

Occupancy Agreement

Lender

NVR Mortgage Finance, Inc.
555 Southpointe Blvd., Suite 300
Canonsburg, PA 15317

Borrower

Emilio Vazquez
Blakeney Vasquez
3529 21st St SE
Washington, DC 20020

Date: March 7, 2017**Loan Number:** 1607130657**VA Case Number:** 727261032620**Property Address:** 1021 Cook Drive SE, Washington, DC 20032

The undersigned Borrower(s) of the above captioned property understand that one of the conditions of the loan is that Borrower(s) occupy the subject property and Borrower(s) do hereby certify as follows:

1. Borrower shall occupy, establish, and use the property as Borrower's principal residence within 60 days after the execution of the security instrument.
2. Borrower shall continue to occupy the property as Borrower's principal residence for at least one year after the date of occupancy, unless a written consent stating otherwise is provided by Lender.
3. If Borrower's intention changes prior to the loan closing, Borrower agrees to notify Lender immediately of that fact.
4. Borrower understands that Lender may not make the loan in connection with subject property without this Occupancy Agreement.
5. Borrower acknowledges Lender has relied upon the Borrower's representation of occupancy in securing said loan, the interest rate or funding said loan.

THE UNDERSIGNED BORROWER(S) ACKNOWLEDGES AND AGREES THAT:

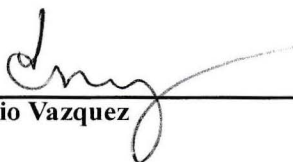
1. ANY MISREPRESENTATION OF OCCUPANCY BY BORROWER(S);
2. BORROWER(S) FAILURE TO OCCUPY THE PROPERTY AS THE PRIMARY RESIDENCE (I.E. OWNER- OCCUPIED) DURING THE 12 MONTH PERIOD FOLLOWING THE LOAN CLOSING;

SHALL CONSTITUTE A DEFAULT UNDER THE NOTE AND SECURITY INSTRUMENT EXECUTED IN CONNECTION WITH SAID LOAN AND, UPON THE OCCURRENCE OF SAID DEFAULT, THE WHOLE SUM OF PRINCIPAL AND INTEREST PAYABLE PURSUANT TO SAID NOTE PLUS COSTS AND FEES SHALL BECOME IMMEDIATELY DUE AT THE OPTION OF THE HOLDER THEREOF AND/OR LENDER MAY ADJUST THE INTEREST RATE TO BE EQUIVALENT TO THAT OF A NON-OWNER OCCUPIED LOAN.

Borrower(s) understands that it is a Federal Crime punishable by fine or imprisonment or both to knowingly make any false statement concerning any of the above facts, as applicable under the provisions of Title 18 U.S.C., Sec. 1014.

By signing below, I declare that the foregoing Agreement is true and correct. I agree to said terms of the Agreement allowing the Lender the discretion to call the loan due and/or adjust the interest rate based upon any misrepresentation of occupancy.

Borrower



Emilio Vazquez

3-7-17

Date



Blakeney Vasquez

3-7-17

Date

**ASHEFORD COURT HOMEOWNERS
ASSOCIATION, INC.**



**ARCHITECTURAL VARIANCE
REQUEST**



Conditional Approval with the following conditions:

- Article VII, Section 2. Easements for Drainage. (a) Easement for Drainage. Each Lot is hereby subject to an easement and right of passage upon, across and under such Lot for the drainage and discharge of water from any storm drain, down spout or yard drain situated on another Lot and the owner of such Lot may not alter or obstruct such drainage or flow of water to the detriment of any Living Unit, Lot or the Common Area Parcels.
- All work must be done on own property including staging, debris, and any related machinery to ensure that any neighboring units are not affected in anyway.
 - 1) Issued permits must be completed and inspected no later than 60 days after completed construction. Inform the Board of Directors of the Association upon the completion of the project. Provide approved DC Permits and Inspection documentation to the Board of Directors of the Association within 60 days after completion.
 - 2) Decks, patios, and all other similar structures that are installed must comply with building and zoning local regulations
 - 3) Decks shall be constructed in wood and protected by a weather resistant seal. Patios may be constructed of masonry, stone, or concrete. No visible storage is allowed on or under a deck or patio.
 - 4) Each Owner shall be solely responsible for the Maintenance, painting, replacement and repair of the patios, balconies, porches and rooftops, privacy fences and other dividers between Lots.
 - A) Requested Maintenance Schedule of Retaining Wall -Ensure the drain/cover is clear at all times. -Remove the cover grate of the drain and clean out any debris that can be reached by hand. (periodically) -Use shop vac or other appropriate equipment to reach further into the piping. (periodically) -Flush the drain piping with water using a hose to ensure that the drain is working properly. (periodically) -Utilize a professional plumber for hydro-jetting and/or snaking to clean out the drain. (annually or more frequently as needed)



ARCHITECTURAL VARIANCE REQUEST FORM
ASHFORD COURT HOMEOWNERS ASSOCIATION, INC.

Mail To Property Manager:
Stuart Washington
Property Management Division
William C. Smith & Company, Inc.
1100 New Jersey Avenue, SE Ste. 1000
Washington, DC 20003

Date Submitted: 6-12-18

In accordance with the Ashford Court HOA Declaration of Covenants, Conditions and Restrictions and the Resident Guidelines, I request the consent of the Architectural Review Board to make the following changes, alterations, renovations, additions and/or removals to my property:

Deck and retaining wall (new construction on both)

(Please attach a detailed (to scale) drawing or blueprint of your plan(s), specifications, and a copy of your community plat in duplicate.)

I understand that under the declaration of Covenants, Conditions and Restrictions, the Board of Directors will act on this request and provide me with a written response of their decision. I further understand and agree to the following provisions:

1. No work or commitment of work will be made by me until I have received written approval from the Association Board of Directors.
2. All work will be done at my expense and all future upkeep will remain at my expense.
3. All work will be done expeditiously once commenced and will be done in a good workman-like manner by myself or a contractor.
4. I will be responsible for complying with, and will comply with all applicable federal, and local laws and I will obtain any necessary governmental permits and approvals for the work.
5. I understand that any change to the presented plan must also be approved by the Board of Directors prior to any work being done.
6. Refer to Article III., Section 4 of the Declaration of Covenants, Conditions and Restrictions for guidance regarding the Architectural Review Board process

Owner Signature & Address Blakeney & Emilio Vasquez
1021 Cook Dr SE

* Note all (adjacent) neighbors have been notified in writing in coordination with...

Deck and retaining wall

Kapil Padwal <kapilpadwal@me.com>
To: Kapil Padwal <kapilpadwal@me.com>

Wed, May 30, 2018 at 9:13 PM

Hi everyone,
Blakeney/Emilio at 1021 and I at 1023 Cook are moving forward with the construction of a deck and a retaining wall and please be rest assured that they will be built according to the guidelines established by the HOA.
The projects will be completed sometime in June-July.
Please let us know if you have any questions.

Thanks
Kapil

Sent from my iPhone



Blakeney Vasquez <bvasquez28@gmail.com>

deck and wall

1 message

Blakeney Vasquez <bvasquez28@gmail.com>

Tue, Jun 12, 2018 at 7:47 PM

To: Pat Bekah <Patbekahday@gmail.com>

Cc: Emilio <leo32475@aol.com>, Kapil Padwal <Kapilpadwal@me.com>

Hi Rebekah and Pat,

We are moving forward with the deck and retaining wall, along with our neighbor Kapil. Kevin has provided drawings and we are starting the HOA/ARB approval process and DCRA permitting. Construction on the decks should start in the next few weeks (late June/early July) once approvals/permits come through.

Thanks,
Blakeney and Emilio Vasquez

Fwd: Deck and retaining wall notification

Blakeney Vasquez <bvasquez28@gmail.com>
To: reginald arno <daddyof2girls@me.com>
Cc: leo32475@aim.com, Kapil Padwal <Kapilpadwal@me.com>

Mon, Jul 16, 2018 at 9:24 PM

Dear Regi,

I hope are you well. I am re-sending my June 12th email to you and re-confirming notification and plans for construction of our deck and retaining wall projects this summer (TBC now July or August). This also follows Kapil's May 30th notification of these projects at his home (1023 Cook Dr. and ours(1021 Cook Dr.). As mentioned, the engineer and contractor submitted permits to the city per D.C. regulations. They verified full compliance, and your concerns.

Best Regards,
Blakeney and Emilio Vasquez
1021 Cook Dr. SE

----- Forwarded message -----

From: **Blakeney Vasquez** <bvasquez28@gmail.com>
Date: Tue, Jun 12, 2018, 10:58 PM
Subject: Re: Deck and retaining wall
To: reginald arno <daddyof2girls@me.com>
Cc: Kapil Padwal <kapilpadwal@me.com>, Tianeka Arno <downingt50@hotmail.com>, leo32475@aim.com <leo32475@aim.com>

Dear Regi,

It was good talking with you and we appreciate your input on our deck and retaining wall projects this summer. In addition to the original/full concerns and response above from our contractor, tonight we also flagged a double check on setback standards with them as our submitted permit applications are being reviewed by DC and during construction.

Best Regards,
Blakeney and Emilio Vasquez
1021 Cook Dr. SE

On Sun, Jun 10, 2018 at 10:58 AM, Kapil Padwal <kapilpadwal@me.com> wrote:

Regi-

Thank you for your email. The contractor has assured us by stating this in their email response with regards to your concerns:
"The retaining wall will be designed in compliance with local and national building codes by an engineer who takes erosion and runoff into consideration when planning the wall designs. I will respect all of your neighbors property."

Thanks
Kapil
Sent from my iPhone

**NOTIFICATION FORM
SAFEGUARDS DURING CONSTRUCTION**

DATE: 09-16-18

OWNER: Blakeney & Emilio Vasquez

ADJACENT OWNER: Kapil Padwal

MAILING ADDRESS: 1021 Cook Dr. SE
Washington D.C. 20032

ADDRESS: 1023 Cook Dr. SE
Washington D.C. 20032

TEL: 310-929-8568

TEL: 917-545-3825

EMAIL: bvasquez28@gmail.com

EMAIL: Kapilpadwal@me.com

Address of Proposed Work: 1021 Cook Dr. SE, Washington D.C. 20032

Section §3307.1 of the 2013 District of Columbia Building Code, 12 DCMR A (the "Building Code") requires adjoining public and private property to be protected from damage during construction, alteration, repair, demolition or raze of a premises at the expense of the person causing the work. Protection must be provided for lots, and for all elements of a building or other structure, including, but not limited to, footings, foundations, party walls, chimneys, skylights, and roofs. Provisions shall be made to control water runoff and erosion during construction or demolition or raze activities.

Proper underpinning of existing adjoining or party walls which require underpinning must be provided in accordance with applicable sections of the Building Code.

Under Sections §3307.2 and §3307.3 of the Building Code, notification of the adjoining property owner is required for certain types of construction activities. A copy of Section §3307 of the Building Code is available online on the DCRA website at <http://dcra.dc.gov/page/regulations-dcra> or through the following online link:
http://www.ecodes.biz/ecodes_support/free_resources/2013DistrictofColumbia/13Building/PDFs/Chapter%2033%20%20Safeguards%20During%20Const%20ruction.pdf

SCOPE OF WORK REQUIRING NOTIFICATION OF ADJACENT PROPERTY OWNER(S) (check as applicable):

1. The proposed work involves the need to install structural support of an adjoining building or structure (e.g., underpinning of foundation) _____; or
2. The proposed work involves excavation on the owner's property and the related need to support an adjacent property, including land and any buildings or structures located on the adjacent property (not including a public way) ; or
3. The proposed work will impact the use or stability or structural support of a party wall or party line _____.

Form of Notification Required

Dear Kapil Padwal,

My name is Blakeney & Emilio Vasquez (I am/we are) the owner of the property located at 1021 Cook Dr. SE which adjoins your property. Pursuant to Section §3307.2 and/or Section §3307.3 of the 2013 District of Columbia Building Code, Title 12 DCMR Subtitle A (the "Building Code"), (I am/We are) proposing to carry out work, as identified above, which requires notification to you as the adjacent property owner. This notification includes a copy of all construction documents which relate to the structural support of the adjoining building or other structure or to the structural support of the excavation, including any updates or amendments to the work plan that have been submitted with the permit application(s).



1 This form has been provided by DCRA for the purpose of demonstrating a permit applicant's compliance with the notification and property access requirements of Section 3307 of the Building Code. Compliance with these requirements does not relieve a permit holder, or person causing the work, of any obligations or responsibilities under civil or criminal law to protect an adjoining property from damage.

Wall & deck

I/we have determined that the following specific measures need to be undertaken to protect the adjoining premises:

Access to your property is hereby requested to install structural support or provide support for the excavation on my/our property:
 yes no.

You have 30 days from the date that this notification is delivered to object in writing on the grounds that the proposed work plan will not protect your adjoining property. The objection must include technical support for any claim that the proposed work plan will not protect your property. DCRA is authorized, but not required, to grant a reasonable extension of time to you if necessary to complete evaluation of the proposed work plan. Objections will be resolved pursuant to the process set forth in Section §3307.2.2.2 of the Building Code.

Any written objection must be delivered, with supporting technical documentation, to the owner at the address provided above. (Delivery by email is authorized.) A copy of any objection, with supporting technical documentation, must be provided to the Department of Consumer and Regulatory Affairs, by the owner seeking to undertake the work, at the following address:

**Chief Building Official
Department of Consumer and Regulatory Affairs
1100 4th Street SW, Third Floor
Washington, DC 20024**

Email: _____

Within the same 30-day period, you must indicate in writing whether access to your adjoining premises is authorized (if such access is requested to install structural support or to provide support for the excavation) and the conditions, if any, of such access. If you expressly deny access for entry within 30 days after delivery of this notification, or if you fail to respond within the 30-day period, you will be deemed to have elected to make safe your own property without delay so as not to impede or materially delay the original construction. However, if you file an objection in accordance with Building Code Section §3307.2.2.2, you will be not be required to decide whether or not access is granted to your adjoining premises, until the objection is resolved.

You should be aware that once a building permit is granted even if you fail to grant access or fail to respond to an access request, you shall be deemed to have authorized limited access to your property in the following circumstances:

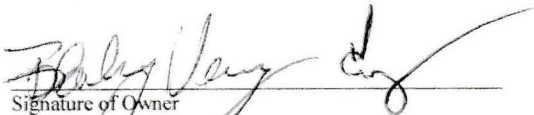
1. Where a wall or foundation located on a party line or on the premises requires underpinning as a result of the proposed work;
2. Where I/we can provide the underpinning by undertaking the work from my/our property, even if the footing extends onto your property; and
3. Where extension of the footing is required to stabilize and support your building, and to avoid unreasonable delay in excavation and development of the permitted project.

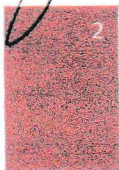
Your written permission to provide underpinning for your adjoining structure is not required where the work will impact the use or stability or structural support of a party wall. In such situations, proper underpinning of existing adjoining or party walls which require underpinning will be provided by me/us in accordance with applicable sections of this code.

Please provide your response by completing the appropriate lines below, and providing your response within 30 days after delivery of this letter.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,


Signature of Owner



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**NOTIFICATION FORM
SAFEGUARDS DURING CONSTRUCTION**

DATE: 09-16-18

OWNER: Blakeney & Emilio Vasquez

ADJACENT OWNER: Rebekah Cabaltica

MAILING ADDRESS: 1021 Cook Dr. SE
Washington D.C. 20032

ADDRESS: 1019 Cook Dr. SE
Washington D.C. 20032

TEL: 310-729-8568

TEL: 301-613-6870

EMAIL: bvasquez28@gmail.com

EMAIL: patbekahday@gmail.com

Address of Proposed Work: 1021 Cook Dr. SE

Section §3307.1 of the 2013 District of Columbia Building Code, 12 DCMR A (the "Building Code") requires adjoining public and private property to be protected from damage during construction, alteration, repair, demolition or raze of a premises at the expense of the person causing the work. Protection must be provided for lots, and for all elements of a building or other structure, including, but not limited to, footings, foundations, party walls, chimneys, skylights, and roofs. Provisions shall be made to control water runoff and erosion during construction or demolition or raze activities.

Proper underpinning of existing adjoining or party walls which require underpinning must be provided in accordance with applicable sections of the Building Code.

Under Sections §3307.2 and §3307.3 of the Building Code, notification of the adjoining property owner is required for certain types of construction activities. A copy of Section §3307 of the Building Code is available online on the DCRA website at <http://dcra.dc.gov/page/regulations-dcra> or through the following online link: http://www.ecodes.biz/ecodes_support/free_resources/2013DistrictofColumbia/13Building/PDFs/Chapter%2033%20-%20Safeguards%20During%20Const%20ruction.pdf

SCOPE OF WORK REQUIRING NOTIFICATION OF ADJACENT PROPERTY OWNER(S) (check as applicable):

1. The proposed work involves the need to install structural support of an adjoining building or structure (e.g., underpinning of foundation) _____; or
2. The proposed work involves excavation on the owner's property and the related need to support an adjacent property, including land and any buildings or structures located on the adjacent property (not including a public way) ; or
3. The proposed work will impact the use or stability or structural support of a party wall or party line _____.

Form of Notification Required

Dear Rebekah Cabaltica,

My name is Blakeney & Emilio Vasquez. (I am/we are) the owner of the property located at 1021 Cook Dr. SE which adjoins your property. Pursuant to Section §3307.2 and/or Section §3307.3 of the 2013 District of Columbia Building Code, Title 12 DCMR Subtitle A (the "Building Code"), (I am/We are) proposing to carry out work, as identified above, which requires notification to you as the adjacent property owner. This notification includes a copy of all *construction documents* which relate to the structural support of the adjoining building or other structure or to the structural support of the excavation, including any updates or amendments to the work plan that have been submitted with the permit application(s).



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DCRA/POD/2014

Wall & deck

I/we have determined that the following specific measures need to be undertaken to protect the adjoining premises:

Access to your property is hereby requested to install structural support or provide support for the excavation on my/our property:
 yes no.

You have 30 days from the date that this notification is delivered to object in writing on the grounds that the proposed work plan will not protect your adjoining property. The objection must include technical support for any claim that the proposed work plan will not protect your property. DCRA is authorized, but not required, to grant a reasonable extension of time to you if necessary to complete evaluation of the proposed work plan. Objections will be resolved pursuant to the process set forth in Section §3307.2.2.2 of the Building Code.

Any written objection must be delivered, with supporting technical documentation, to the owner at the address provided above. (Delivery by email is authorized.) A copy of any objection, with supporting technical documentation, must be provided to the Department of Consumer and Regulatory Affairs, by the owner seeking to undertake the work, at the following address:

**Chief Building Official
Department of Consumer and Regulatory Affairs
1100 4th Street SW, Third Floor
Washington, DC 20024**

Email: _____

Within the same 30-day period, you must indicate in writing whether access to your adjoining premises is authorized (if such access is requested to install structural support or to provide support for the excavation) and the conditions, if any, of such access. If you expressly deny access for entry within 30 days after delivery of this notification, or if you fail to respond within the 30-day period, you will be deemed to have elected to make safe your own property without delay so as not to impede or materially delay the original construction. However, if you file an objection in accordance with Building Code Section §3307.2.2.2, you will be not be required to decide whether or not access is granted to your adjoining premises, until the objection is resolved.

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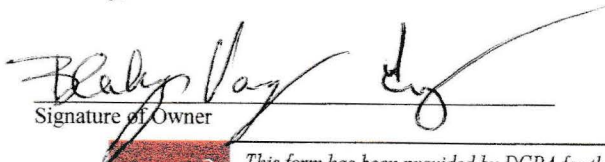
1. Where a wall or foundation located on a party line or on the premises requires underpinning as a result of the proposed work;
2. Where I/we can provide the underpinning by undertaking the work from my/our property, even if the footing extends onto your property; and
3. Where extension of the footing is required to stabilize and support your building, and to avoid unreasonable delay in excavation and development of the permitted project.

Your written permission to provide underpinning for your adjoining structure is not required where the work will impact the use or stability or structural support of a party wall. In such situations, proper underpinning of existing adjoining or party walls which require underpinning will be provided by me/us in accordance with applicable sections of this code.

Please provide your response by completing the appropriate lines below, and providing your response within 30 days after delivery of this letter.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,



Signature of Owner



This form has been provided by DCRA for the purpose of demonstrating a permit applicant's compliance with the notification and property access requirements of Section 3307 of the Building Code. Compliance with these requirements does not relieve a permit holder, or person causing the work, of any obligations or responsibilities under civil or criminal law to protect an adjoining property from damage.