

**Dale City T-17 HOMEOWNERS ASSOCIATION**

**POLICY RESOLUTION NO. 2 -2012**

**Resolution Regarding Complaint Procedures**

**WHEREAS**, Article VIII, Section 1(a) of the Bylaws of Dale City T-17 Homeowners Association (“Bylaws”) authorizes the Board to adopt and publish rules and regulations governing the use of the Common area and Facilities, and the personal conduct of the members and their guests thereon, and to establish penalties for the infraction thereof; and,

**WHEREAS**, Section 55-513 of the Virginia Property Owners Association Act (“Act”) provides that the Board of Directors shall have the power to establish, adopt and enforce rules and regulations with respect to the use of the Common Areas and may enforce them by imposing rules violation charges after notice and a hearing; and

**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 Bylaws, the Declaration and this Resolution, hereby establish the following complaint procedures.

- 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 25<sup>th</sup> day of August, 2012, by the Board of Directors of the Dale City T-17 Homeowners Association.

BY:   
Bertie Hamilton, President

DALE CITY T-17 HOMEOWNERS ASSOCIATION

RESOLUTION ACTION RECORD

Resolution Type: Policy No. 2-2012

Pertaining to: Complaint Procedures

Motion by: Dominique Willis Seconded by: Debra Hallgren

VOTE:

YES NO ABSTAIN ABSENT

[Signature] President

\_\_\_\_\_, Vice President

\_\_\_\_\_, Secretary

[Signature] Treasurer

[Signature] Director

\_\_\_\_\_, Director

\_\_\_\_\_, Director

ATTEST:

This Resolution was duly adopted at a meeting of the Board of Directors of Dale City T-17 Homeowners Association on the 29 day of August, 2012.

BY: \_\_\_\_\_  
\_\_\_\_\_, Secretary

\_\_\_\_\_  
Date

Resolution effective: Sept. 1, 2012.

**EXHIBIT A**

**DALE CITY T-17 HOMEOWNERS ASSOCIATION**

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**COMPLAINT FORM**

Pursuant to Section 55-530(E) of the Code of Virginia, 1950, as amended, the Board of Directors (“Board”) of the Dale City T-17 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.

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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  
cicombusdsmanoffice@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:* \_\_\_\_\_