

**Chaconas Estates Homes Association
COMPLAINT PROCEDURE & RESOLUTION ACTION SHEET**

Resolution No: 2020-11

Resolution Type: Implement the Complaint Procedure Act

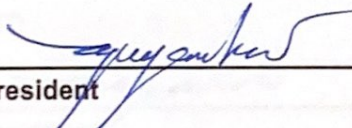
Pertaining To: Complaint Procedure

Duly Adopted at a Meeting of the Board of Directors held on 23 November 2020

Motion By: Barry Nussbaum **Seconded By:** Marc Nguyen

	YES	NO	ABSTAIN	ABSENT
Jennifer Abrams President	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Marc Nguyen Vice President	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Barry Nussbaum Treasurer	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

ATTEST:

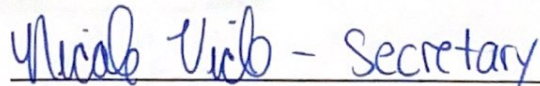


Vice President

Resolution effective: 11/23/2020

CERTIFICATE OF MAILING AND DISTRIBUTION

I HEREBY CERTIFY that the foregoing Resolution No.: 2020-11
(COMPLAINT PROCEDURE & RESOLUTION) of the Chaconas Estates Homes Association
was duly mailed, certified, to the Members of record on the
11 day of December, 2020.



(Name and Title)

Chaconas Estates Homes Association

Chaconas Estates Homes Association COMPLAINT PROCEDURE & RESOLUTION No. 2020-11

WHEREAS, Article II, Sections 1, 2, & 3 of the Declaration of Covenants, Conditions and Restrictions (“Declaration”) of the Chaconas Estates Homes Association (“Association”) grants the authority of the Board of Directors (“Board”) to establish rules and regulations pertaining to the use of the Common Areas and facilities, ;

WHEREAS, the Virginia Property Owners Association Act, Virginia Code Section 55-515 (the “Act”) requires all lot owners to comply with the provisions of the Declaration;

WHEREAS, there is a need to establish remedies for violations of the Declaration and/or the Act and

WHEREAS, it is the intent of the Board to enforce the Association’s Declaration and/or the Act for the benefit and protection of the Association and its members (the “Members”) in cases involving compliance by a Member or a resident of the subdivision with provisions of the Declaration or the Resolutions of the Board (collectively, as the same may be amended, modified or supplemented from time to time), (the “Governing Documents”)

NOW, THEREFORE, BE IT RESOLVED that the following rules enforcement procedures be, and are hereby, adopted:

APPLICABILITY OF COMPLAINT PROCEDURE

The Complaint Procedure described in this Resolution applies when a homeowner, resident or citizen alleges that an action, inaction or decision of the Association, the Board or a managing agent is in conflict with laws or regulations governing common interest communities, such as the Virginia Property Owners' Association Act, or interpretations of such laws or regulations by the CICB. This procedure does not apply to other disputes with the Association, with the Board, or with Chaconas Homes Estates Association homeowners or residents. For example, it does not apply to disputes regarding property maintenance, architectural guidelines, traffic or parking violations by residents or nonresidents, unneighborliness by residents, etc., unless the complaining party alleges that the Association, the Board or a managing agent has violated, or is violating, applicable laws or regulations.

TIMING OF COMPLAINT PROCEDURE

The Complaint Procedure shall not be used until any and all applicable avenues for internal review have been exhausted, including, if applicable, raising the issue for consideration at a regularly scheduled meeting of the Board. After the conclusion of such procedures, if a member of the Association or other citizen believes that the decision made by the Association is inconsistent with applicable laws or regulations, then such person may register a Complaint with the Association under this Complaint Procedure.

SUBMISSION OF WRITTEN COMPLAINT

1. The Complaint shall be submitted in writing, using the "Association Complaint Form." A copy of the form is attached hereto as Exhibit A. To the extent that the complainant has knowledge of the law or regulations applicable to the Complaint, he or she shall provide that reference. The Complaint shall also specify the requested action or resolution of the matter.
2. The completed Association Complaint Form, along with all supporting documents and other materials relating to the Complaint, shall be mailed to Chaconas Homes Estates Association, 7813 Antiopi Street, Annandale, Virginia 22003, by registered or certified mail, return receipt requested, within 30 days of the alleged act, or failure to act, which is the subject of the Complaint.

RECEIPT AND ADEQUACY OF THE COMPLAINT

1. The Association shall provide written knowledge of receipt of the Complaint to the complainant within 7 days of the receipt. The acknowledgement shall be by hand-delivery, by email, or by registered or certified mail, return receipt requested, to the complainant's address as provided in the Complaint. If acknowledgement is sent by email, the Association shall retain an electronic copy thereof.
2. If it appears that the Complaint is inadequate in any way, the Association may provide notice of such to the complainant. Such notice shall describe how the Complaint is inadequate and advise the complainant of the need to submit a revised Complaint, or for submitting the additional information. If the complainant does not provide the additional information within the requested time frame, the Board may consider the Complaint as submitted and make a final determination.

BOARD CONSIDERATION OF THE COMPLAINT

1. The Board shall consider the Complaint within sixty (60) days of receipt of an adequate and completed Complaint, or, under extenuating circumstances, as soon as thereafter as may be reasonably possible. Notice of the date, time and location of the Board's consideration of the matter shall be given to the complainant by hand-delivery, by email, or by registered or certified mail, return receipt requested, to the complainant's address as provided in the Complaint, at least fourteen (14) days prior to consideration by the Board.
2. After the final determination is made, a written notice of final decision shall be sent by hand-delivery, by email, or by registered or certified mail, return receipt requested, to the address provided in the Complaint, within 7 days.
3. 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.

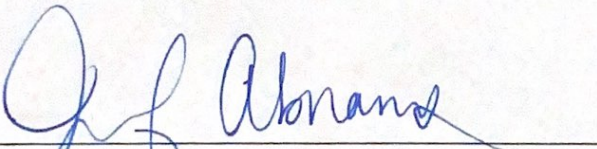
NOTICE OF FINAL ADVERSE DECISION TO COMMON INTEREST COMMUNITY BOARD

The complainant shall have the right to file a "Notice of Final Adverse Decision" with the CICB. A copy of a form for this purpose is attached hereto as Exhibit B. Additionally, attached as Exhibit C is a form entitled "Request for Waiver of Filing Fee."

ASSOCIATION RECORDS

1. A record of each Complaint shall be maintained by the Association for no less than one year after the Association acts on the Complaint
2. This Association Complaint Procedure shall be included as an attachment to the Association disclosure packet for new homeowners and shall be readily available upon request to all members of the Association and citizens.

Duly adopted by the Board of Directors, this 23 day of November, 2020.



President

Jennifer Abrams
Marc Nguyen
Barry Nussbaum