require the structure be vacated during the project (or)
  - Installation Floater for the full value of the project for work which will not require the structure be vacated during the project.

### **Ongoing Occupancy and Maintenance Obligations**

- Pay ongoing utilities, such as gas, water, electric, etc.
- Repair, maintenance and replacement of all appliances and major systems of the property including plumbing, electrical, and HVAC.
- Conduct all future maintenance and repairs to the property in accordance with the Secretary of the Interior's Standards for the Treatment of Historic Properties.
- Seek approval from Program Manager before undertaking repairs or maintenance outside the original approved scope of work.
- Submit yearly accounts of all expenses associate with the rehabilitation and ongoing maintenance of the property.

- Pay County Real Estate taxes, (pro-rated based on term of lease).
- General grounds-keeping including mowing grass, trimming bushes and trees, etc.
- Snow removal.
- Curator must continually occupy the structure once rehabilitation is complete and notify Program Manager if property is going to be vacant for more than 72 hours.
- Other potential duties as agreed to in lease.

### **Public Benefit**

- Provide “reasonable public access consistent with the historic property’s nature and use”.
- Curator must expect a certain level of interaction with the public while living in a county property. However, DGS understands the need to balance the rights of public to access and the rights of the curator to privacy.

### **Prohibitions**

- Curator may not dig on the property for any reason without seeking authorization and receiving approval from DGS.
- Curator is prohibited from the surface collection of artifacts and/or excavation of artifacts on property.
- Curator is bound by all laws protecting against the exhumation of human remains, and the collection of artifacts on historic properties.

## **Either County or Curator Responsibility**

(To be negotiated with curator on a case-by-case basis)

- If applicable, Curator will be responsible for fees associated with applications for rezoning, special exception, or special permits necessary to modify the permitted use of the property.
- Evaluation of existing septic system where sewer is unavailable.
- Costs associated with the installation of, or repairs to, septic system.
- Evaluation of well water condition if public water is unavailable.
- Capping off old wells, where necessary.
- Drilling of new well, if necessary.
- Hook up to utilities: public water or well; sewer or septic; electric; and gas.
- HAZMAT Report.

- Hazardous material abatement(s).
- Preparation of County Inventory of Historic Sites nomination if not already completed.
- National Register Nomination, Cultural Landscape Report, or other professional report that would add to the knowledge and/or recognition of the structure, its history, and surroundings.
- Improved road access, if necessitated by proposed use.
- Archaeological study, when necessary.

## Application Review and Extension Process

All applications shall be due 60 calendar days from the time the application package is posted to DGS Resident Curator Program's web page. Review of applications will begin upon expiration of the due date. Therefore, applicants are strongly advised to submit their applications on time to ensure consideration by the County and DGS.

If no applications are received by the due date, the application deadline will be extended in 30 calendar day increments and the property may be re-advertised through established channels.

All applications will undergo an initial administrative review for completeness. If, upon expiration of the due date, DGS has received one or more incomplete applications, those applicant/s will be contacted to assess the cause and nature for the delay. DGS will determine a reasonable length of time for the applicant to furnish the missing information. If, the applicant fails to complete the application in the allotted timeframe, the selection process, or the re- advertisement process (whichever is appropriate) will proceed.

If at the time of the expiration of the due date DGS has received an application, the application will be reviewed for completeness. If the application is found to be complete, the financial review process will commence, independent of other applications received.

## Application Review and



# Evaluation Team

DGS will convene an Evaluation Team composed of staff and members of existing County commissions, boards or authorities, whose expertise qualifies them to provide advice to the County Administrator or his designee. This Evaluation Team will review all proposals and make recommendations to the County Administrator or his designee about which proposals to accept. The composition of the Evaluation Team will vary, depending on the characteristics of the property under consideration and the nature of the proposals received.

The Evaluation Team may be composed of the following participants, their successors, or designees:

1. DGS Resident Curator Program Manager (Evaluation Team Lead)
2. A representative from Loudoun County Commissioner of Revenue Office.
3. A representative from Loudoun County Department of Planning & Zoning
4. A historical architect or person with historic architectural knowledge
5. A representative from relevant County board Historic District Review Committee (HDRC), and/or Heritage commission (HC).

In addition, the Evaluation Team may consult with subject matter experts, whose professional knowledge and expertise will enhance the selection process, as determined by the individual property's unique qualities and characteristics. Subject matter experts may include:

- DGS Site Project Manager, where applicable
- Loudoun County Historic Preservation Planner
- Loudoun County Archaeologist
- Office of the County Attorney
- Loudoun County Department of Finance
- Loudoun County Historic District Review Committee (HRDC) Board
- Department of Public Works and Environmental Standards
- DGS Facilities Maintenance Division Manager or Loudoun County Facilities Management Department
- Virginia Department of Historic Resources

# Criteria for Evaluation

At a minimum, the following criteria will be used in evaluating all proposals:

## **1. Proposed Reuse**

- Provides for long term preservation of the property.
- Compatible with DPZ and Heritage Commission's mission and general management plan for the property.
- Compatible with the surrounding neighborhoods.
- Compatible with the historic value of the property.
- Compatible with the preservation of the surrounding environment.

## **2. Scope and Nature of Public Benefit and Public Access Element**

- Quality of projects / programs / services that offer a benefit to the property and its users.

## **3. Rehabilitation Plan**

- Feasibility of rehabilitation plan goals and timetables.
- Compatibility of rehabilitation plan with treatment plan.
- Proposed lease term consistent with proposed reuse and rehabilitation plan.
- Consideration of environmentally sustainable building technology and practices.
- Consideration of accessibility issues (if applicable).

## **4. Experience and Qualifications**

- Experience and qualifications to undertake, implement and manage the rehabilitation, reuse, and maintenance of the property.
- Specialized skills in historic preservation projects.

- Examples of pertinent previous work.

## **5. Overall Proposal Presentation and Organization**

- Meets goals and guidelines of this Invitation to Submit Proposal in a clear and well- organized manner.

## **6. Public Response**

- Public input on proposal(s)

# Inspection Process and Accountability Measures for Curator

## **Work Plan with General Schedule**

The curator proposes and agrees to complete the rehabilitation work as set out in the work plan, and to finish the project within the established timeframe, targeting five (5) years from the commencement of initializing the rehabilitation phase to completion, in accordance with and as determined by the work plan and general schedule submitted by the curator and approved by DGS.

## **Monitoring the Property: Rehabilitation and Maintenance Phases**

The Program Manager will monitor the property throughout the rehabilitation phase on a schedule correlating to the general schedule submitted by the curator and approved by Loudoun County DGS, and/or Loudoun County Department of Parks, Recreation, and Community Services. Once the rehabilitation phase is complete, the maintenance phase will begin and the program manager will transition to no less than annual inspections, thereafter. The program manager will determine necessary frequency of inspections for each property during the rehabilitation phase.

## **Monitoring during the Rehabilitation Phase**

## **includes the following steps:**

1. Routine site visits by the Program Manager and/or other Loudoun County representatives from the Departments of, General Services (DGS), Parks, Recreation & Community Services (PRCS) Planning & Zoning, or Building and Development to ensure that:
  - curator obtained the required permits.
  - safety provisions and signage are in place.
  
  - work is being completed as specified in the work plan submitted by the curator and approved by DGS, and/or PRCS.
  - work is meeting the approved schedule as outlined in the general schedule submitted by curator and approved by DGS.
2. Regular communication (via telephone and/or email) between curator and program manager.
3. Review of modifications to the general schedule if necessary (with an understanding that unforeseen conditions arise).

## **Amending the Work Plan or General Schedule**

The curator may not commence any work unless said work is done in compliance with the terms of the governing lease, executed on behalf of the Loudoun County Board of Supervisors in consultation with Loudoun County General Services, and/or Parks Recreation and Community Services.

The curator will submit any proposed changes to the approved work plan or general schedule to the program manager. The proposed changes will be reviewed by the program manager in consultation with pertinent DGS or county staff. DGS has thirty days from the receipt of the proposed project alteration notification to review and accept, accept with conditions, or reject proposed changes, and notify the curator of their decision.

## **Photo Documentation of Rehabilitation Project**

Photo documentation is required throughout the rehabilitation phase. If the curator is applying for Virginia or Federal Rehabilitation Tax Credits, they should consult with Virginia Department of Historic Resources for specific State and Federal requirements for photo documentation of rehabilitation.

The Resident Curator Program requirements for photo documentation are:

- Photographs must be 35 mm, or digital with an image resolution of at least 300 dpi or higher.
- Photographs must be submitted individually, sized at 4x6 inches, and printed on photo stock paper, glossy or matte (digital photos may be submitted in an agreed upon form of electronic media at the required resolution)
- Photographs should not be mounted, sleeved, or bound in any fashion.
- Photographs should clearly show areas or features being documented. Do not submit blurry, out of focus, over or under exposed photographs.
- Pre-rehabilitation photographs should provide enough information to give a visual representation of the building and its elements and character defining features prior to work commencing, including, but not limited to:
  - All exposed building elevations
  - Two photos per room, oriented corner to corner from opposite corners
  - Features being impacted by the rehabilitation work such as masonry, plaster, windows, doors, trim and other millwork, stairs, ceiling, fireplaces, and flooring, etc.
- Photographs must be keyed to a floor plan, the photo number must be labeled on the floor plan drawing, and the photographs themselves must be labeled respectively with the corresponding information on their back, or in a photo log if submitting digitally.
- Post-rehabilitation photographs should be of and from the same locations for comparative purposes.
- Photographs throughout the rehabilitation phase could be used for public outreach and program promotional purposes.

## Permits and Inspections

DGS and/or PRCS reserves the right to inspect any, and all work performed under the curatorship agreement. All plans must be submitted to Loudoun County Department of Building and Development as well as Loudoun County Department of Public Works (DPW) and be properly permitted. Completed work must be reviewed and approved by appropriate county inspectors, including Department of Public Works, Department of Health for wells and septic fields, Water Authority for public water taps, if applicable, and the Fire Marshall. The curator is also responsible for compliance with any, and all state, local or federal regulations. Some curator properties may be located within Historic Overlay Districts (HOD) and are subject the Loudoun County Zoning Ordinance, which can be found here:

<https://www.loudoun.gov/DocumentCenter/Home/Index/1524>.

# Completion of the Rehabilitation Phase

The work shall be considered complete when:

- Work specified in work plan is completed in compliance with the general schedule, including complete installation of all structural and mechanical elements, fixtures, life safety systems, decorations, and landscaping (subject to climactic conditions);
- Construction debris and refuse resulting from demolition and construction of the Improvements have been properly and lawfully removed and disposed of;
- All permits, certificates, inspections, and approvals, necessary for the lawful use and occupancy of the property, such as a Residential Use Permit, have been satisfactorily obtained; and
- The County's Program Manager has reviewed above referenced items and determined that the work plan has been completed, per the terms of the lease agreement.

## Reporting and Accounting

The curator's contribution will be in the form of both payment for materials and services purchased by him or her, and his or her time and labor, or "sweat equity," in the rehabilitation and on-going maintenance of the property. Within ninety (90) days after the end of the first year of the term, and annually thereafter, the curator shall submit to the program manager an annual report, in a mutually agreed upon format, summarizing:

- a. The progress and status of the DGS Resident Curator Program at the property for the curatorship's then-ended fiscal year.
- b. The annual report shall demonstrate to the program manager reasonable satisfaction that curator is rehabilitating, reusing, and maintaining the property in compliance with the Enabling Legislation and the terms of the lease.
- c. Such annual report shall also note the nature and dates for any public and community activities at the property, and the approximate number of visitors participating in each event.
- d. Each annual report must contain a financial statement accounting for all work completed in the work plan to date, the value of any maintenance expenditures above and beyond those outlined in the work plan, as well as operating and management expenditures for the year.

The program manager shall forward to the curator written confirmation of the receipt of

curator's annual report. All reports, financial statements, analyses, and other documentation provided by curator shall be subject to verification and audit by DGS and/or any other agency of the county or a contractor of DGS for review and comment.

## **Monitoring the Property during the Maintenance Phase**

- Upon completion of the rehabilitation phase, the curator shall continue to repair and maintain the property, including the curatorship structures and grounds, as necessary on a continuous basis during the term of the lease. These services will be provided by the curator and will be performed continuously while the lease is in effect.
- Each year the program manager and/or other DGS, representatives, and/or PRCS representatives will inspect the property with the curator. Using the maintenance guidelines and checklist, the Program Manager and/or other PRCS representative will evaluate the condition of the property and the maintenance performance of the curator. The curator should inspect the property periodically to ensure that the maintenance guidelines are being met prior to the annual inspection.

The curator will be given a copy of the completed Maintenance Guidelines and Checklist. If the program manager finds maintenance deficiencies, the curator will be notified and given a timeline to address and rectify the deficiencies found.