

**FAIRFIELD HOUSE CONDOMINIUM  
UNIT OWNERS ASSOCIATION  
POLICY RESOLUTION NO. 2011-\_\_1\_\_**

(Rules and Regulations Regarding Pets)

**WHEREAS**, Article XI, Section 1(h) of the Bylaws permits unit owners to keep small, orderly domestic pets not to exceed one cat or dog and one bird per unit without the prior written approval of the Board, subject to the rules and regulations adopted by the Board; and

**WHEREAS**, for the health, safety, and general welfare of all owners and residents, the Board wishes to establish new rules and regulations for the keeping of pets permitted under Article XI, Section 1(h) of the Bylaws;

**NOW, THEREFORE, BE IT RESOLVED THAT** the Board adopts the following regulations and policy:

**I. PERMISSIBLE PETS**

The term "small, orderly domestic pet" means domesticated dogs or cats, caged birds, and creatures normally maintained in a cage or aquarium designed for household use and appropriate for condominium living.

The term "small, orderly domestic pet" in regards to dogs is defined as not to exceed 40 pounds at full maturity.

Residents may keep a) one dog or cat and b) one bird within their unit. Any resident who wants to harbor more dogs, cats, or birds than permitted under the Bylaws must seek the prior written approval of the Board as detailed in section II below.

Furthermore, residents may keep creatures normally maintained in a cage or aquarium designed for household use without seeking prior approval of the Board. The Board will not establish a specific number of such creatures that are permitted. The number of such creatures must be reasonable for condominium living. The Board will make a determination on this issue only when a member files a complaint with the Board. The creatures covered by this paragraph include hamsters, gerbils, rabbits, mice, fish, and other such creatures normally sold at pet stores. This list is not meant to be exhaustive.

The term "small, orderly domestic pet" does not include snakes, spiders, felines other than domesticated cats, canines other than domesticated dogs, rodents (unless of a class normally sold at a pet store), or other types of creatures not typically found in a condominium. These types of creatures are not allowed in the condominium without the prior written approval of the Board of Directors; however, such requests are highly disfavored. Residents who want to keep such a creature as a pet in their unit must seek the prior written approval of the Board as detailed in section II below.

## II. REGISTRATION PROCESS

A. Any resident who owns a pet as of the date this Policy Resolution is adopted by the Board is exempt from this Policy, provided that that a) the resident submits a completed Pet Registration Form with accompanying picture of the pet(s), b) pays a "Pet Fee" of \$25.00 per cat, and \$100 per dog, and c) the pet is not the subject of any outstanding complaints.

**Registration Forms and payment must be submitted by September 30, 2011.**

- i. In the circumstance an owner or resident is keeping more than one "small, orderly domestic pet" in compliance with Section II (A) and the pet is no longer kept at the registered residence, or no longer exists (such as the death of a pet) the additional pet may not be replaced. In this case the grandfather exemption has expired.

B. Any resident who acquires a permissible pet after the date this policy resolution is enacted must register the pet by submitting the Pet Registration form with accompanying picture of the pet(s) and the "Pet Fee" of \$25.00 per cat, or \$100 per dog within thirty (30) days of acquiring the pet.

C. Any resident that seeks to acquire a non-compliant pet after the date this policy resolution is enacted must submit the Pet Application form for Board review in advance along with the "Pet Fee" of \$25.00 per cat, and \$100 per dog. A non-compliant pet is not allowed to be kept unless authorized in writing by the Board of Directors.

D. Any resident who owns a pet as of the date this Policy Resolution is adopted by the Board, and continues to own a pet will be required to pay an annual "Pet Fee" in the amount of \$25.00 per cat, or \$100 per dog by July 1 of every year that the pet continues to be kept at your residence at Fairfield House Condominium.

## III. APPROVAL PROCESS

A. When it is necessary to receive the written approval of the Board, the following steps shall be taken:

1. The resident must complete a Pet Application Form and submit it to the Managing Agent along with the application fee of \$25.00 per cat, and \$100 per dog. The Managing Agent will then submit the Application to the Board. If the pet is a dog or a cat, a current photograph must be attached to the application.

2. The Board will grant or deny approval after taking into consideration the information included on the Pet Application Form, including but not limited to the total number of pets that will be living in the unit and the history of the pet. The Board will provide the resident with written notification of its decision within 45 days after receiving the Pet Application Form. The Managing Agent will retain a copy of the notification in the resident's file.

B. If approval is denied, the Board will send a written notice which informs the resident of the basis for the denial. The resident will have the right to submit a request for a hearing before the Board within 15 days of being provided with the notice of the Board's initial decision. All

such request for a hearing must be submitted in writing to the Association's managing agent and must be received within the 15 day deadline.

C. Written approval needs to be obtained only one time for each pet that is subject to approval.

#### **IV. REQUIREMENTS AND RESTRICTIONS**

A. Pets must have all vaccinations required by the State of Virginia and Fairfax County. Dogs must be licensed in accordance with Fairfax County regulations.

B. Pets shall not be kept, bred, or used for any commercial purpose.

C. Pets must not be allowed to roam free or be tethered and left unattended. Pets must not be left unattended on patios or balconies.

D. Persons who walk pets are responsible for the immediate removal and proper disposal of any fecal matter left by their pets on common elements.

E. No pet shall be allowed to become a nuisance or create any unreasonable disturbance. Examples of nuisance behavior for the purposes of this paragraph include but are not limited to:

1. Pets whose unruly behavior causes injury to a person or to another animal.
2. Pets whose unruly behavior causes personal property damage.
3. Pets who make noise continuously and/or incessantly.
4. Pets who exhibit dangerous or potentially dangerous behavior.
5. Pets who are conspicuously unclean or parasite infected.

F. Residents are responsible for the pets of guests who visit their unit; such pets are subject to the same restrictions as resident pets.

G. Pet owners shall indemnify the association and hold it harmless against loss or liability of any kind arising from their pet(s).

#### **V. ENFORCEMENT**

A. Any resident who observes an infraction of any of these rules shall, to the extent possible, discuss the infraction in a neighborly fashion with the pet owner in an effort to secure voluntary compliance. If the matter cannot be resolved in this fashion, complaints must be put in writing, signed, and presented to the Managing Agent. The written complaint must document the problem as thoroughly as possible. The complaint should include the identification of the pet(s) involved, a complete description of the problem or disturbance, and the dates and times of disturbances (whenever possible) as well as a brief description of informal attempts to solve the problem or the reason why an informal attempt to solve the problem was not made. If the complaint is credible, the Managing Agent will provide the pet owner with a written notice of the complaint.

B. If possible, the Managing Agent will attempt to obtain an informal solution to the problem. If such a solution is not possible, the Managing Agent will refer the matter to the Board which may initiate enforcement action under this policy resolution and any other applicable regulations of the Association.

C. The enforcement action the Board chooses will be based on the seriousness of the nature of the violation. Such enforcement actions may include, but are not limited to: (1) assessing and collecting charges for violation(s) of these rules, (2) requiring a pet owner to muzzle and leash their pet when the pet is on common elements, and/or (3) ordering a pet owner to permanently remove a nuisance or dangerous pet from the property within ten (10) days of receipt of written notice from the Board. The resident will have a right to submit a request for an appeal before the Board within fifteen (15) days of being provided with notice of the Board's initial decision. All such request for an appeal must be submitted in writing to the Association's managing agent and must be received within the 15 day deadline.

This Resolution is **amended** this 9 day of AUGUST, 2011, by the Board of Directors and supersedes any previous Pet Policy Resolution adopted by the Fairfield House Board of Directors.


Fairfield House Condominium Unit Owners Association

By: \_\_\_\_\_

  
Avi Sahgal/President

**FOR ASSOCIATION RECORDS**

I hereby certify that a copy of the foregoing Policy Resolution Amendment was mailed and/or handdelivered to the members of the Fairfield House Condominium Unit Owners Association on this 9th day of August, 2011.

  
\_\_\_\_\_  
Community Manager

## Fairfield House Condominium Pet Registration Form

### Pet Owner Information

Attach photo of pet(s)

Name(s)		
Address		
Home Phone	Work Phone	Cell Phone
Email		
Veterinarian's Name	Veterinarian's Phone	

### Pet Information

Type/Breed	Weight (lbs)	Age	Gender	License / ID	Rabies Expiration Date

### History of Pet

Is your pet in good health? * <b>Attach copy of vaccination record to application</b>	Yes	No
Have there been any complaints about your pet at your current address?	Yes	No
Have you had to pay for any damage caused by your pet?	Yes	No
Does your pet have any behavioral problems? If yes, please explain:	Yes	No
Has your pet ever bitten or attacked a person or another animal? If yes, please explain:	Yes	No
Has your pet ever been declared "dangerous" by a court of law?	Yes	No

I HAVE READ AND I UNDERSTAND THE FAIRFIELD HOUSE CONDOMINIUM RULES AND REGULATIONS RELATED TO KEEPING PETS IN MY RESIDENCE, AND I AND MEMBERS OF MY HOUSEHOLD PROMISE TO FULLY COMPLY WITH THESE RULES AND REGULATIONS AS THEY PERTAIN TO HARBORING A PET. UNDER PENALTIES OF PERJURY, I DECLARE THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE INFORMATION ON THIS APPLICATION IS TRUE, CORRECT, AND COMPLETE.

Printed Name	Date
Signature of Owner(s)/Tenant(s)	Date
Approved by:	Date: