

Sept 12, 2012
2012-0001

FOREST HILLS COMMUNITY ASSOCIATION

**POLICY RESOLUTION NO. 12-0001
Of the Board of Directors
Association Complaint Procedures**

WHEREAS, Section 55-530(E) of the Code of Virginia requires that the Association “shall establish reasonable procedures for the resolution of written complaints from the members of the Association or other citizens,” and

WHEREAS, Section 18VAC48-70-10, *et seq.* of the Common Interest Community Ombudsman Regulations requires the Association to set rules for receiving and considering complaints from members and other citizens, and

WHEREAS, it is the intent of the Board of Directors to establish procedures that meet the requirement of Section 55-530(E) of the Virginia Code as well as regulation 18VAC48-70, and

WHEREAS, the Board of Directors will provide notice of this policy to all current homeowners by mailing a copy of this Procedure to current homeowners, placing a copy on the Association Website <http://www.foresthillstownhomes.com> and will make it available to all future homeowners by including the Procedure in resale disclosure packages prepared pursuant to the Virginia’s Property Owners’ Association Act.

NOWHEREFORE, the Board of Directors of the Forest Hills Community Association does hereby adopt this Resolution in order to enact the following Association Complaint Procedures:

- 1. Complaint Must Be in Writing.** The Board requires all complaints to be submitted in writing using the Association Complaint Form (See Exhibit A).
- 2. Complaint Form Submittal:** Completed complaint forms shall be mailed by registered or certified mail, return receipt requested, to the address below.

Forest Hills Community Association
C/O President
P.O. Box 2804
Arlington, VA 22202

- 3. Acknowledgment of Receipt.** Receipt of the Complaint Form by the Board will be acknowledged within 7 days. Such acknowledgment shall be hand delivered or mailed by registered or certified mail, return receipt requested, to the complainant at the address provided, or by electronic means provided the complainant provides consent and the sender retains sufficient proof of the electronic delivery.

4. Specific Documentation: The Complainant must provide at the time the complaint form is submitted to the Board copies of all relevant documentation including but not limited to contracts, agreements, invoices, receipts, correspondence, and photographs related to the complaint in order for the complaint to be reviewed. In addition, should the complainant have any knowledge of the law or regulation applicable to the complaint, the complainant shall provide that reference, as well as the requested action or resolution that is being sought.

5. Review Cycle: The Board will have no-more-than 30 days to review the complaint from the time it was received at which time it will be scheduled for discussion at the next regular Board Meeting. At any time during the 30 day review period should the Board determine that additional information be required, the complainant will be notified in writing by hand delivery or via registered or certified mail, return receipt requested, to the complainant at the address provided, or by electronic means provided the complainant provides consent and the sender retains sufficient proof of the electronic delivery of the Board's action. The Complainant will then have no-more-than 30 days from the time the Board's request is received to provide the additional information. Failure by the complainant to provide the additional requested information within the 30 day period will allow the Board to close the complaint and the complainant will be notified in writing by hand delivery or via registered or certified mail, return receipt requested, to the complainant at the address provided, or by electronic means provided the complainant provides consent and the sender retains sufficient proof of the electronic delivery. However, should the additional information be provided to the Board within the 30 day period, the Board's review period will start over and the Board will have no-more-than 30 days to complete its review at which time it will be scheduled for discussion at the next regular Board Meeting.

6. Notice to Complainant: The Board will provide notice of the date, time, and location of when the complaint will be considered via hand delivery or via registered or certified mail, return receipt requested, to the complainant at the address provided or, if consistent with established association procedure, delivered by electronic means, provided the sender retains sufficient proof of the electronic delivery, no-later-than 30 days from when the complaint was received by the Board.

7. Complaint Review: The Board shall review any Association Complaint Form received and shall, if necessary, consult with the Association's attorney and/or any other vendor or professional providing services to the Association to provide as complete a review as possible to arrive at its decision. The Board may, but shall not be required to, consult with the complainant to understand more fully the substance and/or basis of the complaint.

8. Final Determination:

- a. The Board will have 7 days after the regular Board meeting to prepare the written notice of final determination which shall be hand delivered or mailed by registered or certified mail, return receipt requested, to the complainant at the address provided or, if consistent with established association procedure, delivered by electronic means, provided the sender retains sufficient proof of the electronic delivery, within seven days.
- b. The notice of final determination shall be dated as of the date of issuance and include specific citations to applicable association governing documents, laws, or regulations

that led to the final determination, as well as the registration number of the association. No appeal process is available and the rendered decision is final.

- c. The notice of final determination shall include the complainant's right to file a Notice of Final Adverse Decision with the Common Interest Community Board via the Common Interest Community Ombudsman and the applicable contact information.

9. Filing of Notice of Final Adverse Decision: A complainant may file a notice of final adverse decision in accordance with § 55-530(F) of the Code of Virginia concerning any final adverse decision that has been issued by the Board with the Office of the Common Interest Community Ombudsman.

Office of the Common Interest Community Ombudsman:

Virginia Common Interest Community Ombudsman
9960 Mayland Drive, Suite 400
Richmond, Virginia 23233-1463
Phone: 804-367-2941
Email: CICOmbudsman@dpor.virginia.gov

- a. The notice shall be filed within 30 days of the date of the final adverse decision.
- b. The notice shall be in writing on forms provided by the Office of the Common Interest Community Ombudsman. Such forms shall request the following information:
 - Name and contact information of complainant;
 - Name, address, and contact information of association;
 - Applicable association governing documents; and
 - Date of final adverse decision.

The notice shall include a copy of the association complaint, the final adverse decision, reference to the laws and regulations the final adverse decision may have violated, any supporting documentation related to the final adverse decision, and a copy of the association complaint procedure.

The notice shall be accompanied by a \$25 filing fee or a request for waiver pursuant to 18VAC48-70-100.

10. Record Maintenance of Complaint: The Association shall maintain a record of the complaint for no less than one year from the date that the Association takes action on said complaint.


11. Distribution of Complaint Procedure:

- a. A copy of the Association's complaint procedure will be available to all owners and citizens upon request and/or on the Association's website <http://www.foreshillstowhomes.com>.
- b. A copy of the Association Complaint procedure will be included in the resale disclosure packet.

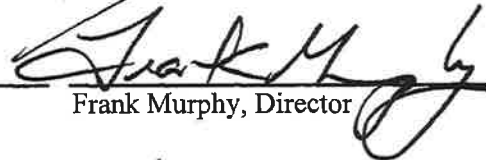
12. Annual report. The Association shall certify with each annual report filing that the Association complaint procedure has been adopted and is in effect.

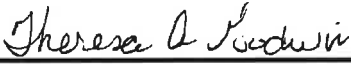
IN WITNESS WHEREOF the Board of Directors of the Forest Hills Homeowners Association has set their hands on this 12th day of September, 2012.


Elaine Freeman, President


John Magee, Director


Malcolm Mackinnon, Vice President


Frank Murphy, Director


Theresa A. Godwin, Secretary

(Absent)
Bob Pastusek, Director

VERBAL APPROVAL VIA CONFERENCE CALL
Pat Henriques, Treasurer


Carolyn Sand, Director

(Absent)
Janine Crocker, Director

(Absent)
Frank Shoup, Director

(Absent)
Linda Denny, Director


Karen Smith, Director

FOR FOREST HILL'S HOA BOARD USE ONLY	
DATE COMPLAINT RECEIVED:	
DATE ACKNOWLEDGEMENT LETTER SENT:	
DATE OF DISPOSITION:	

COMPLAINT FORM

Pursuant to Section 55-530(E) of the Code of Virginia, 1950, as amended, the Board of Directors ("Board") of the Forest Hills Homeowners Association (the "Association") has established this complaint form for use by persons who wish to register written complaints with the Association.

SECTION I - REQUIRED INFORMATION

COMPLAINT FILED BY

Name: _____

Company: _____
(Your company name if filing on behalf of a company)

Mailing Address: _____

City, State, and Zip: _____

Phone Numbers _____
BUSINESS CELL HOME/OTHER

E-mail Address _____

COMPLAINT AGAINST

Individual Name: _____

Company: _____

Address: _____

City, State, and Zip: _____

Phone Numbers: _____
BUSINESS CELL OTHER

E-mail Address: _____

Type of License and/or License Number _____

SECTION II - SUPPORTING DOCUMENTS

To process a Complaint Form, supporting documents are needed, which may include the following:

Individual	Copies of all relevant documentation including, but not limited to: contracts, agreements, invoices, receipts, correspondence, and photographs (all pages – front and back)
Contractor	Copy of contract, Proof of Payment, Building Official Documentation, Notice of Violation

SECTION III - COMPLAINT DESCRIPTION

Describe the complaint. If more room is needed, include additional pages with submittal.

Describe the relief being sought by Complainant or Requested Action.

I wish to complain about the individual/business named above.

Full Name: _____

Date: _____

SECTION IV - HOW TO SUBMIT THIS FORM

Please return this form to the following address:

Forest Hills Community Association
Post Office Box 2804
Arlington, VA 22202

Preferred method of communication: Writing Email

SECTION V - FINAL DISPOSITION

If, after the Board's consideration and review of the complaint, the Board issues a final decision adverse to the complaint, you have the right to file a notice of final adverse decision with the Common Interest Community Board (CICB) in accordance with the regulations promulgated by the CICB. The notice shall be filed within 30 days of the date of the final adverse decision, shall be in writing on forms provided by the Office of the Common Interest Community Ombudsman (Ombudsman), shall include copies of any supporting documents, correspondence and other materials related to the decision, and shall be accompanied by a \$25 filing fee. The Ombudsman may be contacted at:

Office of the Common Interest Community Ombudsman
Department of Professional and Occupational Regulation
9960 Mayland Drive, Suite 400
Richmond, VA 23233
804/367-2941
CICOmbudsman@dpor.virginia.gov