



Marla J. Diaz

PARTNER

mdiaz@whitefordlaw.com

FALLS CHURCH, RICHMOND

T: 703.280.9131

BIOGRAPHY

Ms. Diaz focuses her practice on representation of community associations throughout the Commonwealth of Virginia. She has significant trial and general litigation experience in the state and federal courts in the Commonwealth of Virginia, including litigating various community association issues, construction defect, commercial litigation, and real estate litigation. Ms. Diaz also has significant experience representing community associations before various administrative boards, including the Virginia Fair Housing Board and various County Human Rights Commissions.

RECOGNITIONS

- *The Best Lawyers in America*® Litigation- Trusts and Estates (2024-2027), Community Associations Law Litigation (2025-2027)
- *Virginia Lawyers Weekly*, "Leaders in the Law" Class of 2018

MEMBERSHIPS & ACTIVITIES

- Member: Fairfax Bar Association

PRACTICES & INDUSTRIES

[Community Associations](#)
[Contract Negotiations and Dispute Resolution](#)
[Counsel to Boards of Directors](#)
[Delinquent Assessment Collection](#)
[Rules and Covenants Enforcement](#)
[Interpretation/Amendment of Governing Documents](#)
[Developer/Warranty Issues](#)
[Estates, Trusts & Fiduciary Litigation](#)

EDUCATION

Wake Forest University School of Law, 2001, J.D.
William & Mary, 1997, B.S.

ADMISSIONS

Virginia

- Member: Fairfax Bar Association, Vice President of the Pro Bono Advisory Committee

COMMUNITY ASSOCIATIONS

- Experienced in representing community associations throughout the Commonwealth of Virginia

COMMUNITY ASSOCIATIONS LITIGATION

- Represented community associations in a variety of litigation matters, including covenant enforcement, defense of federal and Virginia fair housing discrimination claims, defense of breach of contract claims brought by owners and defense of fiduciary duty claims against boards of directors. Ms. Diaz also represents community associations at the general district court level in assessment collection actions.

CONTRACT NEGOTIATIONS AND DISPUTE RESOLUTION

- Experienced in negotiating agreements for construction, maintenance and improvements of the common interest community association property and common facilities
- Represented community associations in conciliation proceedings related to federal and Virginia fair housing claims

COUNSEL TO BOARDS OF DIRECTORS

- Provides advice to boards of directors of community associations on many aspects of the day-to-day business of operating and governing a community association, including compliance with governing documents, operating procedures, meeting issues, compliance with Virginia statutes governing community associations, homeowner disputes, assessment collections, and various director issues

DELINQUENT ASSESSMENT COLLECTION

- Regularly advises boards of directors on cost-effective delinquent assessment collection procedures and draft policy resolutions designed to better manage the association's collection efforts
- Oversees the delinquent assessment collections for various community associations and represents them in various court to collect the delinquent amounts owed to the association

RULES AND COVENANTS ENFORCEMENT

- Advises community associations regarding changing case law and legislation affecting the covenant enforcement efforts of the associations
- Drafts policy resolutions regarding covenant enforcement and further assists enforcement of the association's covenants by instituting legal proceedings to enforce the covenants

INTERPRETATION/AMENDMENT OF GOVERNING DOCUMENTS

- Experienced in providing interpretations of community association's governing documents and advising boards of directors regarding the actions they can and cannot take on behalf of the association
- Drafts amendments to governing documents to address the changing needs of community associations

DEVELOPER/WARRANTY ISSUES

- Advises community associations regarding claims against developers related to warranty issues and works with boards of directors to develop cost-efficient plans for addressing warranty claims

ESTATES AND TRUSTS LITIGATION

- Has contested a suit that involved issues on holographic wills and partnership interests
- Had prepared numerous guardian and conservatorship petitions

- Defended a surety bond company in a breach of fiduciary duty claim against a conservator
- Litigated complex jurisdiction issues for probate of will on behalf of the wife of the decedent and did subsequent pre-litigation work on will contest issues raised by the children of the decedent
- Brought suit in an action to challenge the actions of a trustee and attorney-in-fact under a power of attorney

INSIGHTS

Speaker: "Where the Wild Things Are: Legal & Practical Issue in 55+ Community Associations – Balancing Compassion, Compliance, and Fiduciary Duties," Southeastern Virginia Chapter-CAI Conference and Expo (March 2026)

Co-Author: "Open to the Public: ADA Compliance for Community Associations," Community Associations Institute Washington Metro Chapter's (WMCCAI) Quorum Magazine (April 2025)

Co-Presenter: "Business Partner Essentials," Community Associations Institute (April 13, 2023)

Speaker: "Smoking and Other Odors – New Smoking Legislation, Regulating Smoking, Managing Complaints and Setting Policy," Cardinal Management Board of Directors (October 7, 2021)

Speaker: "Fair Housing Issues Part 1: Pools, Pets and Parking," Washington Metropolitan Chapter Community Associations Institute Conference & Expo (June 11, 2021)

Speaker on community association matters for the Washington Chapter of the Community Association's Institute

Co-Speaker: "[Fair Housing and Animals - A Primer for Community Associations](#)," Webinar (April 8, 2020)

Speaker: "Fair Housing Hot Topics and D&O Liability," Washington Metropolitan Chapter Community Associations Institute Conference & Expo (February 22, 2020)

Speaker: "Practicing in Your Personality: How to Thrive as a Community Association Lawyer," Community Association Institute Annual Law Seminar (January 17, 2020)

Speaker: "Your Community, You're Connected: Association Communications," Fairfax County Government Channel 16 (January 29, 2019)

Speaker: "Your Community, You're Connected: Assessments, Penalties and Collections," Fairfax County Government Channel 16 (January 10, 2017)

Co-Author: "HUD Adopts New Rules Clarifying Associations' Liability For Harassment And Third Party Conduct Under the Fair Housing Act," Currents Magazine, Southeastern Virginia Chapter of CAI (December 2016)

Speaker: "Your Community, You're Connected: Planning Successful Meetings," Fairfax County Government Channel 16 (February 9, 2016)

Co-Presenter: *Falling Waters*, CAI Manager Luncheon (March 2015)