

## Condominium Association, Inc.

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### COMPLAINT PROCESS PURSUANT TO VA. CODE SECTION 55-530E AND REGULATION 18 VAC 48-70-60

1. An owner or resident may file a written complaint regarding the action, inaction or decision by the Board, Managing Agent or Association inconsistent with applicable statutes and regulations ("Association Complaint"). All Association Complaints shall be submitted in writing to the Management office by hand delivery or mail to The Select Group, Inc., 2224 Virginia Beach Blvd., Suite 201, Virginia Beach, Virginia 23454 or via fax to: 757-486-6988 on an Association Complaint Form. Association Complaint Forms are available through the Management office.
2. The Association Complaint shall be as specific as possible about the facts and circumstances; shall include references, to the extent the complainant has knowledge, to any provisions of law, regulations, the Governing Documents, Rules and resolutions, which are the subject of the Association Complaint; and shall state the requested action or resolution. The Association has the option not to act upon any complaint for which insufficient information is provided, which does not in the Association's sole discretion constitute a valid complaint or that an owner or resident fails or refuses to submit in writing.
3. The Association Manager will provide written acknowledgement of receipt of the completed Association Complaint Form within seven (7) days of receipt and shall state the date, time and location that the matter will be considered by the Board of Directors. The acknowledgement shall be hand delivered or mailed by certified mail, return receipt requested, to the complainant at the mailing address or, provided the sender retains proof of delivery, by electronic transmission to the email address provided on the Association Complaint Form. If it appears from the submission that additional information is necessary to continue processing the Association Complaint, the acknowledgement will also identify the additional information needed and provide a reasonable amount of time for the complainant to respond.
4. If the complainant fails to respond within the timeframe by providing the additional requested information, the Association Complaint shall be deemed withdrawn. If an Association Complaint is deemed withdrawn, the Association Manager shall notify the complainant in writing of such disposition by hand delivery, first class mail or email.
5. Completed Association Complaint forms submitted to the management office will be reviewed at the next regularly scheduled meeting of the Board of Directors, provided such form is submitted at least seven (7) days prior to the next regularly scheduled Board

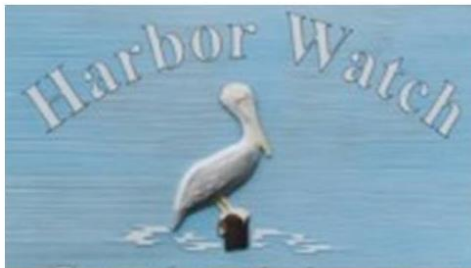
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of Directors meeting. The Board of Directors meets as needed. If the completed form is received less than seven (7) days prior to the next regularly scheduled meeting of the Board of Directors, the form shall be reviewed at the next subsequent regularly scheduled Board meeting.

6. Within seven (7) days of any decision by the Board of Directors, notice will be hand delivered or mailed by certified mail return receipt requested or, provided the sender retains sufficient proof of delivery, by electronic transmission to the complainant at the address on the Association Complaint Form. This notice shall be dated and include specific citations to applicable Governing Documents, statutes, regulations, Rules or resolutions that led to the determination, as well as the CICB registration number of the Association and if applicable, the name and license number of the Common Interest Community Manager shall also be provided. This notice will be the final written determination if no appeal is made by the complainant.
7. Once the Association Complaint procedure has been exhausted, the notice of final determination shall be dated and include specific citations to applicable Governing Documents, statutes, regulations, Rules or resolutions that led to the final determination, as well as the CICB registration number of the Association. If applicable, the name and license number of the Common Interest Community Manager shall also be provided. The final determination notice shall include a notice of the complainant's right to file a Notice of Final Adverse Decision with the Common Interest Community Ombudsman and the applicable contact information.
8. A record of each association complaint filed with the Association shall be maintained for no less than one year after the association acts on the complaint.



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### ASSOCIATION COMPLAINT FORM

This Form is available to all Association Owners as required by Section 55-530.E of the Code of Virginia, 1950, as amended ("Virginia Code"). Please complete and return this Form to the Association's Manager at least five (5) days prior to the next scheduled regular Board of Directors Meeting to insure review at that Meeting. The Board will provide a written response to any submitted Association Complaint Form within seven (7) days of the Board Meeting during which the Complaint is reviewed.

Member Name (Printed): \_\_\_\_\_

Member Name (Signature): \_\_\_\_\_

Address: \_\_\_\_\_

Date Submitted: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

Please outline and/or address your specific complaint and attach to this Form. Please include copies of all applicable provisions of the Association's Declaration, Architectural Guidelines, Articles of Incorporation, Bylaws and/or Rules and Regulations to assist the Board in understanding your complaint. Please be sure to identify and/or attach the provisions of all specific provisions of the Virginia Code you believe may apply.

Forward the completed Association Complaint Form and all attachments to:

The Select Group, Inc.  
Attention: Robin Jopp  
2224 Virginia Beach Blvd., Suite 201  
Virginia Beach, VA 23454  
fax: (757) 486-6988 email: [rjopp@theselectgroup.us](mailto:rjopp@theselectgroup.us)

Should you need assistance in understanding your rights and the processes available to common interest community Members, you may contact Virginia's Office of the Common Interest Community Ombudsman ("CICO") for assistance. The CICO may be reached:

Office of the Common Interest Community Ombudsman  
Department of Professional and Occupational Regulation  
9960 Mayland Drive, Suite 400  
Richmond, VA 23233  
(804) 367-2941 email: [CICOmbudsman@dpor.virginia.gov](mailto:CICOmbudsman@dpor.virginia.gov)

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**(This Block for Association Use Only)**

Date Complaint Received by the Association's Manager: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

Printed Name of Association Manager who received Complaint:

\_\_\_\_\_

Signature of Association Manager to certify Date Complaint Received:

\_\_\_\_\_

Date Complaint Reviewed by the Board of Directors: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

Date Complaint Response forwarded to Complainant: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

Printed Name of Person who prepared Response:

\_\_\_\_\_

Signature of Person who prepared Response:

\_\_\_\_\_

Please attach a copy of the Response to this Association Complaint Form.

**Complainant's Rights Description required by Section 55-530-E.2 of the Virginia Code**

In accordance with Section 55-530.F of the Code of Virginia, as amended, an Association Complainant may give notice to Virginia's Common Interest Community Board (the "Board") of any final adverse decision in accordance with regulations promulgated by the Board. The notice shall be filed within 30 days of the final adverse decision, shall be in writing on forms prescribed by the Board, shall include copies of all records pertinent to the decision, and shall be accompanied by a \$25 filing fee. The fee shall be collected by the Director of Professional and Occupational Regulation and paid directly into the state treasury and credited to the Common Interest Community Management Information Fund, § 55-530.1. The Board may, for good cause shown, waive or refund the filing fee upon a finding that payment of the filing fee will cause undue financial hardship for the member. The Director shall provide a copy of the written notice to the Association that made the final adverse decision.