

COMPTON VILLAGE HOMEOWNERS ASSOCIATION

POLICY RESOLUTION NO. 2-2012

Resolution Regarding Complaint Procedures

WHEREAS, Article 6, Section 6.8(iii) of the Bylaws of Compton Village Homeowners Association (“Bylaws”) grants the authority to the Compton Village Homeowners Association (“Association”) Board of Directors (“Board”) to adopt board resolutions to be incorporated into the Rules and Regulations and to follow procedures for adoption and publication of the same, including provisions for hearing and notice to Members for resolutions regarding rules, the annual budget and other matters affecting the rights of Members;

WHEREAS, Article 3, Section 3.3(c)(2) of the Compton Village Declaration of Covenants, Conditions and Restrictions (“Declaration”) and Article 6, Section 6.8(iv) of the Bylaws further grants the Board the authority to adopt and publish rules and regulations, including fees, if any, governing the use of the Common Area and facilities and the personal conduct of the Members and their guests thereon, and to incorporate the same into the Rules and Regulations;

WHEREAS, Section 54.1-2348 of the Code of Virginia (1950, as amended) (the “Code”) created the Common Interest Community Board (the “CICB”) to replace the Virginia Real Estate Board with respect to the administration of common interest community associations, the licensing and certification of management agents providing services thereto, etc.; and

WHEREAS, Section 55-530(E) of the Code states that the CICB shall create by regulation a requirement that each common interest community association establish reasonable procedures for the resolution of written complaints from the members of such association and other citizens; and

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT the Board of Directors, pursuant to the Code, the Declaration and this Resolution, hereby establish the following complaint procedures pursuant to Section 55-513 of the Virginia Property Owners’ Association Act.

- A. **Complaint Form.** Any lot owner, tenant or third party may submit a written complaint to the Board using the form attached hereto as Exhibit A. All written complaints must be submitted using the attached form.
- B. **Managing Agent.** All written complaints shall be mailed or otherwise delivered to the Association’s managing agent to the Board’s attention.
- C. **Formal Action.** The complaint shall be reviewed by the Board and action shall be taken as the Board deems appropriate in accordance with the governing documents and the Rules and Regulations previously adopted by the Board pertaining to complaint procedures.

D. **Response.** Regardless of whether the complainant is afforded a hearing opportunity, the Board shall respond in writing to the complainant within a reasonable amount of time as to the action taken, if any, and the disposition of the written complaint.

E. **Records.** The Board shall retain a record of the written complaint and any action taken by the Board in response to such complaint for a period of at least one (1) year from the date of such action.

Resolved this ____ day of _____, 2012, by the Board of Directors of the Compton Village Homeowners Association.

BY: _____
_____, President

EXHIBIT A

COMPTON VILLAGE HOMEOWNERS ASSOCIATION

COMPLAINT FORM

Pursuant to Section 55-530(E) of the Code of Virginia, 1950, as amended, the Board of Directors (“Board”) of the Compton Village Homeowners Association (the “Association”) has established this complaint form for use by persons who wish to register written complaints with the Association. The Board may elect not to take action on any complaint which does not include all of the information requested on this form.

Legibly describe your complaint in the area provided below. Include references to the specific facts and circumstances at issue, those individuals who have direct knowledge of such circumstances and the provisions of the Association’s documents or governing law that support your complaint. If there is insufficient space, attach a separate sheet of paper to this complaint form. Also attach any supporting documents relevant to your complaint.

If, after the Board’s consideration and review of your complaint, the Board issues a final decision adverse to your complaint, please be aware that you have the right to give notice to the Common Interest Community Board (“CICB”) of any final adverse decision in accordance with the regulations promulgated by the CICB. The notice shall be filed within 30 days of the final adverse decision, shall be in writing on forms prescribed by the CICB, shall include copies of all records pertinent to the decision, and shall be accompanied by a \$25.00 filing fee. The CICB’s contact information is:

Office of the Common Interest Community Ombudsman
c/o Heather Gillespie, Esquire
Virginia Department of Professional and Occupational Regulation
9960 Mayland Drive, Suite 400
Richmond, Virginia 23233
(804) 367-2941
cicombudsmanoffice@dpor.virginia.gov

Sign, date and print your name and address below and submit this completed form to the Association at the address listed above. Anonymous complaints will not be accepted.

COMPLAINANT:

[Printed Name]

[Signature]

[Date]

[Address]

For Association use only:

Received by: _____ *Date:* _____

COMPTON VILLAGE HOMEOWNERS ASSOCIATION

RESOLUTION ACTION RECORD

Resolution Type: Policy No. 2-2012

Pertaining to: Complaint Procedures

Motion by: John Griffin Seconded by: Justin Ebersole

VOTE:

YES NO ABSTAIN ABSENT

Larry Swanson President

Justin Ebersole Vice President

Tom Minogue Secretary

John A. Cole Treasurer

[Signature] Director

[Signature] Director

[Signature] Director

ATTEST:

This Resolution was duly adopted at a meeting of the Board of Directors of Compton Village Homeowners Association on the 18 day of July, 2012.

BY: [Signature], Secretary

7/18/12
Date

Resolution effective: July 18, 2012.