V I R G I N I A:

IN THE CIRCUIT COURT OF

HOMEOWNERS \*

ASSOCIATION, \*

a Virginia corporation \*

Complainant \*

vs. \* Case No.

\*

\*

Defendants \*

***BILL OF COMPLAINT TO ENFORCE LIEN***

COMES NOW the Complainant, by counsel, and in support of its Bill of Complaint to Enforce Lien states as follows:

1. Complainant is a corporation duly organized in the Commonwealth of Virginia, with its principal offices located in the County of , Virginia.

2. The defendants, , by deed recorded on , 19 in Deed Book at Page , became the record owners of County, Virginia (hereafter "subject property").

3. The defendants, by acceptance of said deed, agreed to abide by the provisions of the Deed of Dedication and Subdivision for as recorded in Deed Book at Page among the land records of County, Virginia, with said provisions stating in pertinent part that each owner by acceptance of his deed agrees to contribute to the complainant annually in such amount as shall be established by a majority of the property owners of the complainant and which shall become a lien upon the applicable estate when the owner thereof is billed. Said Deed of Dedication and Subdivision further provides in Article that should the owner fail or refuse to satisfy or discharge any lien arising hereunder, the complainant shall have the right to interest at the rate of percent ( %) per annum and to receive all costs of collection, including reasonable attorney's fees, together with liquidated damages in the sum of $ for each failure to comply with said provisions.

4. The complainant established the dues of 199 as

$ , with said dues being payable on or before , 199 .

5. Pursuant to certified letter dated , 199 the complainant duly notified the defendants that the 19 dues had not been paid, and that if said dues were not received by the complainant on or before , 199 a lien would be filed against subject property.

6. On , 199 a notice of lien for non-payment of the dues, interest and costs was recorded against subject property in Deed Book at Page among the land records of County, Virginia, with copies having been duly mailed to the defendants.

7. The complainant has filed a verified statement of account with this Complaint reflecting sums due from the defendants.

WHEREFORE, these premises considered, the complainant prays that this Court grant the following relief:

a) That it be awarded judgment against the defendants, jointly and severally, in the amount of ($ ) plus costs, interest and attorney's fees.

b) That a Commissioner in Chancery be appointed by this Court to ascertain the debt of the defendants and to enforce complainant's lien against the above described real estate.

c) That the above described real estate be sold to satisfy the claims of the complainant.

d) That this Court award such further relief as it shall consider just and proper.

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Brien A. Roche, Esq., VSB No. 16165

Johnson & Roche

8355A Greensboro Drive

McLean, Virginia 22102

*Tel.:* (703) 821-3740

*Fax:* (703) 790-9462

[brienroche@aol.com](mailto:brienroche@aol.com)

*Counsel for the Complainant*

***CERTIFICATE OF SERVICE***

I hereby certify that a true copy of the foregoing was sent this \_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_ by: \_\_\_\_\_\_\_\_ regular mail, postage pre-paid

\_\_\_\_\_\_\_\_ facsimile

\_\_\_\_\_\_\_\_ electronic mail

\_\_\_\_\_\_\_\_ hand delivery

To:

*Counsel for \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

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Brien A. Roche, Esq.