

Holleybrooke Homeowners' Assoc., Inc.
P O Box 1088
Spotsylvania, VA 22553
540-786-3815 Voice Mail
www.holleybooke.org

Dear Holleybrooke Homeowner,

Welcome to our community. Your Homeowners Association is very pleased to have you as a new neighbor. We are an active volunteer organization that works hard to achieve a pleasant environment for all our residents. We have many active committees working to maintain our goal and we continually seek more volunteers to help us with our youth programs, playground and swimming pool.

The swimming pool opens on Memorial Day weekend and closes Labor Day. Pool passes are issued in the spring prior to the pool opening. Procedures for obtaining passes are publicized in our Newsletter and on the Web. Pool hours and rules are posted at the pool and also on the Web.

We sincerely hope you will enjoy the amenities we have to offer residents of Holleybrooke and Cobblestone. Your homeowner association dues provide the funds to maintain the common grounds, swimming and playground facilities as well as special activities for our youth and families. We also have an active Seniors group that participates in special monthly activities.

An Administrative Assistant and Pool Manager are employed to assist us in protecting the integrity of the entire community, and to assist you in protecting your investment in, and enjoyment of your home for years to come. Details governing our subdivision are outlined in the Covenants, By-Laws, Architectural Control Rules, Pool and Playground Rules.

If we can assist you or if you wish to become an active volunteer, please call the number shown above or contact us via e-mail. We hope you enjoy your neighborhood.

Sincerely,

*Holleybrooke Homeowners' Association, Inc.
Board of Directors*

Holleybrooke Homeowners' Association, Inc.
P O Box 1088
Spotsylvania, VA 22553
540-786-3815

ASSOCIATION COMPLAINT FORM

Pursuant to Chapter 29 of Title 55 of the Code of Virginia, the Board of Directors (Board) of the Holleybrooke Homeowners' Association, Inc. has established this complaint form for the use by persons who wish to file written complaints with the Association regarding the action, inaction or decision by the governing board, managing agent or association 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. Also, 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.

Printed Name	Signature	Date
Mailing address		
Lot/Physical address		
Phone number	E-Mail address	

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) pursuant to Virginia Code § 55-530. E.2 and the regulations promulgated by the CICB.

The notice shall be filed within 30 days of the final adverse decision, shall be in writing on forms prescribed by the CICB, shall include copies of records pertinent 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 Mayland Drive, Suite 400
Richmond, VA 23233
804-367-2941
CICOmbudsman@dpor.virginia.gov

Holleybrooke Homeowners' Association, Inc.
Administrative Resolution No. 2019-01
(Adopted March, 2019)

Regarding Complaint Procedures Pursuant to Virginia Code §55-530(E) and 18 VAC 48-70-30

WHEREAS, the Holleybrooke Homeowners' Association, Inc. ("Association") is a property owners association pursuant to the Property Owners Association Act and those documents in the chain of title of the Association that are recorded among the land records of Spotsylvania County, Virginia.

WHEREAS, Virginia Code §55-530 (E) required the Common Interest Community Board ("CICB") to establish regulations requiring community associations to "establish reasonable procedures for the resolution of written complaints from the members of the association and other citizens."

WHEREAS, pursuant to 18 VAC 48-70-30 in which the CICB establishes that "each association shall have a written process for resolving association complaints from members and citizens."

WHEREAS, in accordance with 18 VAC 48-70-10 ("Definitions."), "Association complaint" means a written complaint filed by a member of the association or citizen pursuant to an association complaint procedure. An association complaint shall concern a matter regarding the action, inaction, or decision by the governing board, managing agent, or association inconsistent with applicable laws and regulations.

WHEREAS, 18 vac 48-70-50 sets out "Association Complaint Procedure Requirements."

NOW THEREFORE, BE IT RESOLVED that the Board of Directors of the Association adopts the following procedures for accepting and making final determinations regarding complaints filed by members of the Association and other citizens:

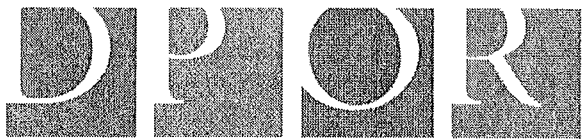
1. The Board of Directors hereby adopts and incorporates into this Resolution the Complaint Form attached.
2. The Complaint Form may be updated administratively to provide the current contact information, including mailing address and telephone number, for the management office.
3. Upon request, the Complaint Form shall be given to members of the Association and other citizens, who wish to make a complaint against the Association.
4. Members or other citizens, who wish to make a complaint against the Association, shall mail or hand deliver the Complaint Form to the management office at the address provided on the Complaint Form.
5. The complainant shall submit with the Complaint Form any documents applicable to the complaint and, to the extent the complainant has knowledge of the law or regulation applicable to the complaint, the complainant shall provide that reference as well as the requested action or resolution.
6. If the Association deems the Complaint Form to be incomplete, within ten (10) days of the receipt of the Complaint Form, the Association shall so notify the complainant in writing as

to what additional information is needed for the Association to process the Complaint Form. The complainant shall have an additional ten (10) days to provide the requested information. If the additional required information is not received within the 10-day time frame, the Association shall notify the complainant in writing that the matter is deemed closed. If the additional information is received within the 10-day time frame, the Association shall send acknowledgement of receipt as identified in Section 7 below and commence with the investigation.

7. Within seven (7) days of receipt of the completed Complaint Form, the Association shall provide written acknowledgement of receipt of the Complaint Form to the complainant by hand delivery or by mail by registered or certified mail, return receipt requested to the complainant at the address provided or by electronic means provided the sender retains sufficient proof of electronic delivery.
8. The Board of Directors may appoint a director (s) to investigate the complaint and provide a report to the Board of Directors at the next Board of Directors meeting. If the next meeting is less than one month away, the report may be made at the following Board of Directors meeting. The report need not be in writing.
9. Once the appointed director(s) has provided the Board of Directors with his/her report, the Board may set a hearing to consider the complaint. The hearing shall not be set later than ninety (90) days of the filing of the Complaint Form.
10. The Board of Directors shall provide written notice of the date, time, and location of the hearing to consider the complaint to the complainant by hand delivery or by registered or certified mail return receipt requested to the address provided or by delivery by electronic means provided the sender retains sufficient proof of electronic delivery. Notice shall be given at least ten (10) days in advance of the hearing.
11. At the hearing to consider the complaint, the Board of Directors shall give the complainant a reasonable amount of time to present their argument and any evidence. The Board of Directors may hear from other witnesses and take evidence.
12. At the conclusion of the hearing the Board of Directors may convene in executive session to discuss the matter only if an executive session is permitted by law.
13. After the conclusion of the hearing, the Board of Directors shall vote on the final determination of the complaint or set a date when the final determination will be made. There is no appeal procedure with reference to a final determination that is made by the Board of Directors.
14. Within seven (7) days of the final determination, the Board of Directors shall deliver a notice of final determination of the complaint to the complainant by registered or certified mail, return receipt requested to the address provided or by hand-delivery or by electronic means provided the sender retains sufficient proof of electronic delivery.
15. 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 as well as the registration number of the association. The notice shall include the complainant's right to file a Notice of Final Adverse Decision with the Common Interest Community Board via the Common Interest Community Ombudsman and the applicable contact information. The current Notice of Final Adverse Decision form provided by the Virginia Department of Professional and Occupational Regulation is attached.

16. The Association shall retain the Complaint Form and any attachments and other record of the Complaint for at least one (1) year from the date of the notice of the final determination.
17. This Resolution shall be available upon request by members of the Association and citizens.
18. This Resolution shall be included as an attachment to any resale certificate or the Association disclosure packet.



Department of Professional and Occupational Regulation

Department of Professional and Occupational Regulation
Office of the Common Interest Community Ombudsman
9960 Mayland Drive, Suite 400
Richmond, VA 23233-1485
www.dpor.virginia.gov
cicombudsman@dpor.virginia.gov
INQUIRIES & QUESTIONS (804) 367-2941
FAX (866) 490-2723
VIRGINIA RELAY 7-1-1

NOTICE OF FINAL ADVERSE DECISION

A complainant may give notice to the Common Interest Community Board via the Common Interest Community Ombudsman of any final adverse decision issued by a common interest community association.

As defined in regulation 18 VAC 48-70-20, a final adverse decision means the final determination issued by an association pursuant to an association complaint procedure that is opposite of, or does not provide for, either wholly or in part, the cure or corrective action sought by the complainant. Such decision means all avenues for appeal have been exhausted.

Any Notice of Final Adverse Decision must be filed within **30 DAYS** of the date of the final adverse decision. Notices of Final Adverse Decision must be complete at the time of filing.

A complete Notice of Final Adverse Decision consists of:

- a copy of the association complaint;
- a copy of the final adverse decision;
- a reference to the laws and regulations the final adverse decision may have violated;
- any supporting documents, correspondence, and other materials related to the final adverse decision;
- a copy of the association complaint procedure or form;
- any applicable association governing documents, and
- a filing fee or a request for waiver of filing fee.

Anonymous Notices of Final Adverse Decision will NOT be accepted.

FEE FOR FILING A NOTICE OF FINAL ADVERSE DECISION

Complainant must submit a \$25 filing fee with the Notice of Final Adverse Decision. The Notice of Final Adverse Decision will not be considered complete until the filing fee has been received by the Department of Professional and Occupational Regulation. The Office of the Common Interest Community Ombudsman will not begin reviewing any Notice of Final Adverse Decision until it is complete.

WAIVER OF FILING FEE

The Common Interest Community 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 complainant. A waiver form must be completed and submitted with the Notice of Final Adverse Decision. The Waiver Request form can be obtained online at www.dpor.virginia.gov. If a waiver is requested, the Common Interest Community Ombudsman will not review the Notice of Final Adverse Decision until the waiver has been granted or the Complainant has submitted a filing fee of \$25.

WHAT HAPPENS WHEN YOU FILE A NOTICE OF FINAL ADVERSE DECISION?

The Office of the Common Interest Community Ombudsman may request additional information from the association. The Office of the Common Interest Community Ombudsman will review the final adverse decision, and if the final adverse decision is in conflict with laws or regulations governing common interest communities or interpretations thereof by the Common Interest Community Board, the Common Interest Community Ombudsman may provide the complainant and the association with information concerning such laws or regulations or interpretations thereof by the Common Interest Community Board.

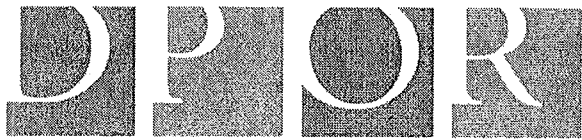
The determination of whether the final adverse decision may be in conflict with Virginia laws or regulations or interpretations thereof by the Common Interest Community Board shall be a matter within the sole discretion of the Common Interest Community Ombudsman whose decision is final and not subject to further review. This determination shall not be binding upon the complainant or the association.

NOTICE OF FINAL ADVERSE DECISION FORM INSTRUCTIONS:

1. Fill in the complaint information.
2. Fill in the date of final adverse decision.
3. Fill in the name, address and telephone number(s) of the association.
4. Include a copy of each of the following:
 - ✓ the association complaint;
 - ✓ the final adverse decision received from the association;
 - ✓ the laws and regulations the final adverse decision may have violated;
 - ✓ any supporting documents, correspondence, and other materials related to the final adverse decision;
 - ✓ the association complaint procedure, and any applicable association governing documents.
5. Include a check in the amount of \$25 made payable to the Treasurer of Virginia;
6. If a waiver of the filing fee is requested, include the Request for Waiver of Filing Fee along with the Notice of Final Adverse Decision;
7. Sign and date the form at the bottom of the page.
8. Submit the completed form, supporting documents, correspondence, and other related materials to:
Department of Professional & Occupational Regulation
Office of the Common Interest Community Ombudsman
9960 Mayland Drive, Suite 400
Richmond, Virginia 23233-1485

NOTE: By law, all Notices of Final Adverse Decision and any accompanying documents received by the Department of Professional and Occupational Regulation are subject to public disclosure once a case is closed.

The processing of the Notice of Final Adverse Decision will be conducted in a timely manner. The complainant will be contacted if additional information is required and at the conclusion of the review. Thank you for your patience during the review process.



Department of Professional and Occupational Regulation

OFFICE USE ONLY

☐ \$25 Received

Staff Initials

Office of the Common Interest Community Ombudsman

NOTICE OF FINAL ADVERSE DECISION

♦ Fee \$25.00

NOTE: The Department cannot guarantee anonymity. By law, all Notices of Final Adverse Decision received by the Department are subject to public disclosure once a case is closed. Anonymous Notices of Final Adverse Decision will not be accepted.

SECTION I - REQUIRED INFORMATION

COMPLAINANT INFORMATION

Name

Mailing Address

Telephone Numbers

Email Address

City/County

Date of Final Adverse Decision

City

State

Zip Code

Home

Business

Cell

ASSOCIATION INFORMATION

Association Name

Contact Name

Address

Telephone Numbers

Email Address

Management Company*

** if applicable*

City

State

Zip Code

Business

Cell

Other

SECTION II - SIGNATURE

I understand that this Notice of Final Adverse Decision will not be complete until I have submitted all required documents and the filing fee. A Request for Waiver of Filing Fee may be submitted in lieu of the filing fee, but this will delay review of my Notice of Final Adverse Decision, and there is no guarantee that I will be granted the waiver.

Signature

Date

♦ Complainant must submit \$25 fee, a Request for Waiver of Filing Fee or both.



Department of Professional and Occupational Regulation

Department of Professional and Occupational Regulation
Office of the Common Interest Community Ombudsman
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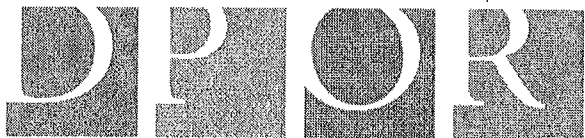
REQUEST FOR WAIVER OF FILING FEE

The Common Interest Community 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 complainant.

A Request for Waiver of Filing Fee form must be completed and submitted with the Notice of Final Adverse Decision form. If a waiver is requested, the Common Interest Community Ombudsman will not review the Notice of Final Adverse Decision until the waiver has been granted or the complainant has submitted a filing fee of \$25.

Please complete the Request for Waiver of Filing Fee Form and submit the form and the completed Notice of Final Adverse Decision Form to:

Department of Professional and Occupational Regulation
Office of the Common Interest Community Ombudsman
9960 Mayland Drive, Suite 400
Richmond, VA 23233-1485



Department of Professional and Occupational Regulation

OFFICE USE ONLY

☐ APPROVED by CIC Board

☐ NOT APPROVED by CIC Board

DATE

Office of the Common Interest Community Ombudsman
REQUEST FOR WAIVER OF FILING FEE FORM

NOTE: The Department cannot guarantee anonymity. By law, all Requests for Waiver of Filing Fee received by the Department are subject to public disclosure once a case is closed.

SECTION I - REQUESTOR INFORMATION

Name of Requestor _____

Mailing Address _____

City _____

State _____

Zip Code _____

Telephone Numbers _____

Home _____

Business _____

Cell _____

Email Address _____

SECTION II - REASON FOR REQUEST

Please use this area to provide an explanation why paying the \$25 filing fee would cause you undue financial hardship:

SECTION III - SIGNATURE

I understand the Notice of Final Adverse Decision will not be complete until I have submitted all required documents and the filing fee. The Request for Waiver of Filing Fee may be submitted in lieu of the filing fee, but this will delay review of my Notice of Final Adverse Decision and there is no guarantee that I will be granted the waiver.

Signature _____

Date _____

