

Hawks Landing Homeowners Association
ASSOCIATION COMPLAINT PROCEDURES

Revised December 14, 2021

1. These Association Complaint Procedures are adopted by the Board of Directors (the “Board) of the Association pursuant to the requirements of Virginia Code Section 54.1-2354.4 and the regulations of the Virginia Common Interest Community Board, 18 VAC 48-70.
2. Complaints
 - a. Any member of the Hawks Landing Homeowners Association may submit a complaint to the Board based on a Board action, inaction, or decision by the Board or its Association Manager or the Association as a whole which he or she believes is inconsistent with the provisions of the VA Property Owners Association Act or other regulations pertaining to common interest communities.
 - b. The Complaint may not be related to general matters about the Association’s business and affairs, day-to-day operations of the Association Board or its Association Manager or perceived violations of the Association’s governing documents.
3. The Complaint must be submitted in writing on the approved Association Complaint Form.
 - a. The form must be legible and completely filled out or no action will be taken.
 - b. The Complaint Form must be delivered to the Association via certified mail/return receipt requested to the following address: Hawks Landing HOA, c/o Victory Community Management, Inc., 5007C Victory Blvd. #240, Yorktown, VA 23693.
 - c. The Complaint must include all supporting documents that support the complaint, such as copies of any contracts, meeting minutes, records, and pictures, that the complaining person may have in support of the Complaint.
 - d. To the extent that the complaining person has knowledge of the law(s) or regulation(s) applicable to the Complaint, the Complaint must also reference the specific law(s), regulation(s), or provision(s) of the Association’s governing documents relating to the Complaint.
 - e. The Complaint must state a request for action by the Association, or a proposed resolution by the Association, and an explanation for why such an action or resolution is appropriate and warranted.
4. Association Response to the Complaint
 - a. A written acknowledgment of the Complaint will be made within 7 days of receipt of the Complaint. It may be hand-delivered or by certified mail with return receipt requested. This acknowledgement is only that the Complaint has been received.
 - b. Within 21 days of receipt of the Complaint, the Association will conduct a review and will, if necessary, consult with the Association’s attorney and/or any other vendor or professional providing services to the Association to provide as complete a review as possible.
 - c. The Board may, but is not required to, consult with the member who submitted the Complaint to understand more fully the substance and/or basis of the member’s Complaint.
 - d. If the Association requests additional information from the homeowner, then an additional 21 days will be added to the process for review of the requested information.
 - e. A notice of the date, time, and location that the Complaint will be considered will be delivered to the member who submitted the Complaint via hand delivery or certified mail with return receipt requested. Such notice shall be provided not less than 3 days prior to the date set for the evaluation.

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- f. An executive session of the Board will be convened to evaluate the Complaint. The complaining homeowner does not have the right to attend, observe, and/or record the proceeding.
 - g. After a final determination of the Complaint is made, in consultation with legal counsel, the Board will send a final determination of the complaint in writing within 7 days. The response may be hand-delivered or sent by certified mail with return receipt requested.
 - h. The final determination shall be dated, cite specific governing documents of the Association and/or State and local governances as applied to the Complaint.
 - i. The Complaint response will indicate that there is no appeal to the decision other than filing a “Notice of Final Adverse Decision with the Common Interest Community Board via the Common Interest Community Ombudsman.” The contact information for the Ombudsman is included on the Complaint Form.
5. The Association will make available a copy of this procedure upon request to any Association Homeowner. This Procedure will also be included in all Homeowner Disclosure Packets.
6. All Complaints will be maintained on file for five years.

Attached: Association Complaint Form

Hawks Landing Homeowners Association
c/o Victory Community Management, Inc.
5007C Victory Blvd., #240
Yorktown, VA 23693

ASSOCIATION COMPLAINT FORM

Pursuant to Virginia Code Section 54.1-2354.4, the Board of Directors (the "Board") of the Hawks Landing Homeowners Association has established this complaint form for use by persons who wish to file a written Complaint with the Association regarding the action, inaction or decision by the Board, Managing Agent or Association inconsistent with applicable laws and regulations. The Complaint may not be related to general day-to-day operations of the Association Board or its Association Manager.

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 this complaint.

Sign, date and print your name and the address below and submit this completed form via certified mail with return receipt requested to the Association at the address listed above. *Your signature acknowledges you have received and reviewed the Association's Complaint Procedures.*

| | | |
|-----------------------|--------------------|---------------|
| _____ Printed Name | _____ Signature | _____ Date |
|-----------------------|--------------------|---------------|

Mailing Address

Hawks Landing Lot/Unit Address (if different)

| | |
|-------------------------|-----------------------|
| _____ E-Mail Address | _____ Phone Number |
|-------------------------|-----------------------|

Contact Preference (circle) Phone E-mail 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 the supporting documents, correspondence and other material as 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 Mayland Drive, Suite 400
Richmond, VA 23233
804-367-2941
CICOmbudsman@dpor.virginia.gov