

**COUNCIL OF CO-OWNERS OF FAIRLINGTON MEWS CONDOMINIUM, INC.**

**POLICY RESOLUTION NO. 12-31**

(Procedures Related to the Submission and Resolution of Complaints)

**WHEREAS**, Section 55-530(E) of the Virginia Code requires that the Council of Co-Owners Fairlington Mews Condominium, Inc. ("Council") establish reasonable procedures for the resolution of written complaints from the members of the Council or other citizens; 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 55-530(E) of the Virginia Code by September 28, 2012 and outlines the requirements of said complaint procedures.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Board adopts the following policy:

1. **Complaint Form.** In order to properly submit a formal 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 using the following information, unless otherwise advised and requested by the Council's Board:

**COUNCIL OF CO-OWNERS OF FAIRLINGTON MEWS CONDOMINIUM, INC.**

c/o Community Management Corporation

PO Box 10821

Chantilly, VA 20153

Facsimile: (703) 631-9766

3. **Required Information.** 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 applicable provisions of law or of the Council's Master Deed, Bylaws, rules or policies ("Governing Documents") the complaint concerns;
  - D. The name and address of any other persons involved, if known;
  - E. To the extent that the complainant has knowledge of the law or regulation applicable to the complaint;
  - F. Any other information the complainant deems relevant for the Board's review;
  - G. The relief or action requested by the complainant.
4. **Acknowledgment of Receipt.** Upon receipt of a written complaint, the Council will provide written acknowledgment of receipt of the complaint within 7 days.

5. **Incomplete Complaint.** If the Council deems the complaint to be incomplete, the Council shall so notify the complainant and advise the complainant what additional information is needed in order for the Council to process the complaint. The complainant shall have an additional ten (10) days to provide the requested information. If the additional required information is not received within the 10-day time frame, the Council shall notify the complainant that the matter is deemed closed. If the additional information is received within the 10-day time frame, the Council shall send acknowledgement of receipt as identified in Section 4 above and commence with investigation.
6. **Investigation Period.** Upon receipt of a written complaint, the Council shall take action to investigate and, if warranted, to resolve the complaint. The Board may contact the complainant for assistance in its investigation. The complainant is obligated to cooperate with the Council's investigation. If the complainant does not cooperate, the Council may close the matter for lack of cooperation.
7. **Conclusion of Investigation.** The Council will undertake best efforts to conclude its investigation within 30 days of its receipt of the complete complaint.
8. **Meeting or Hearing.** Once the investigation is complete the Council will notify the complainant of the date, time, place and location of either a hearing or a meeting of the Council's representatives who will make a final decision regarding the complaint.
9. **Notice of Final Determination.** The Council shall send the complainant a Notice of Final Determination within seven days after the date that a final decision is made by the Council's representatives. The Notice of Final Determination shall notify the complainant of the Board's decision, and if applicable, the provisions in the Governing Documents, Virginia Condominium Act or rules and regulations upon which the Board relied in reaching its decision, the registration number of the Council, and shall notify the complainant of his or her right to file a Notice of Final Adverse Decision to the Office of the Common Interest Community Ombudsman. If applicable, the name and license number of the common interest community manager involved will be provided.
10. **Referral to Ombudsman.** The Notice of Final Determination shall advise the complainant of his or her right to file a Notice of Final Adverse Decision rendered by the Council, to the applicable Office of the Common Interest Community Ombudsman:

Virginia Common Interest Community Ombudsman  
9960 Mayland Drive, Suite 400  
Richmond, Virginia 23233-1463  
Phone: 804-367-2941  
Email: [CICombudsman@dpor.virginia.gov](mailto:CICombudsman@dpor.virginia.gov)

11. **Notices.** All notices that the Council sends to the complainant pursuant to this resolution shall be sent by certified mail and first class mail or hand-delivery unless the complainant has consented to receiving the notices electronically on the Complaint Form.
12. **Record Keeping.** The Council shall maintain a record of the complaint for no less than one year from the date that the Council takes action on said complaint.

13. **Availability.** A copy of these procedures shall be made available to all owners and citizens upon request.
14. **Resale Disclosure Packet.** A copy of these procedures shall be included in any resale disclosure packet issued after the effective date below.
15. **Annual report.** The Council shall certify with each annual report filing that the Council complaint procedure has been adopted and is in effect.

This policy resolution shall become effective on September 6, 2012.

COUNCIL OF UNIT OWNERS OF  
FAIRLINGTON MEWS CONDOMINIUM,  
INC.

By Renee Powlette  
Renee Powlette, President

**Exhibit A**  
**COUNCIL OF CO-OWNERS OF FAIRLINGTON MEWS CONDOMINIUM, INC.**  
**COMPLAINT FORM**

**You may use this form to file a complaint concerning the Council of Co-Owners Fairlington Mews Condominium, Inc. ("Council"). Should you choose to file a complaint using this form, please complete and mail or fax it to the Council's common interest community manager at the address below:**

**COUNCIL OF CO-OWNERS OF FAIRLINGTON MEWS CONDOMINIUM, INC.**  
c/o Community Management Corporation  
PO Box 10821  
Chantilly, VA 20153  
Facsimile: (703) 631-9766

**Name of Complainant(s) (anonymous complaints will not be accepted):**

\_\_\_\_\_

**Address:** \_\_\_\_\_

**Phone: (Home)** \_\_\_\_\_ **(Work)** \_\_\_\_\_

**(Mobile)** \_\_\_\_\_ **(Email)** \_\_\_\_\_

**Preferred method of communication:** \_\_\_\_\_ **Certified Mail** \_\_\_\_\_ **E-mail**

**Please describe the nature of your complaint and cite any provisions of the Governing Documents or applicable statute or regulations that is the basis for your complaint (please attach all documents and communications supporting your complaint – you may use additional pages):**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Name and address of persons that are the subject of complaint:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Description of Relief Being Sought by Complainant or Requested Action:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**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 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 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 23233-1463  
Phone: 804-367-2941  
Email: [CICombudsman@dpor.virginia.gov](mailto:CICombudsman@dpor.virginia.gov)

**Please date and sign this form.**

**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.**

*To be completed by Council representative only*

**Received by:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**COUNCIL OF CO-OWNERS OF FAIRLINGTON MEWS CONDOMINIUM, INC.**

**POLICY RESOLUTION NO. 12-01**

(Procedures Related to the Submission and Resolution of Complaints)

Duly adopted at a meeting of the Board of Directors held August 23, 2012.

Motion by: Seth Law Seconded by: Jessica Johnston

VOTE:	YES	NO	ABSTAIN	ABSENT
<u>Renee Poulotte</u> President	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Seth Law</u> Vice President	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Tiffany Kudrawetz</u> Treasurer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Jessica Johnston</u> Secretary	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>W. [Signature]</u> Director	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ATTEST:

[Signature]  
Secretary

8/23/2012  
Date

Resolution effective: September 6, 2012.