

**FAIRLINGTON MEADOWS COUNCIL OF CO-OWNERS
POLICY RESOLUTION NO. 20-02**

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

WHEREAS, the Virginia Code, Section 54.1-2354.4(A) and Regulations (Chapter 70 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 Council enact the written complaint procedures required by Section 54.1-2354.4 of the Virginia Code and outlines the requirements of said complaint procedures.

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

1. **Complaint Form.** In order to properly submit a complaint upon which the Council will act, the complainant must submit a written complaint on the form attached hereto as Exhibit A.
2. **Where Complaints Should be Sent.** All written complaints shall be sent either via United States Postal Service mail, hand-delivery, or facsimile to the Council's management company, the address of which is provided on Exhibit A, unless otherwise advised and requested by the Board of Directors.
3. **Required Information.** The Council 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 Council. 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 Council will accept it for review and decision. If the complaint is incomplete or not actionable, the Council 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 Council will provide a written response to the complainant within seven (7) days by either certified mail or 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 Council, and, in such event, the Council shall retain a record of delivery of such acknowledgment. In addition to the above, the complaint must include:
 - 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 name and address of any other persons involved, if known;
 - D. Any other information the complainant deems relevant for the Board's review; and
 - E. The relief or action requested by the complainant.

4. **Review Period.** Assuming the complaint is accepted for review, either upon initial filing or upon receipt of additional information or documentation, the Council shall then undertake best efforts to complete its review of the complaint within thirty (30) days of receipt. If a complainant fails to submit any required and requested documentation or information to the Council within ten (10) days of the Council's written request, the Council shall deem the matter closed.
5. **Meeting or Hearing.** After conclusion of the review period, the Council shall provide written notice to the complainant of the time, date and location of either a hearing or meeting of the Council's representatives who will make a final decision regarding the complaint. The written notice shall be sent to the complainant via either hand-delivery or certified mail, return receipt requested, no less than fourteen (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 Council and, in such event, the Council shall retain a record of delivery of such acknowledgment.
6. **Notice of Decision.** The Board of Directors shall determine the representatives of the Council 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 or hand delivery within seven (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 Council (which is: 0550000568). If applicable, the Notice of Decision shall also state the name and license number of the common interest community manager involved (which is currently Community Management Corporation; No.: 0501000170).
7. **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. The Notice of Adverse Decision must be filed with the Office of the Common Interest Community Ombudsman within thirty (30) days of the final adverse decision. It must be in writing on forms provided by the Office of the Common Interest Community Ombudsman and accompanied by a \$25 filing fee. The address for the Office of the Common Interest Community Ombudsman is 9960 Mayland Drive, Richmond, VA 23233; its telephone number is (804) 367-2941; and its email address is CICombudsman@dpor.virginia.gov.
8. **Record Keeping.** The Council shall maintain a record of all complaints for no less than one year from the date of the Council's final decision, including incomplete and non-actionable complaints.
9. **Availability.** A copy of these procedures shall be made available to all owners and citizens upon request.
10. **Resale Disclosure Packet.** A copy of these procedures shall be included in any resale disclosure packet issued after the effective date below.

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

This resolution as adopted at a duly called meeting of the Board of Directors on October 6th, 2020. The effective date of this Resolution shall be October 6th, 2020.

**FAIRLINGTON MEADOWS COUNCIL
OF CO-OWNERS**



President

Exhibit A
FAIRLINGTON MEADOWS COUNCIL OF CO-OWNERS
COMPLAINT FORM

(To comply with Section 54.1-2354.4 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 Council's common interest community manager at the address below:

Fairlington Meadows Council of Co-Owners
c/o Community Management Corporation
P.O. Box 10821
Chantilly, VA 20153
Fax: (703) 631-9766
Phone: (703) 631-7200

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 Council to do in response to your complaint:

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

Signature: _____

Date: _____

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

Once you have received a Notice of Final Determination, you have the right to contact the Office of the Common Interest Community Ombudsman. You may give notice to the Common Interest Community Board ("CICB") of any final adverse decision which your Council may make regarding your complaint. You must file the notice within thirty (30) days of the final adverse decision. Your notice must 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 filing fee. The CICB may, for good cause shown, waive or refund the filing fee upon a finding that the 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:

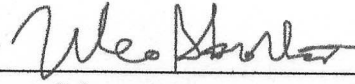
Virginia Common Interest Community Ombudsman
9960 Mayland Drive, Suite 400
Richmond, Virginia 23233
Phone: (804) 367-1463
Email: CICOmbudsman@dpor.virginia.gov

To be completed by Council representative only

Received by: _____ Date: _____

FOR COUNCIL RECORDS

I hereby certify that a copy of the foregoing Policy Resolution was mailed or hand-delivered to the members of the Fairlington Meadows Council of Co-Owners on this 8th day of October, 2020.



Property Manager