

**MONTCLAIR PROPERTY OWNERS ASSOCIATION, INC.
ADMINISTRATIVE RESOLUTION NO. 12-101**

July 11, 2012

Procedures for Receiving and Reviewing Complaints

WHEREAS, Article 4, Section 4.1 of the Bylaws states that "The Board of Directors shall have all of the powers and duties necessary for the administration of the affairs of the Association and may do all such acts and things as are not required by the Act or the Association Documents to be exercised and done by the Members;"and,

WHEREAS, in the exercise of the said authority, the Board of Directors intends to hereby establish policies and procedures for receiving, considering and resolving complaints about actions, inactions or decisions by the Association, the Association Board of Directors or the Association management agent consistent with requirements of 18 VAC 48-70-30


NOW, THEREFORE, BE IT RESOLVED THAT the following complaint policies and procedures are hereby adopted, which procedures shall supersede and replace any previously adopted policies and procedures relating to the same subject.

- A. All complaints shall be in writing on the Complaint Form attached hereto as Exhibit "A," the instructions on which are incorporated into and made a part of these complaint policies and procedures and shall be submitted to the management office at 3561 Waterway Drive, Montclair, Virginia 22025-1000.
- B. Management shall hand deliver a written acknowledgement of receipt of each properly completed and submitted Complaint Form to the complainant at the time of receipt or by certified or registered mail, return receipt requested, or electronic means, provided management retains sufficient proof of electronic delivery, not later than seven days upon receipt of the complaint.
- C. Promptly upon receipt, management shall review each Complaint Form and attachments received to determine if they contain sufficient information to evaluate and act upon the complaint. In the event that the Complaint Form, together with any attached documents, is insufficient to evaluate and act upon, management shall request of the complainant, by certified or registered mail, return receipt requested, or electronic means, provided management retains sufficient proof of electronic delivery, within seven days of receipt of the Complaint Form, such additional information or documentation as is necessary in order to do so.
- D. If the complainant fails to provide such additional requested information or documentation within fifteen days of management's request, the Board of Directors, in its sole discretion, may either address the complaint on the basis of the available information or consider the complaint resolved and the complaint process shall be closed. In the event the complaint is deemed resolved under the provisions of this paragraph, management shall mail to the complainant by certified or registered mail, return receipt requested, or electronic means, provided management retains sufficient proof of electronic delivery, within seven days of the Board's decision, notice of that decision and that the complaint process with respect to the complaint has been closed.

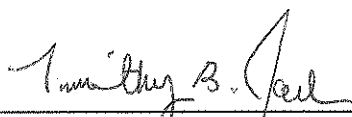
- E. When the Complaint Form, together with any attached documents and any requested additional information is complete and provides sufficient information to process the complaint, the complaint shall be considered by the Board of Directors at the next regular or special meeting that is convened at least two weeks thereafter. Written notice of the time, date and location of the Board meeting at which the complaint will be considered shall be provided to the complainant by hand delivery, certified or registered mail, return receipt requested, or electronic means, provided management retains sufficient proof of electronic delivery, within a reasonable period of time prior to the Board meeting.
- F. The Board of Directors shall dispose of the complaint by taking such action as the Board deems appropriate to grant the relief sought, including without limitation issuing sanctions, modifying practices or dismissing the complaint. Within seven days after the Board of Directors makes a final determination with respect to the disposition of the complaint, management shall provide written notice of the final determination to the complainant by hand delivery, certified or registered mail, return receipt requested, or electronic means, provided management retains sufficient proof of electronic delivery.
- G. The notice of final determination shall be dated as of the date of issuance and include specific citations to applicable association governing documents, laws or regulations that led to the final determination and shall include the registration number of the Association and the license number of the common interest community manager. The notice of final determination shall include a statement that the complainant has the right to file a Notice of Final Adverse Decision with the Common Interest Community Board via the Ombudsman and that the Ombudsman may be contacted at (804) 367-2941 or cicombudsman@dpor.virginia.gov.
- H. Management shall maintain a record of each complaint received and the disposition of the same for one year from and after the date of issuance of the notice of final determination.
- I. The policies and procedures set forth in this Resolution shall apply to all complaints received after the date of adoption hereof.

This resolution was adopted and approved by the Board of Directors at a duly convened meeting of the Board of Directors at which a quorum was present on this 11th day of July, 2012.

MONTCLAIR PROPERTY OWNERS ASSOCIATION, INC.

By: 
Ned Greene, President

ATTEST:


Timothy B. Jack, Secretary

Montclair Property Owners Association, Inc.
3561 Waterway Drive
Montclair, Virginia 22025-1000
(703) 670-6187

ASSOCIATION COMPLAINT FORM

INSTRUCTIONS

This complaint form is for use by persons who wish to file written complaints with Montclair Property Owners Association, Inc., regarding the action, inaction or decision by the Association, its Board of Directors or managing agent believed to be 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. Please 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.

COMPLAINT

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Printed Name	Signature	Date
Mailing Address	Lot/Unit Address	E-mail Address
		Phone Number

Contact Preference: Phone E-mail Other

If, after the Association's consideration and review of the complaint, the Board of Directors 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, paid by complainant. 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

For Association Use Only: Received by: _____ Date: _____