

SERENE CREEK RUN ASSOCIATION

ASSOCIATION COMPLAINT PROCEDURES AND FORM

WHEREAS, pursuant to Section 55-530(E) of the Virginia Code, the Virginia Common Interest Community Board (“CICB”) has promulgated final regulations imposing a requirement that each common interest community (including condominiums, property owners' associations and cooperatives) adopt a reasonable procedure for the resolution of certain written complaints from the members of such association and other citizens;

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT the Board of Directors of Serene Creek Run Association (“Association”) hereby adopts and establishes the CICB-mandated Association complaint procedures for resolving complaints for alleged violations of laws governing common interest communities:

A. Applicability of Complaint Procedure. The complaint procedure described herein applies whenever a lot owner, resident, member of the Association or other individual alleges that an action, inaction or decision of the Association, the Board of Directors or the Association’s President is inconsistent with or violates any law or regulation governing common interest communities. The complaint procedure is not intended to cover informal questions directed to the Association, Board of Directors, or the Association’s President.

B. Formal Complaint Procedure Instructions. The complaining party (“Complainant”) must fill out the written complaint form (attached hereto as Exhibit A) (“Association Complaint Form”) and follow the specific instructions therein. 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. The Complainant shall further include the specific facts and circumstances relevant to the complaint. The Complainant shall further attach to the Association Complaint Form a copy of any documents the Complainant believes supports the validity of the complaint (“Written Complaint”). A copy of these complaint procedures (including the Association Complaint Form) will be made available upon request to the Association.

C. Submission of Written Complaint to Board of Directors. The fully completed, signed and dated Written Complaint shall be either hand delivered to the President or mailed by registered or certified mail, return receipt requested to the following address:

By Mail:

Serene Creek Run Association
PO Box 208
Forest, VA 24551

D. Means of Providing Notices to Complainant. All written acknowledgments or other notices required to be given to the Complainant by the Association 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 by facsimile transmission or electronic mail if the Complainant has previously consented

to such electronic communications. If acknowledgement is sent by electronic communication, the Association shall retain a copy thereof.

E. Acknowledgement of Receipt of Written Complaint. The Association, through the President or other officer with authority, shall provide the Complainant with written acknowledgement of the Association's receipt of the Written Complaint within seven (7) days of receipt.

1. **Incomplete Written Complaint.** If either the President or other authorized officer believes that the Written Complaint is incomplete or otherwise missing necessary information, then the acknowledgment of receipt notice shall also advise the Complainant how the submission is insufficient and advise the Complainant to submit a revised Written Complaint, together with a reasonable deadline for submitting the additional information. If the Complainant does not cure the defects by the deadline, the Board of Directors may consider the Written Complaint as submitted and make a final determination.
2. **Complete Written Complaint.** If either the President or other authorized officer believes that the Written Complaint is complete, then the President or other authorized officer shall promptly send a copy of the Written Complaint to the Board of Directors for consideration.

F. Board of Directors Consideration of Complaint – The Board of Directors shall consider the Complaint within ninety (90) days of receipt of the complete Written Complaint. The Board of Directors shall consider the Written Complaint and decide to take action, if any, at a regularly scheduled or special board meeting. In accordance with Paragraph D herein, notice of the date, time and location of the board meeting to consider the Written Complaint shall be given to the Complainant at least fourteen (14) days prior to the meeting. If the Board of Directors determines that the Written Complaint is incomplete, then the Board of Directors shall instruct the Complainant in person at the board meeting for which the Written Complaint was to be considered or by notice by the procedures set forth in Paragraph E(1).

G. Notice of Final Determination. After the Board of Directors makes a final determination, written notice thereof shall be sent to the Complainant in accordance with the procedures set forth in Paragraph D within seven (7) days of the final determination. The notice of final determination shall be dated as of the date of issuance and shall, where applicable, include citations to applicable Association governing documents, laws, or regulations that led to the final determination as well as the CICB registration number of the association. The notice of final determination shall include the Complainant's right to file a "Notice of Final Adverse Decision" with the CICB via the Common Interest Community Ombudsman and the applicable contact information.

H. Records. The President or other authorized officer shall retain, as part of the Association's records, a record of each Written Complaint, related acknowledgments and notices, and any action taken by the Association or Board in response to such Written Complaint for a period of at least one (1) year from the date of the Association's final action on the Written Complaint.

SERENE CREEK RUN ASSOCIATION
PO BOX 208
FOREST, VA 24551

ASSOCIATION COMPLAINT FORM

Pursuant to Chapter 29 of Title 55 of the Code of Virginia, the Board of Directors ("Board") of the Serene Creek Run Association ("Association") has established this complaint form for use by persons who wish to file written complaints with the Association regarding the action, inaction or decision by the governing board, managing agent or association inconsistent with applicable laws and 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 complaint.

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

<hr/>	<hr/>	<hr/>
Printed Name	Signature	Date

Mailing Address

Lot/Unit Address

<hr/>	<hr/>	Contact Preference <input type="checkbox"/> Phone <input type="checkbox"/> E-mail
E-mail Address	Phone Number	<input type="checkbox"/> Other

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 Ombudsman may be contacted at:

Office of the Common Interest Community Ombudsman
Department of Professional and Occupational Regulation
9960 Maryland Drive, Suite 400
Richmond, VA 23233
804/367-2941

CICOmbudsman@dpor.virginia.gov

Revision/Date: 00 / July 8, 2015

SERENE CREEK RUN ASSOCIATION

RESOLUTION OF COMPLAINT PROCEDURES AND FORM

The aforementioned Resolution was duly adopted by the Board of Directors on July 8, 2015

Motion by: Simeon Ford

Seconded by: Terry Palazzi

In Favor: 5

Against: 0

Abstain: 0

Attest: Vanessa Robinson (President)

Date: July 8, 2015