

GREENFIELD CROSSING HOMEOWNERS ASSOCIATION, INC.

Resolution # _____

Complaint Procedures Pursuant to Virginia Code § 54.1-2354.4 And 18 VAC 48-70-30

WHEREAS, the GREENFIELD CROSSING HOMEOWNERS ASSOCIATION, INC. (“Association”) is a property owners’ association pursuant to the Virginia Property Owners’ Association Act and those documents in the chain of title of the Association that are recorded among the land records of Loudoun County, Virginia;

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

WHEREAS, the CICB adopted regulation 18 VAC 48-70-30 pursuant to Virginia Code § 54.1-2354.4, thereby requiring every Virginia community association to have a written process for resolving association complaints from members and citizens.

NOW THEREFORE, BE IT RESOLVED that the Board of Directors of the Association adopts the following procedures for accepting, reviewing, and making final determinations regarding complaints filed by members of the Association and other citizens, and for handling written complaints concerning actions or inactions allegedly inconsistent or in violation of the Governing Documents, and laws and regulations of the Commonwealth of Virginia.

1. The Board of Directors hereby adopts and incorporates into this Resolution the Association Complaint Form attached hereto as **Exhibit A**.
2. The Association Complaint Form may be updated administratively to provide the current contact information, including mailing address and telephone number, for the Association and its Management Agent.
3. Upon request, the Association Complaint Form shall be given to members of the Association and other citizens who wish to make a complaint against the Association. A copy of this Resolution is available on the Association’s website at www.greenfieldcrossinghoa.com or by contacting the Management Agent at:

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

Email: Cardinal@CardinalManagementGroup.com
Website: <https://www.cardinalmanagementgroup.com>
Telephone: (703) 569-5797
Fax: (703) 866-3156

4. A member or other citizen shall make either or formal written complaint, or an informal complaint pursuant to Section 5 of this Resolution within ninety (90) days of the date of occurrence of the events, transactions, or communications which are the basis for the complaint. For ongoing incidents, the member or citizen must make the complaint within ninety (90) days of the date of the last occurrence of the events, transactions, or communications which are the basis for the complaint.
5. If a member or other citizen does not wish to make a formal complaint, the member should submit their questions and concerns directly to the Management Agent via the e-mail or telephone numbers included in this document without using the attached form. When possible, it is encouraged to resolve issues or concerns with the Association through communication with the Board of Directors or the Management Agent prior to initiating a formal complaint. NOTE: An informal complaint will not be subject to the same procedural steps described in this Resolution, but will be addressed in a manner and time at the discretion of the Management Agent and the Board of Directors.
6. The Complainant shall submit with the Association Complaint Form all relevant documents that support the complaint and references to applicable statutes, case law, regulations, or governing documents for which they are aware and that pertain to their complaint.
7. The Complainant shall submit a fully completed and signed Association Complaint Form, along with all relevant documents via mail, or by electronic transmission (e-mail or fax) to the Management Agent at the contact information included with this Resolution in Section 3.
8. Within seven (7) days of receipt of the completed Association 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. The Management Agent shall retain in the Association's records proof of mailing, delivery, or electronic transmission of the written acknowledgment.

9. If the Complaint Form contains any of the following errors listed below, the acknowledgement shall include a notice of the errors and a statement that the Complainant shall be required to submit a revised/corrected Association Complaint Form to the Board of Directors through the Management Agent. The errors that will result in a returned Complaint Form are listed below:
 - (a) The Association Complaint Form is missing the information required by this Resolution.
 - (b) The Association Complaint Form contains mere opinion or unsubstantiated allegations.
 - (c) The Association Complaint Form contains allegation or facts relating to more than one complaint.
 - (d) The Association Complaint Form is illegible, unintelligible, or otherwise unreadable.
 - (e) The facts or allegations within the Association Complaint Form do not relate to potential violations of the Governing Documents, or the laws and regulations of the Commonwealth of Virginia relating to common interest communities.
 - (f) The Association Complaint Form requests an action or relief that cannot be accomplished or granted by the Association.
 - (g) The Association Complaint Form duplicates or is substantially similar to a complaint for which the Board of Directors has already issued a Notice of Final Determination.
 - (h) The Association Complaint Form relates to events, transactions or communications that occurred past the ninety (90) day limit to file a complaint. If the member or citizen cannot provide evidence that the Complaint is timely, it will be dismissed.
10. 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 (1) month away, the report may be made at the following Board of Directors meeting. The report need not be in writing.

11. Once the appointed director(s) has provided the Board of Directors with the report, the Board may set a hearing to consider the complaint. The hearing shall not be set later than ninety (90) days from the filing of the Association Complaint Form or the filing of the revised and resubmitted Association Complaint Form.
12. 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 fourteen (14) days in advance of the hearing. This notice may be combined with the acknowledgement referenced in Section 7.
13. 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.
14. At the conclusion of the hearing, the Board of Directors may convene in executive session to discuss the matter.
15. The Board of Directors shall come out of executive session to vote on the final determination of the complaint. The decision of the Board of Directors shall fall into one of two categories:
 - (a) There is insufficient information to make a final determination and additional information is necessary. A hearing will be rescheduled to review the Association Complaint Form with at least fourteen (14) days advanced notice to the Complainant. If necessary, a written request for additional information will be submitted to the complainant, specifying a deadline by which the information must be received by the Management Agent.
 - (b) A final determination on the complaint shall be rendered, indicating whether the Complaint's requested action or resolution is either approved or denied by the Board of Directors. A final determination may include a decision that no action shall be taken for failure to provide additional information or that no further action is necessary.
16. A final decision by the Board of Directors shall not be appealable to the Association.
17. Within seven (7) days of the hearing, the Board of Directors shall deliver a Notice of Final Determination of the complaint to the Complainant, dated as of the date of

issuance, by hand delivery, registered or certified mail, return receipt requested, or electronic mail provided that the sender retains sufficient proof of delivery.

18. The Notice of Final Determination shall include a statement regarding 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 contact information of the Common Interest Community Ombudsman. The current "Common Interest Community Complaint Form" provided by the Virginia Department of Professional and Occupational Regulation is attached hereto as **Exhibit B**.
19. Any lack of response, acknowledgement, or notice by the Board of Directors and/or the Management Agent after receipt of the Complaint Form, and as required by this Resolution shall be sufficient cause for the Complainant to file a complaint with the Office of the Common Interest Community Ombudsman using the "Common Interest Community Complaint Form" attached hereto as **Exhibit B**.
20. The Association shall retain the Association Complaint Form, any attachments and supporting documents, and all related correspondence for at least one (1) year from the date of the notice of the final determination.
21. This Resolution shall be available upon request by members of the Association and other citizens.
22. This Resolution shall be included as an attachment to any resale certificate or the Association disclosure packet.