CAMERON STATION COMMUNITY ASSOCIATION, INC.

POLICY RESOLUTION NO. 2012-01

(Amended Procedures Related to the Submission and Resolution of Violation Complaints)

WHEREAS, Article III, Section 3.4 of the Amended Bylaws grants the Board of Directors with all of the powers necessary for the administration of the affairs of the Association in accordance with applicable law and the Project Documents, except for those matters which the applicable law or Project Documents require the Association’s membership to approve; and

WHEREAS, Section 55-530(E) of the Virginia Code requires that the Association establish reasonable procedures for the resolution of written complaints from the members of the Association or other citizens; and

WHEREAS, the Association previously adopted Policy Resolution No. 2008-08, Procedures Related to the Submission and Resolution of Violation Complaints; and

WHEREAS, Section 18VAC48-70-10, 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

WHEREAS, for the benefit and protection of all owners, the Board deems it desirable amend Policy Resolution 2008-08 to come into compliance with newly enacted provisions of the Virginia Administrative Code, prior to September 28, 2012, requiring all complaints to be submitted to the Association’s Board of Directors in writing and establishing reasonable procedures governing the resolution of these written complaints so as to comply with the requirements of the governing documents and Virginia law.

NOW THEREFORE, BE IT RESOLVED THAT the Board duly adopts the following due process procedures:

I. **Complaint Must Be in Writing.** The Association is only required to act on written complaints submitted to the Association’s management, or management or Board-witnessed violations, in accordance with the procedures set forth in this Resolution. The Board, Covenants Committee or Management, in their sole discretion, may choose to act on all verbal complaints on a case-by-case basis; provided, however, that the complainant subsequently completes and submits to Management the Association’s written complaint form.

II. **Complaint Form.** In order to properly submit a formal complaint upon which the Association will act, all residents, owners and any other party must submit a written complaint on the form attached hereto as Exhibit A, to the Association’s management office and to the attention of the Association’s Board of Directors.
III. **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 Association’s Board:

Cameron Station Community Association, Inc.
c/o Management Office
200 Cameron Station Boulevard
Alexandria, Virginia 22304
Facsimile: (703) 567-4883
Email: residents@cameronstation.org

IV. **Required Information.** All complaints shall include the following information or shall be deemed invalid, at the Board’s sole discretion:

1) The name and address of the complainant;
2) The nature of the alleged violation;
3) The time, date and place of the alleged violation;
4) The name and address of the suspected violator, if known;
5) Any other information the complainant deems relevant for the Board’s review;
6) A statement explaining why any of the above-referenced information was not included in the written complaint, if necessary;
7) The signature of the complainant.

V. **Acknowledgment of Receipt.** Upon receipt of a valid written complaint, the Association, through its Board, will provide written acknowledgment of receipt of the complaint within 7 days, by either certified mail or hand-delivery. Acknowledgement may be sent via electronic means if the owner has consented to receive electronic communication from the Association or such method of communication is consistent with established Association procedure.

VI. **Incomplete Complaint.** If the Association deems the complaint to be incomplete, the Association shall notify the complainant either via hand-delivery, first class mail or electronic means, within seven (7) days of receipt of the submission and state the additional information the complainant needs to provide to the Association in order for the Association to process the complaint. The complainant shall have an additional thirty (30) days to provide the requested information. If the additional required information is not received within the 30-day time frame, the Association shall notify the complainant via certified mail or hand-delivery that a valid written complaint was not received and the matter is deemed closed. If the additional information is received within the 30-day time frame, the Association shall send acknowledgement of receipt as identified in Section 5 above and commence with investigation described in Section 7 below.

VII. **Investigation Period.** Upon receipt of a valid written complaint, the Association shall then take such appropriate action to investigate and resolve the complaint. The Board may contact the complainant via e-mail or other written correspondence in order to conduct its investigation. The complainant is obligated to cooperate with the Association’s
investigation. If the complainant does not cooperate, the Association may close the matter for failure to cooperate.

VIII. **Conclusion of Investigation.** The Association will conclude its investigation within 30 days of its receipt of the valid written complaint, unless the Association deems that more time is necessary to conclude the investigation.

IX. **Matters Not Involving Allegations of Violations by Other Residents.**

A. **Notice.** Once the investigation is complete, if the complaint involves a matter that does not involve an allegation that a unit owner or resident is in violation of the Association’s Condominium Instruments, or duly-adopted policies, rules or regulations, the Board of Directors notify the complainant of the time, place and location that the matter will be considered by the Board. Such notice shall be hand-delivered or sent via certified mail. Notice may be sent via electronic means if the owner has consented to receive electronic communication from the Association or such method of communication is consistent with established Association procedure.

B. **Hearing.** The Board shall conduct a hearing on the subject of the alleged complaint. The complainant may present any evidence the complainant deems relevant to the subject of his complaint. The Board of Directors may question the complainant or any other persons it believes may have information relevant to the subject of the complaint. After all parties have finished presenting evidence, the Board shall meet in executive session to consider the evidence presented.

C. **Notice of Final Determination.** Following the conclusion of the hearing, the Board shall send the complainant a Notice of Final Determination by certified mail, return receipt requested or hand delivery, within seven days after the hearing date. The Notice of Final Determination shall notify the complainant of the Board's decision, the provisions in the Condominium Instruments, Condominium Act or rules and regulations upon which the Board relied in reaching its decision, the registration number of the Association, and shall notify the complainant of his or her right to file a Notice of Final Adverse Decision as set forth in paragraph 12 below. If applicable, the name and license number of the common interest community manager involved will be provided.

X. **Matters Involving Allegations of Violations by Other Residents.**

A. **Notice.** Once the investigation is complete, if the complaint involves an alleged violation of the Association’s Condominium Instruments, or duly-adopted policies, rules or regulations and the Association determines that there is sufficient evidence to establish probably cause that such a violation may exist, the Association will initiate an enforcement action against the appropriate party in accordance with its policy resolution that creates policies and procedures to endure due process in enforcement cases. In such cases, the complainant shall receive a copy of the notice of violation. The notice will be dated as of the date of issuance and shall include specific citations to applicable association governing
documents, laws, or regulation that led to the final determination, as well as the registration number of the Association.

B. **Hearing.** A hearing will be called in accordance with the Association’s policy resolution that creates policies and procedures to endure due process in enforcement cases.

C. **Notice of Final Determination.** Following the conclusion of the hearing, the Board shall send the complainant a Notice of Final Determination/Notice of Hearing Result by certified mail, return receipt requested or hand delivery, within seven days after the hearing date. The Notice of Final Determination/Notice of Hearing Result shall notify the complainant of the Board's decision, the provisions in the Condominium Instruments, Condominium Act or rules and regulations upon which the Board relied in reaching its decision, the registration number of the Association, and shall notify the complainant of his or her right to file a Notice of Final Adverse Decision as set forth in paragraph 11 below. If applicable, the name and license number of the common interest community manager involved will be provided.

XI. **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 Association, 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

XII. **Record Keeping.** The Association shall maintain a record of the complaint for no less than one year from the date that the Association takes action on said complaint.

XIII. **Availability.** A copy of these procedures shall be made available to all owners and citizens upon request and on the Association’s website.

XIV. **Resale Disclosure Packet.** A copy of these procedures shall be included in any resale disclosure packet issued after the effective date below.

XV. **Annual report.** The Association shall certify with each annual report filing that the Association complaint procedure has been adopted and is in effect.

This policy resolution amends and supersedes policy resolution 2008-08.
The effective date of this Resolution shall be July 1, 2012.

CAMERON STATION COMMUNITY ASSOCIATION, INC.

By: ____________________________

Nick Giannotti, President
You may use this form to file a complaint concerning Cameron Station Community Association, Inc. (the “Association”). Should you choose to file a complaint using this form, please complete, sign and date this form and mail or fax it to the Community Manager at:

Cameron Station Community Association, Inc.
c/o Management Office
200 Cameron Station Blvd.
Alexandria, VA 22304
Facsimile: (703) 567-4883

Name of Complainant(s): ________________________________________________________________

Address:  _________________________________________ ___________________

Phone: (Home) _______________________   (Work) __________________________
   (Mobile) ________________________    (Email) _______________________________________

Preferred method of communication: ______________________________________________________

Please described the nature of your complaint and cite any provisions of the Association 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:

_____________________________________________________________________________________
_____________________________________________________________________________________
_____________________________________________________________________________________


Be advised, the Association may elect not to take action on any complaint which does not conform to the above-referenced delivery requirements or include the requested information on this form.

The Association will provide written acknowledgement of receipt of the form within 7 days via certified mail, hand delivery, or electronic means, if applicable. If additional information is required, you will be notified in accordance with Section 6 of the Association’s procedures.

The Association will begin investigation of your complaint when it has received a valid written complaint.

The Association will conclude its investigation within 30 days of its receipt of your valid written complaint. Once investigation is concluded, you will be notified of when and where your matter will be reviewed by the Board (or other body, if applicable).

After the Board has made its final determination, the Board will send you a written Notice of Final Determination within 7 days of the decision by either via certified mail, hand delivery, or electronic means, if applicable.

Once you have received a Notice of Final Determination, you have the right to contact the Office of the Common Interest Community Ombudsman. In accordance with the Common Interest Community Board’s (“CIC Board”) rules and procedures and Va Code § 55-530, you may give notice to the CIC Board of any final adverse decision which your Association 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 Commonwealth Board, shall include copies of all records pertinent to the decision, and shall be accompanied by a $25 filing fee. The Commonwealth Board 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

You must date and sign this form. Anonymous complaints will not be accepted.

Signature:

Date:

The Association 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 Association representative only

Received by: 

Date:
CAMERON STATION COMMUNITY ASSOCIATION, INC.

POLICY RESOLUTION NO. 2012-01

(Amended Procedures Related to the Submission and Resolution of Violation Complaints)

Duly adopted at a meeting of the Board of Directors held June 19, 2012.

Motion by: Mindy Lyle    Seconded by: Robert Duncan

VOTE:             YES        NO      ABSTAIN       ABSENT

Nick Giannotti, President        __X__    ____     _______        ______

Mindy Lyle, Vice President        __X__    ____     _______        ______

Tom McClimon, Secretary        __X__    ____     _______        ______

Robert Duncan, Treasurer        __X__    ____     _______        ______

Alvin Boone, Director        __X__    ____     _______        ______

Michael Johnson, Director        __X__    ____     _______        ______

Philip Ludvigson, Director        __X__    ____     _______        ______