

HUNTINGTON FOREST HOMEOWNERS ASSOCIATION

Resolution No. 2019-01

Complaint Procedures Pursuant to Virginia Code § 54.1-2354.4 and 18 VAC 48-70-30 Amended December 13, 2023

This resolution replaces and supersedes POLICY RESOLUTION NO 2012-02.

WHEREAS, the HUNTINGTON FOREST HOMEOWNERS ASSOCIATION. (“Association”) is a licensed common interest community association and property owners’ association subject to the Virginia Property Owners’ Association Act and those documents in the chain of title of the Association;

WHEREAS, Virginia Code § 54.1-2354.4 requires the Common Interest Community Board (“CICB”) to establish regulations requiring community associations, including property owners associations, to “establish reasonable procedures for the resolution of written complaints from the members of the association and other citizens;”

WHEREAS, pursuant to CICB regulation 18 VAC 48-70-30, every Virginia community association shall have a written process for resolving association complaints from members and citizens; and

NOW THEREFORE, BE IT RESOLVED that the Board of Directors of the Association hereby adopts the following procedures for accepting, reviewing, and making final determinations regarding complaints filed by lot owners of the Association and other citizens:

1. The Board of Directors hereby adopts and incorporates into this Resolution the Complaint Form attached hereto as **Exhibit A**.
2. The Complaint Form may be updated administratively to provide the current contact information, including mailing address and telephone number, for the Association.
3. Upon request, the Complaint Form shall be given to Members of the Association and other citizens who wish to make a complaint against the Association.
4. Members or other citizens, who wish to make a complaint against the Association, shall return the completed Complaint Form to the address provided on the Complaint Form.
5. The complainant shall submit with the Complaint Form any relevant documents and references to applicable statutes, case law, or regulations of which they are aware that support their complaint. The complainant shall also request an action or resolution from the Board of Directors to resolve their complaint.

6. Within seven (7) days of receipt of the completed Complaint Form, the Association shall provide written acknowledgment of receipt of the Complaint Form to the complainant by hand delivery, registered or certified mail, return receipt requested, or electronic mail provided that the sender retains sufficient proof of delivery.
7. The Board of Directors may appoint a director(s) to investigate the complaint and provide a report to the Board of Directors at the next Board of Directors meeting. If the next meeting is less than one month away, the report may be made at the following Board of Directors meeting. The report need not be in writing.
8. Once the appointed director(s) has provided the Board of Directors with his report, the Board may set a hearing to consider the complaint. The hearing shall be set no later than ninety (90) days from the filing of the Complaint Form.
9. The Board of Directors shall provide notice to the complainant of the date, time, and location of the hearing to consider the complaint by hand delivery, registered or certified mail, return receipt requested, or electronic mail provided that the sender retains sufficient proof of delivery. Notice shall be given at least seven (7) days in advance of the hearing.
10. At the hearing to consider the complaint, the Board of Directors shall give the complainant a reasonable amount of time to present his or her argument and any evidence. The Board of Directors may hear from other witnesses and take evidence.
11. At the conclusion of the hearing, the Board of Directors may convene in executive session to discuss the matter.
12. The Board of Directors shall come out of executive session to vote on the final determination of the complaint.
13. Within seven (7) days of the hearing, the Board of Directors shall deliver a notice of the final determination of the complaint to the complainant by hand delivery, registered or certified mail, return receipt requested, or electronic mail provided that the sender retains sufficient proof of delivery.
14. The notice of the final determination shall be dated as of the date of issuance and include (a) the names and registration numbers of the Association, (b) specific citations to applicable Association governing documents, laws, or regulations that led to the final determination, and (c) 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.
15. The Association shall retain the Complaint Form and any attachments for at least one (1) year from the date of the notice of the final determination.

16. This Resolution shall be available upon request by Members of the Association and other citizens.
17. This Resolution shall be included as an attachment to any disclosure packet.
18. The Association shall certify with each annual report filing that the Association complaint procedure has been adopted and is in effect.
19. This Resolution supersedes and replaces all previous Association policies and resolutions related to CICB complaint procedures adopted as required by CICB regulation 18 VAC 48-70-30.

Resolution Effective Date: August 12, 2019

I hereby certify that this Resolution was duly adopted by the Board of Directors on August 12, 2019.

**HUNTINGTON FOREST
HOMEOWNERS ASSOCIATION**

By: /s/
W. Stephen Piper
President

I hereby certify that this Resolution was duly amended by the Board of Directors on December 13, 2023.

**HUNTINGTON FOREST
HOMEOWNERS ASSOCIATION**

By: /s/
W. Stephen Piper
President

EXHIBIT A

HUNTINGTON FOREST HOMEOWNERS ASSOCIATION.

President or Secretary
PO Box 10099
Alexandria, Virginia 22310-0099

e-mail hfhoanews@gmail.com or Secretary@HFHOA.info

Telephone: _____

ASSOCIATION COMPLAINT FORM

Pursuant to 18 VAC 48-70-30 of the Virginia Administrative Code, the Board of Directors (“Board”) of the HUNTINGTON FOREST HOMEOWNERS ASSOCIATION (“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 by the governing board, managing agent or association inconsistent with applicable 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 the Virginia laws and regulations that support the complaint. Also, attach any supporting documents, correspondence and other materials related to the complaint. *If there is insufficient space, please attach a separate sheet of paper to this complaint form.*

COMPLAINT- INCLUDE SPECIFIC FACTS/CIRCUMSTANCES AT ISSUE:

REQUESTED ACTION/RESOLUTION:

LIST VIRGINIA LAWS AND REGULATIONS THAT SUPPORT THE COMPLAINT:

LIST ATTACHED SUPPORTING DOCUMENTS, CORRESPONDENCE & OTHER RELATED MATERIALS:

Sign, date and print your name and address below and submit this completed form to the Association at the address listed above or as a pdf attachment via e-mail to the above listed e-mail addresses.

Printed Name

Signature

Date

Mailing Address and Address in Association, if different

Email Address

Phone Number

Contact Preference: Phone, Email, Other

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 adverse decision with the Common Interest Community Board (“CICB”) in accordance with the regulations promulgated by the CICB. The notice shall be filed within thirty (30) days of the date of the final adverse decision, shall be in writing on forms provided by the Officer 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, Virginia 23233
(804) 367-2941
CICOmbudsman@dpor.virginia.gov