

FAIRFIELD HOUSE CONDOMINIUM UNIT OWNERS ASSOCIATION

POLICY RESOLUTION NO. 12-1

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

WHEREAS, Virginia Code Section 55-530(E) and applicable Regulations (Chapter 70, Part One of the Common Interest Community Ombudsman Regulations) require community associations to adopt a policy and procedures for the receipt and resolution of complaints alleging a violation of applicable law or regulations; and

WHEREAS, Section 18VAC48-70-10, *et seq*, of the Virginia Administrative Code requires that the Association enact the written complaint procedures required by Section 55-530(E) of the Virginia Code by September 28, 2012 and outlines the requirements of said complaint procedures.

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

1. **Complaint Form.** In order to properly submit a complaint, the complaining party must fully complete the Complaint Form attached hereto as Exhibit A and send it by mail, hand-delivery, or facsimile to one of the following addresses or numbers:

Fairfield House Condominium Unit Owners Association
c/o Community Management Corporation
4840 Westfields Boulevard, Suite 300
Chantilly, VA 20151
Fax: (703) 631-9786

2. **Required Information.** The Association shall review the Complaint Form in order to determine if it is complete and actionable. A complaint must specifically allege a violation of applicable law or regulations by the Association. If the complaint does not express such an allegation, the complaint is not actionable, and this policy shall not apply. If the complaint is complete and actionable, the Association will accept it for review and decision. If the complaint is incomplete or not actionable, the Association will not accept the complaint and shall notify the complainant why the complaint was not accepted and what additional documentation or information is necessary, if applicable, to process the complaint. In either case, the Association will provide a written response to the complainant within 7 days by either certified mail, return receipt requested, or by hand-delivery. Acknowledgment of receipt and either acceptance or rejection may be sent via electronic means if the complainant has consented to receive electronic communication from the Association and, in such event, the Association shall retain a record of delivery of such acknowledgment.
3. **Review Period.** Assuming the complaint is accepted for review, either upon initial filing or upon receipt of additional information or documentation, the Association shall then undertake best efforts to complete its review of the complaint within 30 days of receipt. If a complainant fails to submit any required and requested documentation or information

to the Association within 14 days of receipt of notice of such a request, the Association shall deem the matter closed.

4. **Meeting or Hearing.** After conclusion of the review period, the Association shall provide written notice to the complainant of the time, date and location of either a hearing or meeting of the Association's representatives who will make a final decision regarding the complaint. The written notice shall be sent to the complainant via either certified mail, return receipt requested, or by hand-delivery, no less than 14 days in advance of the meeting or hearing. The written notice may be sent via electronic means if the complainant has consented to receive electronic communication from the Association and in such event, the Association shall retain a record of delivery of such acknowledgment.
5. **Notice of Decision.** The Board of Directors shall determine the representatives of the Association who shall conduct the proceedings and make a final decision on the complaint. Notice of that decision ("Notice of Decision") shall be rendered to the complainant by certified mail, return receipt requested, or by hand-delivery within 7 days of the decision. The Notice of Decision shall be dated as of the date of the decision, include specific citations to the laws or regulations of Virginia that led to the final decision, and shall include the Common Interest Community registration number for the Association. If applicable, the Notice of Decision shall also state the name and license number of the common interest community manager involved.
6. **Appeal to Ombudsman.** The Notice of Decision shall also advise the complainant of his or her right to file a Notice of Adverse Decision to the Office of the Common Interest Community Ombudsman and provide the data necessary to do so.
7. **Record Keeping.** The Association shall maintain a record of all complaints for no less than one year from the date of the Association's final decision, including incomplete and non-actionable complaints.
8. **Availability.** A copy of these procedures shall be made available upon request, and on the Association's website.
9. **Resale Disclosure Packet.** A copy of these procedures shall be included in any resale disclosure packet issued after the effective date below.
10. **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 July 1, 2012.

I hereby certify that this Policy Resolution was duly adopted by the Board of Directors at a regular meeting on July 10, 2012.

FAIRFIELD HOUSE CONDOMINIUM
UNIT OWNERS ASSOCIATION

By: 
Avi Bahgal, President

Exhibit A
FAIRFIELD HOUSE CONDOMINIUM UNIT OWNERS ASSOCIATION
COMPLAINT FORM

(To comply with Section 55-530 of the Virginia Code)

You must use this form to file a complaint. Please complete, sign and date this form and mail, or fax it to the Association's common interest community manager at the address below:

Fairfield House Condominium Unit Owners Association
c/o Community Management Corporation
4840 Westfields Boulevard, Suite 300
Chantilly, VA 20151
Fax: (703) 631-9786

Name of Complainant(s): _____

Address: _____

Phone: (Home) _____ **(Work)** _____

(Mobile) _____ **(Email)** _____

Preferred method of communication: _____ **Writing** _____ **E-mail**

Please describe the nature of your complaint, including relevant times, dates and locations, and the specific provision of state law and/or regulations that you believe has been violated (please attach all documents and communications supporting your complaint – you may use additional pages):

Name and address of persons who are the subject of complaint:

Explain what you want the Association to do in response to your complaint:

You must date and sign this form. Anonymous complaints will not be accepted.

Signature: _____

Date: _____

The Association will maintain a record of your complaint for one year from the date upon which it takes action to resolve your complaint.

To be completed by Association representative only

Received by: _____

Date: _____

CERTIFICATE OF MAILING OR DELIVERY

I hereby certify that this Policy Resolution was mailed and/or hand-delivered to the addresses of record of the Unit Owners on this 10 day of July, 2012.

7/10/12
Date

Perry Wright
Perry Wright, Community Manager
Fairfield House Condominium
Unit Owners Association

FAIRFIELD HOUSE CONDOMINIUM UNIT OWNERS ASSOCIATION

POLICY RESOLUTION NO. _____

RESOLUTIONS ACTION RECORD

Duly adopted at a meeting of the Board of Directors held _____, 2012.

Motion by: _____ Seconded by: _____

VOTE:	YES	NO	ABSTAIN	ABSENT
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

ATTEST:

Secretary _____ Date _____

Resolution effective _____, 2012.

**Fairfield House Condominium Association
Matters for Board Decision Worksheet
Meeting Date: July 10, 2012**

Motion:

“I _____ move to approve Policy Resolution 12-1 Receipt and Resolution of Complaints

Motion:
2nd:

Summary: As part of the new regulations adopted by the State of Virginia, associations are now required to adopt a policy and procedures for the receipt and resolution of complaints.

CMC Recommendation:

Management recommends approving this Resolution in order to comply with the new regulations adopted by the State of Virginia.

Vote:

	In Favor	Opposed	Abstained	Absent
Avisesh Sahgal	/			
Joni Calmbacher	/			
Steve Mackey	/			
Amanda Rieter				/
Marilyn Jones	/			