

SFHOA Policy Resolution 12-1

Revised January 2019

Stanley Forest Homeowners' Association, Inc.
P.O. BOX 1941 | WOODBRIDGE, VIRGINIA 22195



INFORMATION: This policy resolution was originally adopted and became effective on 29 September, 2012. It was revised in January 2019 to simplify the Complaint Form for a non-managed Association and update the procedures.

STANLEY FOREST HOMEOWNERS' ASSOCIATION, INC.
POLICY RESOLUTION NO. 12-1, Revised January 2019

(Policy, required under Virginia Law, for the Receipt and Resolution of Complaints against the Homeowners' Association or Volunteer Board of Directors Member)

WHEREAS, [Chapter 29 \(§ 55-530\) of Title 55 of the Code of Virginia](#) authorizes the Common Interest Community Ombudsman Regulations to require that our Homeowners' Association adopt policies and procedures for the receipt and resolution of complaints alleging a violation of applicable law or regulations by the Homeowners' Association or its volunteer Board of Directors; and

WHEREAS, your Stanley Forest HOA Articles of Incorporation, By-Laws, and Declaration of Covenants are founded on Prince William County and the Commonwealth of Virginia civil and property law, Stanley Forest Property Owners are encouraged to seek initial enforcement assistance from County, State, or Federal governmental bodies when those bodies have enforcement jurisdiction over personal grievance issues such as noise complaints; hazardous trash or debris within neighbors' property; wild or domestic animal problems; etc. and may therefore be empowered to take meaningful remedial enforcement actions; and

WHEREAS, [Section 18 VAC-48-70, 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; and

NOW, THEREFORE, the Board of Directors of the Stanley Forest Homeowners' Association, Inc. (SFHOA) adopts the following policy and procedures:

1. **Complaint Form against the HOA or its Board Member(s).** In order to properly submit a complaint alleging misconduct by the HOA or a member of its Board of Directors, the complaining party must submit the complaint in writing by fully completing the attached SFHOA Complaint Form. This policy resolution with the Complaint Form attachment is included with your HOA Disclosure package. It may also be downloaded from the SFHOA website at:

<https://stanleyforesthwa.com/Files/SFHOAPolicyResolutionNo.12-1.pdf>.

The HOA Complaint Form may also be requested directly from any of the Board of Directors members. Their names, phone numbers and email addresses are also available on the SFHOA website at:

<https://stanleyforesthwa.com/sfhoa-board-of-directors/>

2. **How Complaint Forms should be submitted to the HOA.** After fully completing the attached Complaint Form, it should be sent to the Association via one of these methods:

- A. United States Postal Service. Mail the completed form to the following address:

Stanley Forest Homeowners' Association, Inc.
c/o Board of Directors
P.O. Box 1941
Woodbridge, VA, 22195

- B. Hand Delivery. You may choose to hand deliver the completed form. To ensure the required acknowledgement of Receipt, the completed Complaint Form must be presented **in person** directly to the SFHOA Registered Agent as follows:

Martha Kobliska
4689 BONNEVILLE LANE
WOODBIDGE, VA 22193

Do not leave the completed form in the mailbox, or elsewhere on the property as it must be handed directly, person-to-person to adequately accomplish hand delivery.

- C. Electronically via email. You may also email a completed PDF copy of the Complaint Form to SFHOA Board Members including the President, Vice President, Secretary, and Treasurer. These four email addresses may be obtained from the SFHOA website at:

<https://stanleyforesthoea.com/sfhoa-board-of-directors/.org/BoardMember>

If you elect to email the Complain Form, then all subsequent responses will be conducted electronically with sufficient proof of the electronic delivery (email delivery acknowledgement).

3. **Required Information.** The SFHOA Board will 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 SFHOA or its Board Members.

To the extent the complainant has knowledge of the law or regulation applicable to the complaint, the complainant shall provide that reference, as well as the requested action or resolution desired. Based on the information provided in the complaint, the SFHOA Board may require additional and specific information during their review.

- A. If the complaint does not express such an allegation against the SFHOA or its Board Member(s), the complaint is **not** actionable and this policy shall not apply.
- B. If the complaint is incomplete, then it is also 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 to process the complaint.
- C. If the complaint is complete and actionable, the Association will accept it for review and decision.

In any of the above cases, SFHOA will provide a written response by either registered or certified mail (return receipt requested), hand delivery or electronically with proof of delivery

to the complainant within 7 days following the next regularly scheduled Board meeting after it receives the complaint. Acknowledgment of receipt and either acceptance or rejection may be sent via electronic means if the complainant submitted the complaint form electronically or has consented to receive electronic communication from the Association, and, in such event, the SFHOA shall retain a record of delivery of such acknowledgement.

4. **Complaint Form Review Period.** Assuming the complaint is actionable and accepted for review, either on initial filing or upon receipt of additional information or documentation, the SFHOA shall then undertake best efforts to complete the Board's review regarding the complaint within 30 days (one month) of receipt. If a complainant fails to submit any required follow-on, requested documentation or information to the SFHOA in accordance with Section 3 herein, the complaint shall be deemed closed and a written response closing the matter will be forwarded to the complainant.

5. **Meeting or Hearing to render decision.** 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. A written notice shall be sent to the complainant via either registered or certified mail (return receipt requested), hand delivery or electronically with proof of delivery to the complainant no less than 14 days (two weeks) in advance of the meeting or hearing. When the written notice is sent via electronic means then the SFHOA shall retain a record of delivery of such acknowledgment.

6. **Notice of Complaint 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. Formal notice of that decision ("Notice of Decision") shall be rendered to the complainant by either registered or certified mail (return receipt requested), hand delivery or electronically with proof of delivery to the complainant within 7 days of the decision. The Notice of Decision shall be dated as of the actual date of the decision meeting or hearing, include specific citations to applicable association governing documents, laws or regulations that led to the final decision, and shall include the Common Interest Community registration license number for the SFHOA. As a Common Interest Community Association that is not professionally managed, all Board Members are volunteers and SFHOA has no common interest community manager.

7. **Notice of Adverse Decision to Ombudsman.** The Notice of Decision shall also advise the complainant of his or her right to file a Notice of Adverse Decision with the Office of the Common Interest Community Ombudsman. If, after the Board's consideration and review of the complaint, the Board issues a final decision adverse to the complaint, the complainant has the right to file a notice of final adverse decision with the Common Interest Community Board (CICB) in accordance with the regulations promulgated by the CICB. The notice shall be filed within 30 days of the date of the final adverse decision, shall be in writing on forms provided by the Office of the Common Interest Community Ombudsman (Ombudsman), shall include copies of any supporting documents,

correspondence and other materials related to the decision, and shall be accompanied by a \$25 filing fee. The 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
804/367-2941
CICOmbudsman@dpor.virginia.gov

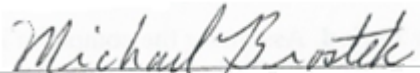
8. **SFHOA Record Keeping requirements.** The SFHOA shall maintain a record of all complaints for no less than one year from the date of the Association's final decision, including incomplete and non-actionable complaints.
9. **Policy, Procedures, and Complaint Form Availability.** A copy of this policy resolution, these procedures, and the Complaint Form shall be made available upon request, and is available on the SFHOA website at:

<https://stanleyforesthwa.com/Files/SFHOAPolicyResolutionNo.12-1.pdf>.

10. **SFHOA Resale Disclosure Packet.** A copy of this Policy Resolution shall be included in all resale disclosure packets issued after the effective date below.
11. **SFHOA Annual report for License Renewal.** The Association shall certify with each annual report filing that the association complaint procedure has been adopted and is in effect.

This Policy Resolution replaces and supersedes Policy Resolution 12-1 of September 29, 2012. The effective date of this Resolution shall be January 7, 2019.

STANLEY FOREST HOMEOWNERS' ASSOCIATION, INC.

 _____, President

SFHOA Complaint Form against HOA

Revised January 2019

Stanley Forest Homeowners' Association, Inc.
P.O. BOX 1941 | WOODBRIDGE, VIRGINIA 22195



Information: After fully completing this Complaint Form, you should submit it to the Association via one of these methods:

- A. United States Postal Service. Mail the completed form to the following address:
Stanley Forest Homeowners' Association, Inc.
c/o Board of Directors
P.O. Box 1941
Woodbridge, VA, 22195
- B. Hand Delivery. You may choose to hand deliver the completed form. To ensure the required acknowledgement of Receipt, the completed Complaint Form must be presented **in person directly** to the SFHOA Registered Agent as follows:

Martha Kobliska
4689 BONNEVILLE LANE
WOODBIDGE, VA 22193

Do not leave the completed form in the mailbox, or elsewhere on the property as it must be handed directly, person-to-person to adequately accomplish hand delivery.

- D. Electronically via email. You may also email a completed PDF copy of the Complaint Form along with PDF copies of supporting information and documents as attachments to SFHOA Board Members including the President, Vice President, Secretary, and Treasurer. All of these four current email addresses may be obtained from the SFHOA website at:

<https://stanleyforesthwa.com/sfhoa-board-of-directors/>

If you elect to email the Complain Form, then all subsequent responses will be conducted electronically with sufficient proof of the electronic delivery (email delivery acknowledgement).

If, after the Board's consideration and review of the complaint, the Board issues a final decision adverse to the complaint, you have the right to file a notice of final adverse decision with the Common Interest Community Board (CICB) in accordance with the regulations promulgated by the CICB. The notice shall be filed within 30 days of the date of the final adverse decision, shall be in writing on forms provided by the Office of the Common Interest Community Ombudsman (Ombudsman), shall include copies of any supporting documents, correspondence and other materials related to the decision, and shall be accompanied by a \$25 filing fee. The SFHOA CICB registration number is 0550001449 and the CICB 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
804/367-2941

CICOmbudsman@dpor.virginia.gov

STANLEY FOREST HOMEOWNERS ASSOCIATION, INC.
P.O. BOX 1941
WOODBIDGE, VIRGINIA 22195
Common Interest Community Association Registration # 0550001449

ASSOCIATION COMPLAINT FORM

Pursuant to Chapter 29 of Title 55 of the Code of Virginia, the Board of Directors (Board) of the Stanley Forest Homeowners' Association, Inc. (Association) has established this complaint form for use by persons who wish to file written complaints with the Association regarding the action, inaction or decisions by the governing board, volunteer board member, or association inconsistent with applicable laws and regulations.

Alleged action, inaction, or decision inconsistent with current laws or regulations: 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. If there is insufficient space, please attach a separate sheet of paper to this complaint form. Also, attach any supporting documents, correspondence and other materials related to the alleged misconduct. General description of complaint:

Desired resolution or requested corrective actions: _____

Provisions of Virginia laws or Regulations believed to have been violated: _____

Sign, date and print your name and address below and submit this completed form to the Association at the address listed above or as described in paragraph 2 of the Policy Resolution.

| | | |
|-------------------|-----------|------|
| Printed Full Name | Signature | Date |
|-------------------|-----------|------|

Your Mailing Address

SFHOA Property Address if different than Mailing Address

| | | |
|--------------------|-------------------|--|
| Your Email Address | Your Phone Number | Contact Preference: <input type="checkbox"/> Phone <input type="checkbox"/> Letter <input type="checkbox"/> Email <input type="checkbox"/> Other _____ |
|--------------------|-------------------|--|

If, after the Board's consideration and review of your complaint, the Board issues a final decision adverse to the complaint, you have the right to file a notice of final adverse decision with the Common Interest Community Board (CICB) in accordance with the regulations promulgated by the CICB. The notice shall be filed within 30 days of the date of the final adverse decision, shall be in writing on forms provided by the Office of the Common Interest Community Ombudsman (Ombudsman), shall include copies of any supporting documents, correspondence and other materials related to the decision, and shall be accompanied by a \$25 filing fee. The SFHOA CICB registration number is 0550001449 and the CICB 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
804/367-2941
CICOmbudsman@dpor.virginia.gov

For SFHOA use only: Received by *Letter* *Hand-Delivery* *Email* *Other* _____
Date Received: _____ *Board Member Receiving Form:* _____
Acknowledgement tasking: _____ *Due By:* _____

SFHOA Complaint Acknowledgement of Receipt

Revised January 2019

Stanley Forest Homeowners' Association, Inc.
P.O. BOX 1941 | WOODBRIDGE, VIRGINIA 22195



Information: This acknowledgement of receipt of Complaint Form should be returned to the Complainant within Seven (7) days of receiving the Complaint Form submission. It should be returned via similar means as that received:

- A. If received by U.S. Postal System, then the Acknowledgement should be return mailed by regular or Certified mail, Return Receipt Requested.
- B. If received by Hand-Delivery, then the Acknowledgement should be returned by similar Hand-Delivery and placed into the hand of the party submitting the Complaint Form submission.
- C. If received by email or any of the above delivery means and the Complainant has an email address, then the Acknowledgement should be returned by email.

STANLEY FOREST HOMEOWNERS ASSOCIATION, INC.
P.O. BOX 1941
WOODBIDGE, VIRGINIA 22195
Common Interest Community Association Registration # 0550001449

[DATE]

[COMPLAINANT NAME]
[COMPLAINANT ADDRESS]
[COMPLAINANT CITY, STATE, ZIP]

RE: ACKNOWLEDGEMENT OF RECEIPT OF COMPLAINT AGAINST SFHOA

Dear [NAME OF COMPLAINANT]:

This reply shall serve as notice that the Stanley Forest Homeowners' Association, Inc. has received your Complaint Form against the Association filed on [DATE]. Your Complaint will be considered by the Board of Directors at its next regularly scheduled board meeting to be held at [Location] on [Date] at [Time]. You or your representative are welcomed to attend and to present any information or witnesses that are relevant to your Complaint.

After preliminary review, your Complaint is believed to be:

- Complete and Actionable: Your complaint is believed to be complete and actionable. The Association accepts your complaint for review and will offer a decision as outlined in the Policy Resolution.
- Incomplete, lacking alleged complaint against the SFHOA or its Board Member(s): Your complaint is believed to be **not** actionable and this policy should not apply. Your complaint will be further reviewed, and you will be notified of what information is necessary for your Complaint to be processed as outlined in the Policy Resolution.
- Incomplete, lacking information required by the Board of Directors to make an informed decision: Your complaint is believed to be incomplete and **not** actionable. The Association will further review your complaint and will notify you of what additional documentation or information is necessary for the Complaint to be processed as outlined in the Policy Resolution.

If you have any questions or concerns, please contact any of the members of the Board of Directors as soon as possible.

Respectfully Submitted,

[BOARD MEMBER NAME], [TITLE]

SFHOA Notice of Final Decision

Revised January 2019

Stanley Forest Homeowners' Association, Inc.
P.O. BOX 1941 | WOODBRIDGE, VIRGINIA 22195



Information: This Notice of Final Decision should be returned to the Complainant within Seven (7) days of the date the final determination is made by the Board of Directors. It should be returned via similar means as that received:

- A. If received by U.S. Postal System, then the Acknowledgement should be return mailed by regular or Certified mail, Return Receipt Requested.
- B. If received by Hand-Delivery, then the Acknowledgement should be returned by similar Hand-Delivery and placed into the hand of the party submitting the Complaint Form submission.
- C. If received by email or any of the above delivery means and the Complainant has an email address, then the Acknowledgement should be returned by email.

STANLEY FOREST HOMEOWNERS ASSOCIATION, INC.
P.O. BOX 1941
WOODBIDGE, VIRGINIA 22195
Common Interest Community Association Registration # 0550001449

[DATE]

[COMPLAINANT NAME]
[COMPLAINANT ADDRESS]
[COMPLAINANT CITY, STATE, ZIP]

RE: NOTICE OF FINAL DECISION ISSUED ON [DATE]

Dear [NAME OF COMPLAINANT]:

During the SFHOA Board Meeting held on [DATE], the Board of Directors of the Stanley Forest Homeowners' Association, Inc. considered your Complaint Form against the Association filed on [DATE]. The Board's decision regarding your Complaint is as follows: [SUMMARY OF DECISION AND ABILITY TO MEET THE DESIRED RESOLUTION AND REQUESTED CORRECTIVE ACTION(S)]

The following SFHOA governing documents, County, State, or Federal laws or regulations form the basis for this final determination: [CITE ALL RELEVANT PROVISIONS OF THE GOVERNING DOCUMENTS, LAWS OR REGULATIONS THAT SUPPORT THE DETERMINATION]

You have the right to file a notice of final adverse decision with the Common Interest Community Board (CICB) in accordance with the regulations promulgated by the CICB. The notice shall be filed within 30 days of the date of the final adverse decision, shall be in writing on forms provided by the Office of the Common Interest Community Ombudsman (Ombudsman), shall include copies of any supporting documents, correspondence and other materials related to the decision, and shall be accompanied by a \$25 filing fee. The SFHOA CICB registration number is 0550001449 and the CICB 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
(804) 367-2941 CICOmbudsman@dpor.virginia.gov

If you have any questions or concerns, please contact any of the members of the Board of Directors as soon as possible.

Respectfully Submitted,

[BOARD MEMBER NAME], [TITLE]