



VIRGINIA DEPARTMENT OF HISTORIC RESOURCES

Historic Preservation Easement Program

POLICY #3

Monitoring and Inspections of Easement Properties

Once an easement has been acquired, the Department must maintain regular contact with the property owner and inspect the property on a regular basis to ensure that the features of the property that are subject to the easement are maintained and that the conservation value of the property is preserved.

The Department monitors each easement property to ensure compliance with the terms of the easement. Monitoring is conducted through official correspondence, general owner contact, inspections, and other means necessary. In general, the Department's goal is to maintain regular contact with property owners and conduct a full physical inspection at once a year or more often if necessary.

The Department also provides technical assistance and information to property owners, to assist in the appropriate treatment of historic resources and in an effort to foster an ongoing partnership. This contact may be in the form of newsletters, site visits, or other forms and questionnaires to facilitate the sharing of information between the Department and the property owner.

Property owners will be notified in writing by staff of a proposed inspection time and date, and will be encouraged to be present. Staff will work to arrange an inspection time and date that is convenient for the property owner.

The full inspection will cover all areas subject to the easement, and will be fully documented on the inspection form. Photographs (digital or film) will be taken to record the property at the time of inspection, and to illustrate any conditions that may require follow-up by easement staff. A report of the inspection will be incorporated into the easement file.

Property owners will be informed in writing by easement staff of the results of the inspection, and will be provided with a copy of the inspection form and any relevant photographs.

Solid baseline documentation in compliance with Treas. Reg. Section 1.170A-14(g)(5)(i) will be the basis for all inspections following recordation of an easement. Every future

change should be measured against the baseline documentation. See also Policy #4, *Documentation of Easement Properties*.

For easements accepted after December 31, 2008, an inspection worksheet that is tailored to the specific property will be developed at the same time that the baseline documentation is being developed. This form will be used for all subsequent inspections and will facilitate inspections by different staff members not as familiar with the property. The form will include the following:

- The features to be inspected should be consistent with those identified in the baseline documentation. Character-defining features and structural elements that require cautious treatment or are vulnerable to deterioration should be noted.
- The approximate age or life-expectancy of features that may require updating. For example, if non-historic gutters are known to have been installed 15 years ago, it will be helpful to know that within the next 5 to 10 years they may require replacement.
- Features of the property that are known to be non-historic will be noted.
- Areas that must be photo-documented during an inspection will be identified. At a minimum, each elevation of a structure should be photographed in addition to any areas of concern.
- Public access will be noted on the form. The staff member performing the inspection will record information collected from the property owner regarding any access that the public has had since the previous site visit.
- The effect of minor changes to the property will be noted. This includes, but is not limited to, vegetation that may need attention soon but not immediately, encroachment of adjacent development, or erosion.

In the case of easements accepted before December 31, 2008, revised inspection forms will be developed at the time of the next scheduled inspection. In cases where the baseline documentation in the easement file is limited, the staff member conducting the inspection will prepare a "Present Condition Report" to be used from that point forward.

An effort will also be made to update the records maintained by the department with regard to potential archaeological resources on easement properties.

A report on the inspection will be provided to the property owner within 30 days of the inspection. Anything identified during the inspection that is considered to be a violation of the terms of the easement will generally be addressed by staff within seven (7) business days (see also Policy #7, Violations). This timeframe may vary depending on the nature of the information available to staff. In cases where remedial work is needed,

staff will set timeframes for the owner to complete such work. Timeframes for additional inspections will be established as necessary.