



Burke Village Homeowners Association

5812 High Bluff Court, Burke, Virginia 22015

08/08/2017

Hello Homeowners,

The Board of Directors of Burke Village Homeowners Association is committed to maintaining its responsiveness to the needs and concerns of our community and its association members. It is also the obligation of the Board, in accordance to Virginia Code, to provide a procedure for members of our community to express any concerns or complaints that may arise.

Therefore attached to this memo is a copy of the ***Burke Village Homeowners Association Policy Resolution NO.2017-01***. This resolution was drafted by our Attorneys and voted on and accepted by the Board of Directors. A copy will also be posted on our website for you to download and use as needed.

Initial complaints can still be made via our website, www.burkevillage.org and/or emailed to a Board Member. If, after the Board of Director's consideration and review of a 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. *See details in the attachment for more information.*

Thank you,
Jay Smith
/JELANI A. SMITH/
BVHA President

BURKE VILLAGE HOMEOWNERS ASSOCIATION

POLICY RESOLUTION NO. 2017 - 01

Procedures for Receiving and Reviewing Complaints

WHEREAS, the Burke Village Homeowners Association is a Virginia homeowners association organized and operating pursuant to the Virginia Nonstock Corporations Act, the Virginia Property Owners Associations Act and the Association's Declaration, Articles of Incorporation and By-Laws, as may be amended; and

WHEREAS, Article VII, Section 1 (c) of the By-Laws of the Association vests in the Board of Directors the obligation to exercise all powers, duties and authority vested in the Association and not reserved to 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 Board of Directors, or the Association's Managing Agent consistent with the requirements of 18 VAC 48-70-30 and Va. Code Ann. § 55-530(E), as amended (1950).

NOW, THEREFORE, BE IT RESOLVED THAT, in accordance with the requirements of 18 VAC 48-70-30 and Va. Code Ann. § 55-530(E), as amended (1950), the Board adopts the following complaint policies and procedures:

- A. All complaints shall be made 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 Board of Directors.
- B. The Board of Directors shall send a written acknowledgement of receipt of each properly completed and submitted Complaint Form to the complainant by hand delivery, certified mail or electronic means, provided the Board of Directors retains sufficient proof of electronic delivery not later than seven (7) days of receipt of the complaint.
- C. Promptly upon receipt, the Board of Directors 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, the Board of Directors shall request of the complainant, within seven (7) 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 (15) days of the Board of Directors' request, the Board, 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, the

Board of Directors shall send to the complainant within seven (7) days of the Board's decision a written Notice of Final Determination advising that the complaint process with respect to the complaint has been closed, which shall be hand delivered or sent by certified mail or electronic means, provided the Board of Directors retains sufficient proof of electronic delivery.

- 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 its next regular meeting, or within its sole discretion at a 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 within a reasonable period of time prior to the Board meeting by hand delivery, certified mail or electronic means, provided the Board of Directors retains sufficient proof of electronic delivery.
- 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 (7) days after the Board of Directors makes a final determination with respect to the disposition of the complaint, the Board of Directors shall provide a written Notice of the Final Determination to the complainant by hand delivery, certified mail or electronic means, provided the Board of Directors 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 (if any). 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:

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

- H. The Association 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 shall become effective on August 1st, 2017. We attest and certify that this Policy Resolution was duly adopted by the required vote of the Board of Directors at a duly noticed meeting of the Board of Directors on the 1st day of August, 2017.

BURKE VILLAGE HOMEOWNERS ASSOCIATION



Jelani Smith, President



Patty Tang, Secretary

Certificate of Mailing

I, Darryl P. Payne, Managing Agent for Burke Village Homeowners Association hereby certify that a copy of this Policy Resolution No. 2017- 01 was sent to all Co-Owners by first class mail, postage pre-paid, on August 10, 2017.





Darryl P. Payne, Managing Agent
BURKE VILLAGE HOMEOWNERS ASSOCIATION.

BURKE VILLAGE HOMEOWNERS ASSOCIATION

POLICY RESOLUTION NO. 2017 - 01

RESOLUTION ACTION RECORD

This Resolution was duly adopted at a duly called meeting of the Board of Directors on AUGUST 1ST, 2017.

Motion by: JAY SMITH Seconded by: KENNIE JOHNSON

VOTE:	YES	NO	ABSTAIN	ABSENT
<u>RON CRUZ</u> Director	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>MATT TANG</u> Director	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>VIKI HALATSUK</u> Director	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>PARICIA TANG</u> Director	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ATTEST:

Secretary: 

Date: 1 August 2017

Resolution effective AUGUST 1ST, 2017

EXHIBIT A

(POLICY RESOLUTION NO. 2017- 01 : "ASSOCIATION COMPLAINT PROCEDURES")

Association Mailing Address:

**Burke Village Homeowners Association
5812 High Bluff Court
Burke, Virginia 22015**

Association Email Address:

admin@burkevillage.org

ASSOCIATION COMPLAINT FORM

Pursuant to Section 55-530(E) of the Code of Virginia, 1950, as amended, the Board of Directors ("Board") of Burke Village Homeowners Association (the "Association") has established this complaint form for use by persons who wish to register written complaints with the Association regarding an action, inaction or decision by the Association or its Board or managing agent that is believed to be inconsistent with applicable laws and regulations.

1. Legibly describe your complaint in the area provided below, as well as the requested action or resolution of the issues described in the complaint. 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, attach a separate sheet of paper to this complaint form. Also, attach any supporting documents, correspondence and other materials related to the complaint (not including copies of laws, regulations or the Association's governing documents).

2. Sign, date & print your name and address below and submit this completed form to the Association at the above-noted address.

_____	_____	_____
Printed Name	Signature	Date

Mailing Address		

Unit Address		
_____	_____	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

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