

KINGSTREAM COMMUNITY COUNCIL, INC.

POLICY RESOLUTION NO. 26-1

(Policy Required under Virginia Law for the Receipt and Resolution of Association Complaints)

WHEREAS, §54.1-2354.4 of the Virginia Code requires the Association to establish reasonable procedures to resolve written complaints from the members of the Association or other citizens; and

WHEREAS, Section 18VAC48-70-10, *et seq.*, of the Virginia Administrative Code requires that the Association enact procedures governing the receipt and adjudication of written complaints, provides definitions of applicable words terms and phrases, and outlines the requirements for the content of such complaint procedures; and

WHEREAS, for the benefit and protection of all Owners, and in accordance with the requirements under Virginia law, the Board deems it desirable to formally adopt a policy resolution establishing reasonable procedures governing Association Complaints.

NOW, THEREFORE, the Board of Directors adopts the following policy and procedures:

1. Definitions.

a. "Association Complaint". Association Complaint is defined as a written complaint filed by a member of the Association or a citizen in accordance with the requirements of this policy that concerns a matter regarding the action, inaction, or decision by the Board, Managing Agent, or Association that is in conflict with applicable common interest community laws and regulations.

b. "Complainant". Complainant is defined as an Association member or citizen who makes a written Complaint pursuant to this Resolution.

c. "Common Interest Community Laws and Regulations" (hereinafter "CIC Law"). CIC Laws and regulations are defined under Section 18VAC48-70-10 as the following provisions of the Virginia Code: (1) Virginia Common Interest Communities (§54.1-2345, *et seq.*); (2) Virginia Property Owners Association Act (§ 55.1-1800 *et seq.*); (3) Virginia Condominium Act (§55.1-1900 *et seq.*), (4) Virginia Horizontal Property Act (§ 55.1-2000 *et seq.*), (5) Virginia Cooperative Act (§ 55.1-2100 *et seq.*); and (6) the Common Interest Community Regulations (Va. Administrative Code, Title 18, Agency 48).

2. Association Complaint & Required Action. The Board is only required to act on a written Association Complaint which pertains to CIC Law that is submitted to the Association's managing agent (the "Managing Agent") in accordance with the procedures set forth in this Resolution.

3. Complaint Form. If an owner, resident, or other person wishes to submit an Association Complaint to the Association, such persons must complete the written complaint form attached hereto as Exhibit A and submit the complaint form to the Association as required by this Policy.

4. Where Complaints Should be Sent. All written complaints must be sent by United States Postal Service mail, hand-delivery, or e-mail to the Association at the following location unless otherwise advised by the Association's Board:

Kingstream Community Council, Inc.
c/o Lisa Cornaire, Property Manager
Spectrum Property Management
PO BOX 1562
Great Falls, VA 22066
Lisa@SpectrumPropertyMGT.com

5. Required Information. The complaint must allege that either the Association, Board of Directors, or Association's Managing Agent has acted in a manner that is in conflict with CIC Law. This Resolution does not apply to complaints of violations of the Association's governing documents and the Board will not consider such complaints under the procedures set forth in this Resolution. All complaints shall include the following information or shall be deemed invalid/incomplete:

- a. The name and address of the Complainant.
- b. The nature of the alleged complaint, including the relevant times, dates and places involved.
- c. The applicable CIC Law(s) the complaint concerns.
- d. The requested action or resolution.
- e. The name and address of any other persons involved, if known.
- f. Any other information the Complainant deems relevant for the Board's review.
- g. The signature of the Complainant.

6. Acknowledgment of Receipt. Upon receipt of a valid written complaint, the Association shall provide written notice acknowledging receipt of the complaint within fourteen (14) days of receipt of a completed Complaint Form. The Association shall deliver written notice to the Complainant by mail, hand-delivery, or third-party courier with proof of delivery to the Complainant at the address provided, or by electronic means, provided the Association retains sufficient proof of the electronic delivery. Type of delivery of notice may be selected by the Complainant in the attached Exhibit A.

- a. *Nonactionable Complaint or Complaint Which Doesn't Pertain to CIC Law.* If it appears to the Managing Agent that the submitted Complaint Form is missing the required minimum information as outlined in Section 5, then the acknowledgment of receipt shall include notice to the Complainant of the identified problem(s) with the Complaint Form and advise the Complainant that they will need to submit a revised/corrected Complaint Form before it can be accepted and forwarded to the Board for consideration. The Complainant must provide the requested information within ten (10) days. If the additional information is not provided within this ten (10) day period, the Complainant will be notified that the matter is deemed closed. If the additional information is received within the ten (10) day period, the Complainant will be notified if either: (1) the complaint is nonactionable because it doesn't pertain to CIC Law; or (2) be notified that the Complaint will be forwarded to the Board as outlined below.

- b. *Forwarding to the Board.* If it appears that the submitted Complaint Form includes the required minimum information under Section 5 and pertains to a violation of CIC Law, then the Managing Agent shall provide the Board with a copy of the Complaint Form for consideration. Upon receipt of a completed written Complaint, the Board and Managing Agent shall take action to investigate and, if warranted, to resolve the Complaint. The Board or Managing Agent may contact the Complainant for assistance in its investigation. The Complainant is obligated to cooperate with such requests and failure to do so may result in the matter being deemed closed.

7. Consideration of Association Complaint by Board. All Complaint Forms forwarded to the Board in accordance with Section 6(b) of this Policy shall be considered by the Board at a meeting, and the Board shall decide what action, if any, to take in response to the Complaint.

- a. *Meeting at which Complaint will be considered.* Complaints will be considered by the Board at a regular or special Board meeting held within ninety (90) days from the date on which the Complaint was forwarded to the Board for consideration, except if circumstances warrant additional time for review.
- b. *Notice to the Complainant.* At least fourteen (14) days prior to the Board meeting at which the Complaint will be considered, the Association shall provide the Complainant with notice of the date, time, and location of the Board meeting. The Association shall deliver written notice to the Complainant by mail, hand-delivery, or third-party courier with proof of delivery to the Complainant at the address provided, or by electronic means provided the Association retains sufficient proof of the electronic delivery. Type of delivery of notice may be selected by the Complainant in the attached Exhibit A.
- c. *Board's Decision on Complaint.* The Board shall make a decision on the Complaint by an appropriate vote of the members of the Board at the meeting pursuant to the Association's governing documents. The Board's decision at the meeting shall fall into one of the following two categories:
 - i. A decision that there is insufficient information on which to make a final determination on the Complaint or that additional time is otherwise required to make a final determination, in which case the Board shall postpone making a final determination on the Complaint until a later scheduled Board meeting (announced at the meeting or by giving at least fourteen (14) days' notice to the Complainant) and, if needed, make a written request for additional information from the applicable party(s), specifying a deadline by which time the additional information must be received by the Managing Agent for forwarding to the Board; or
 - ii. A final determination on the Complaint, indicating whether the Complainant's requested action or resolution is, or is not, being granted, approved, or implemented by the Board. A final determination may include, for example, a decision that no action will be taken on the Complaint due to the Complainant failing to timely provide additional

information that was requested by the Association. No appeal process is available. The Board's rendered decision is final.

8. Notice of Final Determination. Following the conclusion of the hearing, the Board shall send the Complainant a Notice of Final Determination within seven (7) days after the hearing date. The Notice of Final Determination shall notify the Complainant of: (1) the Board's decision, and if applicable the provisions of the CIC Laws upon which the Board relied in reaching its decision; (2) the registration number of the Association assigned by the Common Interest Community Board; (3) if applicable, the name and CICB-issued license number of the common interest community manager; and (4) shall notify the Complainant of his or her right to file a Notice of Final Adverse Decision as set forth below. The Association shall deliver written notice to the Complainant by mail, hand-delivery, or third-party courier with proof of delivery to the Complainant at the address provided, or by electronic means provided the Association retains sufficient proof of the electronic delivery. Type of delivery of notice may be selected by the Complainant in the attached Exhibit A.

9. Referral to Ombudsman. Once a notice of Final Determination is issued, there is no further internal appeal to the Board/Association. A Complainant may only file a Notice of Final Adverse Decision to the Office of the Common Interest Community Ombudsman ("CIC Ombudsman"). A "Final Adverse Decision" means the final determination issued by the Association pursuant to this Resolution that is opposite of, or does not provide for, either wholly or in part, the cure or corrective action sought by the Complainant. The Notice of Final Determination shall advise the Complainant of his or her right to file a Notice of Final Adverse Decision to the CIC at the below address:

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

The Notice shall also inform the Complainant that they must file the notice with the CIC within 30 days of the final adverse decision. The notice must be in writing on forms prescribed by the Commonwealth Board, must include copies of all records pertinent to the decision, and accompanied by a \$25.00 filing fee. The Commonwealth Board may, for good cause shown, waive or refund the filing fee upon a finding that payment of the filing fee will cause undue financial hardship.

10. Record Keeping. The Managing Agent shall retain as part of the Association's records, a record of each Association Complaint (including the Complaint Form and attachments, related acknowledgments and notices, and any action taken in response to such Complaint) for a period of at least one (1) year from the date of the Association's final action on the Complaint.

11. Availability. A copy of these procedures shall be made available upon request, and on the Association's website, owner web portal, or other community resource center, if the Association has one.

12. Resale Disclosure Packet. A copy of these procedures shall be included in any resale disclosure packet issued after the effective date below.

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

The effective date of this Resolution shall be September 17, 2026.

**KINGSTREAM COMMUNITY COUNCIL,
INC.**

By 
Board President

EXHIBIT A
ASSOCIATION COMPLAINT FORM

Kingstream Community Council, Inc.
c/o Lisa Cornaire, Property Manager
Spectrum Property Management
PO BOX 1562
Great Falls, VA 22066
Lisa@SpectrumPropertyMGT.com

Pursuant to Section 54.1-2354.4(A) of the Code of Virginia, 1950, as amended, the Board of Directors of Kingstream Community Council, Inc. (the "Association") has established this Complaint Form for use by persons who wish to file written complaints with the Association regarding the action, inaction or decision of the Board, the Managing Agent, or Association which is in conflict with applicable Common Interest Community laws and regulations.

Legibly describe the complaint in the area provided below, as well as the requested action or resolution of the issues described in the Complaint. Please include references to the specific facts and circumstances at issue and the provisions of Virginia laws and regulations that support the Complaint. If there is insufficient space, please attach a separate piece of paper to this Complaint Form. Also, attach any supporting documents, correspondence and other materials related to the Complaint.

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

Printed Name

Signature

Address: _____

Mailing address (if different): _____

Phone Number: _____

Please select your preferred method of communication. If no selection is made, all communications will be mailed to the address on file with the Association.

[☐] Email (provide email): _____

[☐] Mail (provide address): _____

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 must be filed within thirty (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 \$25.00 filing fee. The CICB may, for good cause shown, waive or refund the filing fee upon a finding that payment of the filing fee will cause you undue financial hardship.

For more information or to submit a complaint to the Common Interest Community Ombudsman, please contact the Office of the Common Interest Community Ombudsman at:

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