

**Affordable Dwelling Unit (ADU) Program**

**NOTICE OF REQUIRED ANNUAL ANNIVERSARY AFFIDAVIT**

May 1, 2022

Dear Property Owner:

Enclosed you will find a copy of the required Affordable Dwelling Unit (ADU) Anniversary Affidavit for your review and signature. The ADU Affidavit is an annual requirement of the ADU Program.

The **ORIGINAL** Affidavit must be completed, signed, notarized, and returned to the Loudoun County Office of Housing **no later than June 1, 2022**, in accordance with the provisions of the Revised 1993 Loudoun County Zoning Ordinance and Chapter 1450 of the Loudoun County Codified Ordinance. The **ORIGINAL** Affidavit should be sent to the attention of **Mr. Jimmy Kimbrough, Housing Program Specialist**. **Copies, faxes, and e-mails of the affidavit will not be accepted.** You will not receive additional notices or requests for this information. Please note that the Office of Housing is no longer a part of the Department of Family Services, so please do **not** return the Affidavit to the Shenandoah Building or mail it there.

- 1. If you are returning the affidavit in-person, please do so at the Loudoun County Office of Housing located on the first floor at 106 Catoclin Circle, SE, Leesburg, VA, 20175. Public entrance is at the rear of the building.**
- 2. If you are mailing the affidavit, please mail it to the Loudoun County Office of Housing, P.O. Box 7000, Leesburg, VA, 20177-7000.**

**\*\*\*New Policy.** Beginning this year, the Office of Housing will **not** be providing households with either a written confirmation of receipt or a photocopy of the Affidavit. If you require a copy for your records, please make one before mailing or delivering it to the Office of Housing. To receive confirmation that your Affidavit has been received, please include a current, active e-mail address on your Affidavit and be sure to print your e-mail address **clearly**. By doing so, you will receive an automated e-mail confirming receipt of your ADU Annual Affidavit.

Please be advised that failure to submit the enclosed Affidavit is a violation of Section 6-504 of the Revised 1993 Loudoun County Zoning Ordinance and will result in the issuance of civil penalty citations by the Department of Planning and Zoning/Zoning Enforcement Division. In accordance with Section 6-504 of the Revised 1993 Loudoun County Zoning Ordinance, the fine for failure to submit the Affidavit is **\$100.00 per day**, until such time as the executed Affidavit is received by the Loudoun County Office of Housing. If the Affidavit is not received by the Office

of Housing by June 1, 2022, the issue will be referred to Zoning Enforcement staff, and you will be subject to fines.

This determination applies solely to the referenced property and is not binding upon the County, the Zoning Administrator, or any other official with respect to any other property. No person may rely upon this determination with respect to any other property other than the referenced property.

Please be advised that any person aggrieved, or any officer, department, or agency of Loudoun County affected by an order, requirement, decision or determination made by an administrative officer in the administration or enforcement of the provisions of the Zoning Ordinance may appeal said decision within thirty days to the Board of Zoning Appeals in strict accordance with Section 15.2-2311 of the *Code of Virginia*.

To file an appeal, you must:

Provide a copy of this letter.

Complete an “Application for Appeal Form”. An electronic version of the form can be found at: <https://www.loudoun.gov/DocumentCenter/View/123603>.

Provide a written statement specifying the reasons for your appeal and include a check payable to Loudoun County in the amount of \$350.00.

The appeal must be filed with the Zoning Administrator and Chairman of the Board of Zoning Appeals no later than thirty days of the date of this letter.

If you have additional questions regarding the ADU Annual Affidavit process, please contact the undersigned Housing Program Specialist directly.

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Jimmy D. Kimbrough, Jr., Housing Program Specialist, for:  
Mark Stultz, Zoning Administrator  
Zoning Administration, Enforcement Division  
Telephone (571) 258-3115

May 01, 2022  
Date

Attachment: Annual Affidavit