



CHADWICK
WASHINGTON
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ELMORE &
BUNN P.C.

Community Association Legal Webinar – 2025

June 23, 2025 Session - Topics:

2025 Virginia Legislative Update

Oil Change: Annual Association Check-Up

Q&A



Community Association Legal Webinar - 2025

Introductions & Welcome

Michael Gartner, Esq.

Legal Disclaimer

This information is not intended to be legal advice. Legal advice must be tailored to the specific facts and circumstances of each case and each association's governing documents.

Every effort has been made to ensure this information is up-to-date. However, it is not intended to be a full and exhaustive explanation of the law in any area, nor should it be used to replace the individualized advice of your legal counsel.



Community Association Legal Webinar - 2025



2025 VIRGINIA LEGISLATIVE UPDATE

Presented by Tiago Bezerra, Esq.

General Assembly – 2025 Session

Overview

- Divided General Assembly and Governor

- House of Delegates: Democrat-controlled
- Senate: Democrat-controlled
- Executive Branch: Republican-controlled

- Regular Session

- Short Session: 46 days
- Convened January 8, 2025
- Adjourned *sine die* February 22, 2025
- Veto Session April 2, 2025

General Assembly – 2025 Session Overview

• Legislation Statistics

- 2,364 bills introduced/continued (plus 580 resolutions)
- 917 bills passed both the House and Senate
- 157 bills vetoed by Governor
- 159 bills amended by Governor
- 599 bills signed by Governor

• CIC Legislation

- 4 bills adopted (plus some budget money)



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Bills That Passed



SB 808/HB 1704

***Resale Certificate must advise
that an owner may be
responsible for the insurance
deductible***



HB 2110

***Association cannot require
purchaser's name before preparing
resale certificate***



@SJWickham

HB 2750

CIC Manager shall transfer and release all funds and bank accounts within a reasonable time

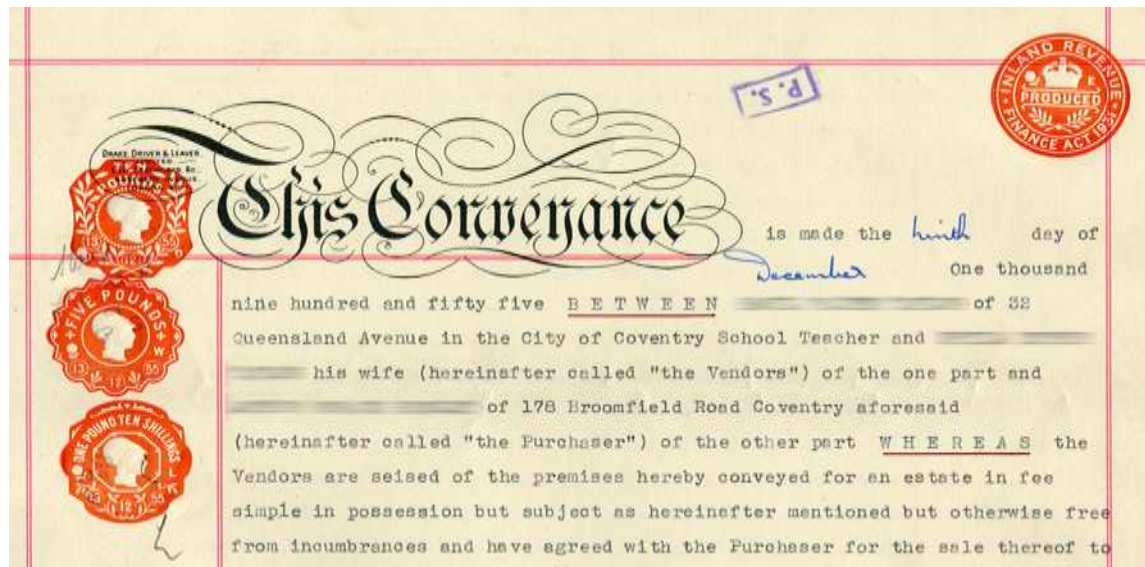


HB 2000/SB 857
Dam Safety Act



HB 1690

Clarifies the documents to be provided to a landowner in an eminent domain proceeding



HB 2362

The sale of property for failure to pay taxes requires lienholders be named defendants



SB 1291

***Increases the jurisdictional limit in
General District Court from \$25,000
to \$50,000***



*The “off season” -
What could be coming
in the next session...*



VIRGINIA HOUSING COMMISSION

Conservation Landscaping



HAM RADIO

Protect amateur radio operators' rights within common interest communities.

Prohibit associations from restricting installation upon shared roofing structures, patios, balconies, and other areas owned or controlled by owners unless expressly prohibited in the recorded documents.



Bingo!!!
(If you're old enough)



DEVELOPER TRANSITION?





Community Association Legal Webinar - 2025

**Oil Change:
Association Annual Check-Up**
Presented by Brad Barna, Esq.



Change the Oil...

**Check the
Sparkplugs ...**

**Community
Associations'
Annual Check Up**

License & Registration, Please





2019 ANNUAL REPORT
COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION



1. CORPORATION NAME:

[Redacted]

DUE DATE: [Redacted]

2. VA REGISTERED AGENT NAME AND OFFICE ADDRESS: ATTY.

ALLEN B WARREN
CHADWICK WASHINGTON ET AL
3201 JERMAINTOWN RD STE 600
FAIRFAX, VA 22030

SCC ID NO: [Redacted]

5. TOTAL NUMBER OF AUTHORIZED SHARES:

3. CITY OR COUNTY OF VA REGISTERED OFFICE:

129-FAIRFAX COUNTY

4. STATE OR COUNTRY OF INCORPORATION:

VA-VIRGINIA

DO NOT ATTEMPT TO ALTER THE INFORMATION ABOVE. Carefully read the enclosed instructions. Type or print in black only.

6. PRINCIPAL OFFICE ADDRESS:

<input checked="" type="checkbox"/> Mark this box if address shown below is correct.	If the block to the left is blank or contains incorrect data please add or correct the address below.
ADDRESS: [Redacted]	ADDRESS:
CITY/ST/ZIP: ARLINGTON, VA 22203	CITY/ST/ZIP:

7. DIRECTORS AND PRINCIPAL OFFICERS:

All directors and principal officers must be listed.
An individual may be designated as both a director and an officer.



Mark appropriate box unless area below is blank: <input checked="" type="checkbox"/> Information is correct <input type="checkbox"/> Information is incorrect <input type="checkbox"/> Delete information	If the block to the left is blank or contains incorrect data, please mark appropriate box and enter information below: <input type="checkbox"/> Correction <input type="checkbox"/> Addition <input type="checkbox"/> Replacement
OFFICER <input checked="" type="checkbox"/> DIRECTOR <input checked="" type="checkbox"/>	OFFICER <input type="checkbox"/> DIRECTOR <input type="checkbox"/>
NAME: [Redacted]	NAME:
TITLE: PRESIDENT	TITLE:
ADDRESS: [Redacted]	ADDRESS:
CITY/ST/ZIP: ARLINGTON, VA 22203	CITY/ST/ZIP:

I affirm that the information contained in this report is accurate and complete as of the date below.

[Redacted Signature]

SIGNATURE OF DIRECTOR/OFFICER LISTED IN THIS REPORT

PRINTED NAME AND CORPORATE TITLE

DATE

State Corporation Commission

Annual Report & Fee (for incorporated associations)

Common Interest Community Board (CICB) Annual Renewal Report

Commonwealth of Virginia
 Department of Professional and Occupational Regulation
 9060 Mayland Drive, Suite 400
 Richmond, Virginia 23233-1485
 (804) 367-8510
www.dpor.virginia.gov



Common Interest Community Board COMMON INTEREST COMMUNITY ASSOCIATION REGISTRATION APPLICATION

A check or money order payable to the TREASURER OF VIRGINIA, or a completed **credit card insert** must be mailed with your application package. APPLICATION FEES ARE NOT REFUNDABLE.

Number of Units/Lots	X	Fee
1 - 50	<input type="checkbox"/>	\$ 45
51 - 100	<input type="checkbox"/>	\$ 65
101 - 200	<input type="checkbox"/>	\$ 100
201 - 500	<input type="checkbox"/>	\$ 135
501 - 1000	<input type="checkbox"/>	\$ 145
1001 - 5000	<input type="checkbox"/>	\$ 165
5001+	<input type="checkbox"/>	\$ 180
Application Fee		
Recovery Fund		+ 25
TOTAL FEES		\$

1. Has this association previously filed an application with the Virginia Common Interest Community Board?
 No
 Yes if yes, enter the registration number:

2. Full Name of Association _____

3. Name of Subdivision/Community (if different from #2) _____

4. Association's Federal Tax Identification Number (EIN) - Number used when filing taxes or banking.
Federal Employer Identification Number (12-3456789)

5. Name of Contact Person (to receive Board correspondence or behalf of the association) _____

6. Contact Person's Mailing Address _____

 City State Zip Code

7. Contact Numbers _____
Primary Telephone Alternate Telephone Fax

8. Contact Person's Email Address _____
The name and mailing address of the Contact Person will appear on the certificate of filing issued by the Board.

Association Information

9. Type of Association
 Property Owners Condominium Unit Owners Proprietary Lessees' (Cooperative)

ASSOCIATION NAME	1020	0550
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 07/01/2020

CIC BOARD ASSOC REG APP
 Page 1 of 2

10. Is the Association incorporated? No Yes
if yes, enter the State Corporation Commission No: _____

11. Declaration Recorded (MM-YY) _____ City/County where Declaration Recorded _____

12. Total Number of Units/Lots _____ Zip Code of Association _____

13. Is the Association under Declarant Control? Yes No
If no, state association transferred to owners: _____

14. Website Address of Association (if available) _____

15. Indicate how the community association is managed.
 Self-managed (i.e., resident, volunteer, etc.)
 Managed by an employee of the association
 Under contract with a common interest community manager If under contract, provide the following information:

Name of Management Company _____

Common Interest Community Manager License Number

Website Address of Management Company (if available) _____

16. In accordance with § 54.1-2354.4(A) of the Code of Virginia and the Common Interest Community Ombudsman Regulations 18 VAC 48-70-30 and 18 VAC 48-70-40, do you certify on behalf of the association that an association complaint procedure has been or will be established and adopted by the governing board within 90 days of this filing? **Note:** Any association that has been delinquent in registering and filing annual reports must have an association complaint procedure established and adopted by the governing board at the time of this filing.

Yes
 No

17. I, the undersigned representative or authorized agent for the association, certify that the foregoing statements and answers are true and I have not suppressed any information that might affect the Board's decision to accept this application. I certify that I have read, understood and complied with all the laws of Virginia under the applicable provisions of Title 54.1, Chapter 23.3, and Title 55.1, Chapter 18, Chapter 19, Chapter 21 of the Code of Virginia and all related Virginia Common Interest Community Regulations.

Signature of Representative _____

Printed Name of Representative _____

Representative's Title _____ Date _____

MEMBERS OF CURRENT BOARD OF DIRECTORS & OFFICERS

(If more space is needed, attach additional sheets of paper with the certificate number)
 Associations shall notify the Board office, in writing, within 30 days of any change of address, change of members of the governing board and any other changes in the information that was reported on the association's previous annual report filing.

Name	Title	Address

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 07/01/2020

CIC BOARD ASSOC REG APP
 Page 2 of 2



Rotate the Tires: Annual Meeting & Elections

Annual Meeting & Elections

- **Annual meetings – or an attempt at them – are required**
 - **Confirm proper procedures (notice, quorum, proxies, voting eligibility, virtual ok?)**
- **Elect Directors – be familiar with**
 - **Term lengths**
 - **Eligibility Requirements**
 - **Number of Directors / number of vacancies**
 - **Any required nomination process?**
- **Appoint Officers each year**



Read the Manual: Board Education

Board Education & Training

Boards Should:

- **Familiarize themselves with generally applicable laws, governing documents, rules/regulations**
- **Recommend annual board training for new directors / officers**
- **Attend education sessions / seminars**
- **Utilize online resources to educate on CIC industry standards**



Check for Recalls: Impact of New Laws

Impact of New Laws

- **Year-to-year the laws may change and impact Association operations**
- **Attend seminars /education sessions regarding new laws**
- **Confer with legal counsel regarding any questions about application of new laws**



Change the Oil: Contracts & Vendors

Contracts & Vendors

Evaluate the status of your contracts and vendors

- What contracts have rolled over?**
- What contracts are expiring?**
 - Does the Association wish to renew?**
 - If not, is there a notice of non-renewal provision**
- Any contracts that need to go out to bid?**
- Any contracts no longer necessary?**
- Any vendors who aren't getting the job done?**



Scheduled Service: Reserve Studies & Budgets

Reserve Studies & Budgets

- **Reserves**
 - **Is it time for a reserve study? Required at least every 5 years under Condo/POA Acts.**
 - **Plan ahead and identify providers**
 - **Confirm adequate reserves / adjust as needed**
 - **Any maintenance projects advisable to delay replacement?**
- **Budgeting**
 - **Increase in budget/annual assessment?**
 - **Increase in maximum assessment even if no increase in actual assessment?**
 - **Who approves budget?**
- **Investing – review investments annually with professional**



Selling: Resale Certificate Update

Resale Certificate

- **Resale Certificate should be updated frequently with the most recent balance statement, minutes, rules, etc.**
- **But an annual review to confirm is appropriate to ensure proper inclusions and statements. Update:**
 - **Assessment schedule**
 - **Approved capital expenditures**
 - **Reserves statements/study**
 - **Annual budget**
 - **Insurance information**



Insurance
Card:
... Renew
Your
Insurance

... Renew Your Insurance

- **Ensure that all required insurance policies are in place and renewed**
 - **Take swift action for any cancellation**
- **Are there other types of insurance that are not required but desirable?**
- **Are the policy amounts appropriate? Confer with your insurance professional.**
- **Confirm how deductible is handled – any necessary changes?**



Property Taxes: ... File Your Taxes

... File Your Taxes

- **Confer with tax professional**
- **Timely file taxes and make elections based on recommendations**
- **While you're talking to your CPA, is an annual audit required?**
 - **If so, have it conducted**
 - **If not, consider having one done, especially if significant changes**



Smooth(er) Ride

Smoother Riding

- **Renew Registrations**
- **Hold Elections & Get Educated (including new laws)**
- **Review contracts**
- **Review reserves, budgeting, and investments**
- **Review and update insurance with expert**
- **Update Resale Disclosure statements/documents**
- **File/pay association taxes**



ANY QUESTIONS?

. . . Time for breakout sessions