

GREENFIELD CROSSING HOMEOWNERS' ASSOCIATION, INC.

ASSOCIATION COMPLAINT PROCEDURE

Pursuant to Code of Virginia, Subsection 'A' of § 54.1-2354.4. Association complaint procedures; final adverse decisions; certificate of registration, The Greenfield Crossing Homeowners' Association ("Association"), acting through its Board of Directors ("Board"), has established the following Common Interest Community Board ("CICB")-mandated Association Complaint Procedure **for handling written complaints concerning actions or inactions alleged to be inconsistent with state laws and regulations governing common interest communities.**

A. DEFINITIONS

Unless otherwise defined in this Association Complaint Procedure, the words, terms, or phrases used in this Association Complaint Procedure shall have the same meanings as defined in the CICB regulations and/or in the Association's recorded covenants.

B. ASSOCIATION COMPLAINT FORM

If a member of the Association, a resident, or other individual alleges that an action, inaction, or decision of the Association, the Board, or the Association's management agent ("Managing Agent") is inconsistent with state laws or regulations governing common interest communities, then that individual must submit a formal written complaint ("complaint") to the Board using the attached Association Complaint Form (Exhibit 'B') in order to trigger the formal procedures described below. If the individual does *not* wish to trigger these formal procedures, then the individual should submit their questions, issues, or requests to the Managing Agent, without using the attached form. **When possible, it is encouraged to resolve Association complaints through communication with the Board, or its Managing Agent, prior to initiating the Association Complaint process.**

A copy of this Association Complaint Procedure and the required Association Complaint Form is available from the Association's website at www.greenfieldcrossinghoa.com, or by contacting the Managing Agent at:

Greenfield Crossing Homeowners' Association, Inc.
c/o Cardinal Management Group, Inc.
4300 Prince William Parkway, Suite 201, Woodbridge, VA 22192

Website: <https://www.cardinalmanagementgroup.com>
Email: Cardinal@CardinalManagementGroup.com

Phone Number: (703) 569-5797
Fax Number: (703) 866-3156

1. *Association Complaint Form instructions and attachments* – A completed Association Complaint Form must include a description of the specific facts and circumstances relevant to the individual's complaint, and the specific action, result, or resolution that is being requested. If the individual submitting the Association Complaint Form (known as the "Complainant") knows the law(s) or regulation(s) alleged to have been violated or is otherwise applicable to the complaint, then the Complainant shall provide a reference to the law(s) or regulation(s) on the Association Complaint Form. The Complainant shall also attach to the Association Complaint Form a copy of any documents the Complainant believes support the validity of the complaint (excluding laws, regulations, or the Association's governing documents).

GREENFIELD CROSSING HOMEOWNERS' ASSOCIATION, INC.

C. MAILING OR DELIVERING COMPLAINT TO BOARD OF DIRECTORS

The fully completed, signed, and dated Association Complaint Form and all attachments shall be mailed, electronically transmitted (fax or email), or otherwise delivered to the Board, via the Managing Agent, using the contact information provided hereunder.

D. MEANS OF PROVIDING NOTICES TO COMPLAINANT

All written acknowledgments or other notices required by these procedures to be provided by the Association to the Complainant shall be hand-delivered or mailed by registered or certified mail, return receipt requested, to the Complainant at the address provided on the Association Complaint Form, or electronically transmitted (fax or email) if the Complainant has previously provided the Association with the Complainant's written consent to communicate with him/her by electronic transmission. The Managing Agent shall retain in the Association's records proof of mailing, delivery, or electronic transmission of the acknowledgments and notices (as referenced in Section 'I').

E. ACKNOWLEDGING RECEIPT OF COMPLAINT

If, after submission of the Association Complaint Form by the Complainant, it appears to the Board that the submitted Association Complaint Form is legible, includes the required minimum information, and contains no more than one complaint per Association Complaint Form; then within seven (7) days of receipt of a Complainant's Association Complaint Form, the Managing Agent shall provide the Complainant with written acknowledgement of the Association's receipt of the Association Complaint Form.

1. *Resubmission to the Board* – If the Association Complaint Form has been received but contains error(s), the acknowledgment of receipt shall include notice to the Complainant of the identified error(s) with the Association Complaint Form including a statement that the Complainant will need to submit a revised/corrected Association Complaint Form before the Board will consider the Form. The Board will not consider an Association Complaint Form submitted by the Complainant if the President determines the Form:
 - (a) Is missing the required minimum information (as referenced in Section 'B.1'); or
 - (b) Contains opinions or unsubstantiated complaints; or
 - (c) Contains more than one complaint for every Association Complaint Form; or
 - (d) Is illegible, unintelligible, or otherwise unreadable; or
 - (e) Does not pertain to a violation of Virginia Common Interest Community regulations or laws; or
 - (f) Duplicates a complaint for which the Board has already issued a Notice of Final Determination

F. FORMAL ACTION – CONSIDERATION OF COMPLAINT BY BOARD

All completed, signed, and dated Association Complaint Form(s) submitted to the Board 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.

1. *Meeting at which complaint will be considered* – Complaint(s) will be considered by the Board at a regular or special Board meeting held within ninety (90) days from the date on which the

GREENFIELD CROSSING HOMEOWNERS' ASSOCIATION, INC.

Association Complaint Form was forwarded to the Board for consideration.

2. *Notice to the Complainant* - At least fourteen (14) days prior to the Board meeting at which the complaint will be considered, the Managing Agent shall provide the Complainant with notice of the date, time, and location of the Board meeting at which the matter will be considered by the Board. This Notice may be combined with the acknowledgment of receipt (as referenced in Section 'D' & 'E').
3. *Board's decision on the complaint* - The Board shall decide 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:
 - (a) A decision that there is *insufficient information* by which to make a final determination on the complaint and that *additional information is 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 of 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
 - (b) 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.***

G. NOTICE OF FINAL DETERMINATION

Within seven (7) days after the final determination is made (as referenced in Section 'F.3.b. '), the Managing Agent shall provide the Complainant with written notice of the Board's final determination. The notice of final determination shall be dated as of the date of issuance and include:

1. Specific citations to applicable provisions of the Association's governing documents, laws, or regulations that led to the final determination; and
2. Registration number of the Association as assigned by the CICB, and if applicable, the name and CICB-issued license number for the Managing Agent; and
3. Notice of the Complainant's right to file a "Notice of Final Adverse Decision" with the Office of the Common Interest Community Ombudsman.
 - (a) If the Board issues a final determination that is unfavorable to the Complainant, the Complainant may give notice to the CICB of any final adverse decision in accordance with regulations promulgated by the CICB. The notice shall be filed within thirty (30) days of the final adverse decision, shall 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 \$25 filing fee. The fee shall be collected by the CICB Director and paid directly into the state treasury and credited to the Common Interest Community Management Information Fund pursuant to § [54.1-2354.2](#). The CICB 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

GREENFIELD CROSSING HOMEOWNERS' ASSOCIATION, INC.

for the Complainant. To be considered for such a fee waiver or refund, the Complainant must file a "Filing Fee Waiver Request Form" with the Office of the Common Interest Community Ombudsman. The CICB Director shall provide a copy of the written notice to the Association. The Office of the CIC 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 23233-1485

Website: www.dpor.virginia.gov
Email: CICOmbudsman@dpor.virginia.gov

Inquiries and Questions: (804) 367-2941
TDD: (804) 527-4290
Fax: (804) 527-4405
Hotline for Older Virginians: (804) 367-2178

The CICB Director or his/her designee may request additional information concerning any notice of final adverse decision from the Association. The Association shall provide such information to the CICB Director within a reasonable time upon request. If the CICB Director upon review determines that the final adverse decision may be in conflict with laws or regulations governing common interest communities or interpretations thereof by the CICB, the CICB Director may, in his/her sole discretion, provide the Complainant and the Association with information concerning such laws or regulations governing common interest communities or interpretations thereof by the CICB. The determination of whether the final adverse decision may be in conflict with laws or regulations governing common interest communities or interpretations thereof by the CICB shall be a matter within the sole discretion of the CICB Director, whose decision is final and not subject to further review. *The determination of the CICB Director shall not be binding upon the Complainant or the Association.*

H. LACK OF ASSOCIATION RESPONSE

Any lack of response, action, acknowledgement, or notice by the Board, via the Managing Agent, after submission of the Association Complaint Form and as required by this Association Complaint Procedure, shall be cause for the Complainant to file a complaint with the Office of the Common Interest Community Ombudsman using the "Common Interest Community Complaint Form".

I. RECORDS

The Managing Agent shall retain, as part of the Association's records, a record of each complaint (including the Association Complaint Form, attachments, related acknowledgments and notices, and any action taken by the Association or Board 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.

J. RESALE DISCLOSURE PACKET

A copy of this Association Complaint Procedure (Exhibit 'A') and Association Complaint Form (Exhibit 'B') shall be included as an attachment to Association-issued resale certificates.

GREENFIELD CROSSING HOMEOWNERS' ASSOCIATION, INC.

EXHIBIT 'B'

-Continued on Next Page-

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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. 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:

ATTACHED SUPPORTING DOCUMENTS, CORRESPONDENCE & OTHER MATERIALS:

GREENFIELD CROSSING HOMEOWNERS' ASSOCIATION, INC.

Sign, date, and print your name and address below and submit this completed form to the Association at the address provided.

Printed Name

Lot Address

Mailing Address (if different from Lot Address)

Contact Preference (please provide Phone / Email / Other)

Signature

Date

The fully completed, signed, and dated Association Complaint Form and all attachments shall be mailed, electronically transmitted (fax or email), or otherwise delivered to the Board, via the Managing Agent to:

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c/o Cardinal Management Group, Inc.
4300 Prince William Parkway, Suite 201, Woodbridge, VA 22192

Website: <https://www.cardinalmanagementgroup.com>

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Office of the Common Interest Community Ombudsman
Department of Professional and Occupational Regulation
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