

# **POTOMIA COMMUNITY ASSOCIATION**

## **RESOLUTION NO. 2017-01**

### **Complaint Procedures**

**WHEREAS**, Article 7, Section 7.1 of the Association's By-laws grants the Board of Directors the authority to enforce the provisions of the Association's governing documents and to adopt reasonable rules and regulations for governance of the Association; and

**WHEREAS**, the Association receives complaints, both written and oral, from the Association's membership and residents regarding violations of the Governing Documents; and

**WHEREAS**, for the benefit and protection of all Owners, and in accordance with the provisions of Section 55-530E of the Code of Virginia, the Board deems it desirable to formally adopt a policy resolution to enable the Association to review compliance with this rule,

### **NOW, THEREFORE, BE IT RESOLVED THAT:**

1. The Association is only required to act on written complaints submitted to the Association's management, or management or Board-witnessed violations, in accordance with the procedures set forth in this Resolution.
2. In order to properly submit a formal complaint upon which the Association will act, all residents, owners and any other party must submit a written complaint on the form attached hereto as Exhibit A, to the Association's management office and to the attention of the Board of Directors.
3. All written complaints shall be sent via USPS, hand delivery, facsimile or e-mail, using the following information:

PCA  
c/o Sentry Management.  
602 South King Street, Suite 400  
Leesburg, VA 20175  
e-mail: [jbarrows@sentrymgt.com](mailto:jbarrows@sentrymgt.com)  
fax: 540-751-1899

4. All complaints must include the following information:
  - The name and address of the complainant
  - The nature of the alleged violation
  - The time, date and place of the violation
  - The name and address of the suspected violator, if known

- The signature of the complainant
5. The Association's management shall maintain a record of the complaint for no less than one year from the date the Association takes action on the complaint.
  6. Upon receipt of a valid, written complaint, the Association shall take appropriate action to investigate and resolve the complaint, in accordance with the Association's Governing Documents and the applicable provisions of the Virginia Code.
  7. The Association's management may contact a complainant to request additional information related to a written request
  8. The complainant may contact the Association, in writing, to follow up on the status of a complaint.
  9. The Association shall advise all complainants via the Association's authorized complaint form, of their right to provide notice of any adverse decisions rendered by the Association, to the applicable Office of the Common Interest Community Ombudsman. The name, address and telephone number of the office to which notice should be directed, shall be included on the authorized complaint form as approved by the Board of Directors.
  10. The Association holds owners legally responsible for ensuring that residents of their household, their tenants, guests or invitees, comply with the Association's Governing Documents.

The effective date of this Resolution shall be March 8<sup>th</sup>, 2017.

POTOMIA COMMUNITY ASSOCIATION

  
\_\_\_\_\_  
President

**FOR COUNCIL RECORDS**

I hereby certify that a copy of the foregoing Policy Resolution was \_\_\_\_ mailed or hand-delivered to the owners/members of POTOMIA Community Association, on this \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
\_\_\_\_\_, Secretary

## RESOLUTION ACTION RECORD

Duly adopted at a meeting of the Board of Directors of the Association held

March 8th, 2017.

VOTE:	YES	NO	ABSTAIN	ABSENT
<u>Briehy Heech</u> President	✓			
<u>Bernie Glass</u> Vice President	✓			
<u>Justin Heykoop</u> Secretary				✓
<u>Mike Watkins</u> Treasurer				✓
<u>Vance Ward</u> Director	✓			
_____ Director				
_____ Director				
_____ Director				
_____ Director				

Resolution effective: March 8th, 2017.

**Exhibit A**  
**COMPLAINT FORM**  
**POTOMIA HOMEOWNERS ASSOCIATION, INC.**

*Please sign and date each page*

Name of complainant: \_\_\_\_\_

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

Phone: \_\_\_\_\_ (H) \_\_\_\_\_ (W/M)

E-mail: \_\_\_\_\_

Preferred Method of communication: \_\_\_\_\_

Please describe the nature of your complaint: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date and Time of Alleged Violation: \_\_\_\_\_

Location of Alleged Violation: \_\_\_\_\_

Name and address of the persons who are the subject of the complaint:

\_\_\_\_\_

Please deliver your complaint via USPS, hand delivery, facsimile or e-mail to:

PCA  
c/o Sentry Management  
602 South King Street, Suite 400  
Leesburg, VA 20175  
E-mail: [jbarrows@sentrymgt.com](mailto:jbarrows@sentrymgt.com)  
Fax: 540-751-1899

*Be advised, the Association may elect not to take action on any complaint which does not conform to the above referenced delivery requirements or include the requested information on this form.*

*Upon receipt of your complete, written complaint, the Association will begin investigation of your complaint. The Association will maintain a record of your complaint for at least one year from the date upon which it takes action to resolve your complaint.*

*You may contact the Association in writing via United States Postal Service mail, hand delivery, electronic mail or facsimile, using the above referenced contact information.*

*The Office of the Common Interest Community Ombudsman ("Office"), is a governmental body, which may assist you in using the complaint procedures set forth in the Association's governing documents, as well as the Virginia Property Owners' Association Act. In accordance with the Common Interest Community Board's ("CIC Board") rules and procedures and Va Code § 55-530, you may give notice to the CIC Board of any final adverse decision which your Association may make regarding your complaint. You must file the notice within 30 days of the final adverse decision. Your notice must be in writing on forms prescribed by the Commonwealth Board, shall include copies of all records pertinent to the decision, and shall be accompanied by a \$ 25 filing fee. The Commonwealth Board may, for good cause shown, waive or refund the filing fee upon a finding that payment of the filing fee will cause you undue financial hardship. For more information or to submit a complaint to the Common Interest Community Ombudsman, please contact the Office of the Common Interest Community Ombudsman at:*

Ombudsman  
Department of Professional and Occupational Regulation  
9960 Maryland Drive Suite 400  
Richmond, Virginia 23233-1463  
Office – 804-367-2941  
Email – [cic@dpor.virginia.gov](mailto:cic@dpor.virginia.gov)

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

*To be completed by Association representative only*  
Received by: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_