

**BALMORAL GREENS HOMEOWNERS ASSOCIATION, INC.**  
**POLICY RESOLUTION NO. 2012-02**

(Policy Required under Virginia Law for the Receipt and Resolution of Complaints)

WHEREAS, the Virginia Code 55-530(E) and Regulations (Chapter 70, Part One of the Common Interest Community Ombudsman Regulations) require community associations to adopt a policy and procedures for the receipt and resolution of complaints alleging a violation of applicable law or regulations; and

WHEREAS, Section 18VAC48-70-10, *et seq.*, of the Virginia Administrative Code requires that the Association enact the written complaint procedures required by Section 55-530(E) of the Virginia Code by September 28, 2012 and outlines the requirements of said complaint procedures; and

NOW, THEREFORE, the Board of Directors adopts the following policy and procedures:

1. **Complaint Form.** In order to properly submit a complaint, the complaining party must fully complete the Complaint Form attached hereto as Exhibit A and send it by mail, hand-delivery, or facsimile to one of the following addresses or numbers:

**Balmoral Greens Homeowners Association, Inc.**  
**c/o National Realty Partners**  
**365 Herndon Parkway, Suite 106**  
**Herndon, VA 20170**  
**703-689-0949**

2. **Required Information.** The Association shall review the Complaint Form in order to determine if it is complete and actionable. A complaint must specifically allege a violation of applicable law or regulations by the Association. If the complaint does not express such an allegation, the complaint is not actionable, and this policy shall not apply. If the complaint is complete and actionable, the Association will accept it for review and decision. If the complaint is incomplete or not actionable, the Association will not accept the complaint and shall notify the complainant why the complaint was not accepted and what additional documentation or information is necessary, if applicable, to process the complaint. In either case, the Association will provide a written response to the complainant within 7 days by either certified mail or hand-delivery. Acknowledgment of receipt and either acceptance or rejection may be sent via electronic means if the complainant has consented to receive electronic communication from the Association, and, in such event, the Association shall retain a record of delivery of such acknowledgment.
3. **Review Period.** Assuming the complaint is accepted for review, either upon initial filing or upon receipt of additional information or documentation, the Association shall then undertake best efforts to complete its review of the complaint within 30 days of receipt. If a complainant fails to timely submit any required and requested documentation or

information to the Association in accordance with the notice described in Section 2 herein, the Association shall deem the matter closed.

4. **Meeting or Hearing.** After conclusion of the review period, the Association shall provide written notice to the complainant of the time, date and location of either a hearing or meeting of the Association's representatives who will make a final decision regarding the complaint. The written notice shall be sent to the complainant via either hand-delivery or certified mail, return receipt requested, no less than 14 days in advance of the meeting or hearing. The written notice may be sent via electronic means if the complainant has consented to receive electronic communication from the Association and, in such event, the Association shall retain a record of delivery of such acknowledgment.
5. **Notice of Decision.** The Board of Directors shall determine the representatives of the Association who shall conduct the proceedings and make a final decision on the complaint. Notice of that decision ("Notice of Decision") shall be rendered to the complainant by certified mail or hand delivery within 7 days of the decision. The Notice of Decision shall be dated as of the date of the decision, include specific citations to the laws or regulations of Virginia that led to the final decision, and shall include the Common Interest Community registration number for the Association. If applicable, the Notice of Decision shall also state the name and license number of the common interest community manager involved.
6. **Appeal to Ombudsman.** The Notice of Decision shall also advise the complainant of his or her right to file a Notice of Adverse Decision to the Office of the Common Interest Community Ombudsman and provide the data necessary to do so.
7. **Record Keeping.** The Association shall maintain a record of all complaints for no less than one year from the date of the Association's final decision, including incomplete and non-actionable complaints.
8. **Availability.** A copy of these procedures shall be made available upon request, and on the Association's website.
9. **Resale Disclosure Packet.** A copy of these procedures shall be included in any resale disclosure packet issued after the effective date below.
10. **Annual report.** The Association shall certify with each annual report filing that the Association complaint procedure has been adopted and is in effect.

The effective date of this Resolution shall be September 24, 2012.

BALMORAL GREENS HOMEOWNERS ASSOCIATION, INC.

By: \_\_\_\_\_

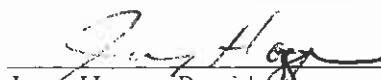
  
Jerry Hogge, President

Exhibit A  
BALMORAL GREENS HOMEOWNERS ASSOCIATION, INC.  
COMPLAINT FORM  
(To comply with Section 55-530 of the Virginia Code)

You must use this form to file a complaint. Please complete, sign and date this form and mail, or fax it to the Association's common interest community manager at the address below:

Balmoral Greens Homeowners Association, Inc.  
c/o National Realty Partners  
365 Herndon Parkway, Suite 106  
Herndon, VA 20170  
703-689-0949

Name of Complainant(s): \_\_\_\_\_

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

Phone: (Home) \_\_\_\_\_ (Work) \_\_\_\_\_

(Mobile) \_\_\_\_\_ (Email) \_\_\_\_\_

Preferred method of communication: \_\_\_\_\_ Writing \_\_\_\_\_ E-mail

Please describe the nature of your complaint, including relevant times, dates and locations, and the specific provision of state law and/or regulations that you believe has been violated (please attach all documents and communications supporting your complaint – you may use additional pages):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_

Explain what you want the Association to do in response to your complaint:

\_\_\_\_\_  
\_\_\_\_\_

You must date and sign this form. Anonymous complaints will not be accepted.

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

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

The Association will maintain a record of your complaint for one year from the date upon which it takes action to resolve your complaint.

*To be completed by Association representative only*

Received by: \_\_\_\_\_ Date: \_\_\_\_\_

CERTIFICATE OF MAILING OR DELIVERY

I hereby attest that this Policy Resolution was mailed and/or hand-delivered to the addresses of record of the Owners on this 2<sup>nd</sup> day of October, 2012.

10/2/12  
Date

A. Caraway  
Manager  
Balmoral Greens Homeowners Association, Inc.