

**RESOLUTION**  
**of the**  
**Board of Directors of**  
**Cheshire Forest Homeowners Association, inc.**

**Association Complaint Procedures)**

WHEREAS, the Code of Virginia, 1950, as amended (the "Virginia Code"), as amended by statute effective July 1, 2008, to create a Common Interest Community Board ("CIC Board") and the Office of the Common Interest Ombudsman ("CICO"); and

WHEREAS, Section 55-530.E states the CIC Board "shall establish by regulation a requirement that each association shall establish reasonable procedures for the resolution of written complaints from the members of the association and other citizens" and

WHEREAS, for the benefit and protection of the Association and of its individual Members, and with a goal of reducing and resolving conflicts among and/or between the Association and its Members, the Board of Directors, hereby establishes these. Association Complaint Procedures to meet the requirements of Sections 55-530.E and F of the Virginia Code and regulations of the Common Interest Community Ombudsman regarding Association Complaint Procedures effective July 1, 2012; and

WHEREAS, the Board of Directors will provide notice of this policy to all current Owners by mailing a copy of this Resolution to current Owners and all future Owners by including the Resolution in resale certificates prepared pursuant to Virginia's Condominium Act and/or Property Owners' Association, as applicable; and

WHEREAS, this Resolution shall remain in full force and effect until amended by further resolution of the Board.

NOW THEREFORE, the Board of Directors of Cheshire Forest Homeowners Association, inc. does hereby adopt this Resolution to adopt the following Association Complaint Procedure.

1. Right to Submit Association Complaint. When any Association Member ("Member" or "Complainant") or citizen reasonably believes the Board of Directors ("Board"), the Association's Common Interest Community Manager ("Association Manger"), or any individual Board Member has or is continuing to violate any provision of the laws applicable to Virginia property owners' associations or common interest communities, the Member shall have the right to acquire, complete, and submit an Association Complaint Form.

2. Association Complaint Form.

a. The Association Complaint Form shall comport substantially with the Association Complaint Form attached to this Resolution as Exhibit A or any form required by regulation duly promulgated by Virginia's Common Interest Community Board ("CIC Board").

b. The Association Complaint Form shall be submitted to Cheshire Forest Homeowners Association, Inc., c/o United Property Associates, 301 Bendix Road, Suite 300, Virginia Beach, VA 23452 by facsimile to (757) 497-9133 or by email to: [resolutions@unitedproperty.org](mailto:resolutions@unitedproperty.org). The Association Complaint may be submitted to the Association:

(i) By U.S. Mail, registered or certified, return receipt requested;

(ii) By hand delivery, provided, however, the method of hand delivery must provide a means to prove delivery;

(iii) By facsimile to the Association's Managing Agent and/or

(iv) By email to the Association's Manager.

c. The Association Complaint Form must be submitted at least five (5) days before the next scheduled regular Board Meeting to ensure review at that meeting. If the Association Complaint Form is received less than five (5) business days before the next scheduled regular Board Meeting, the Association Complaint Form shall be reviewed at the subsequent regular Board Meeting.

3. Association Complaint Receipt.

a. The Association shall provide written acknowledgment of receipt of the Association Complaint ("Association Complaint Receipt") to the Complainant within seven (7) days of receipt of the Association Complaint. Such acknowledgment shall be hand delivered or mailed by registered or certified mail, return receipt requested, to the Complainant at the address

provided in the Association Complaint, or if consistent with established Association procedure, by electronic means provided the sender retains sufficient proof of the electronic delivery.

- b. Notice of the date, time, and location that the Association Complaint will be considered shall be included in the Association Complaint Receipt required by Association Complaint Provision 6 above. If such Notice is not included in the Association Complaint Receipt, such Notice shall be hand delivered or mailed by registered or certified mail, return receipt requested, to the Complainant at the address provided in the Association Complaint or if consistent with established Association procedure, by electronic means provided the sender retains sufficient proof of the electronic delivery. Such Notice shall be mailed within a reasonable time before review of the Association Complaint but not less than three (3) days before the date set for review of the Complaint.

4. Review of the Association Complaint.

- a. The Board shall review any Association Complaint Form received and, if necessary, consult with the Association's attorney and/or any other vendor or professional providing services to the Association to provide a complete review as possible to arrive at its decision.
- b. The Board may, but shall not be required to, consult with the Member who submitted the Association Complaint Form to understand more fully the substance and/or basis of the Member's Complaint.
- c. In the event the Board determines the Association Complaint is incomplete or contains insufficient information to render a decision, the Board shall cause a written request for additional information that identifies with specificity the information needed to complete the Association Complaint to be sent to the Complainant at the address provided in the Association Complaint. Such written request shall be hand delivered or mailed by registered or certified mail, return receipt requested, to the Complainant at the address provided in the Association Complaint, or if consistent with established Association procedure, by electronic means provided the sender retains sufficient proof of the electronic delivery.

5. Final Determination Letter. The Board shall render a written decision and/or review of the Complaint ("Association Complaint Final Determination Letter" or "Final Determination Letter") to the Member within seven (7) days of the regular Board Meeting during which the Association Complaint was reviewed.

The Final Determination Letter shall:


- a. Be hand delivered or mailed by registered or certified mail, return receipt requested, to the Complainant at the address provided in the Association Complaint, or if consistent with established Association procedure, by electronic means provided the sender retains sufficient proof of the electronic delivery.
  - b. 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.
  - c. Include the Registration Number of the Association and the name and License Number of the Common Interest Community Association Manager.
  - d. 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, along with the applicable contact information.
6. Appeal. The Board's determination, as reflected in the Final Determination Letter, shall be the final decision of the Board. The Board has not adopted an appeal process and shall not hear an appeal of the Final Determination Letter.
7. Should any Member need assistance understanding the Member's rights and the processes available to Common Interest Community Members, the Member may contact Virginia's Office of the Common Interest Community Ombudsman ("CICO") for assistance. The CICO may be reached at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Suite 400, Richmond, Virginia 23233. The CICO's current telephone number is (804) 3678510. The CICO's current email address is [cic@dpor.virginia.gov](mailto:cic@dpor.virginia.gov).
8. Complainant's Rights Description required by Section 55-530-E.2 of the Code of Virginia, 1950. as amended. In accordance with Section 55-530.F of the Code of Virginia, as amended, an Association Complainant may give notice to Virginia's Common Interest Community Board (the "Board") of any final adverse decision in accordance with regulations promulgated by the Board. The notice shall be filed within 30 days of the final adverse decision, shall be in writing on forms prescribed by the Board, shall include copies of all records pertinent to the decision, and shall be accompanied by a \$25 filing fee. The fee shall be collected by the Director of Professional and Occupational Regulation, paid directly to the state treasury, and credited to the Common Interest Community Management Information Fund, S



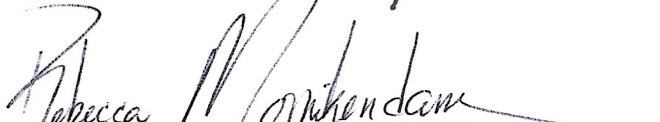
55-530.1. The Board may, for good cause shown, waive or refund the filing fee upon a finding that payment of the filing fee will cause undue financial hardship for the member. The Director shall provide a copy of the written notice to the Association that made the final adverse decision.


9. The Association Complaint Form, all attachments to it, and a copy of the Final Determination Letter ("Complaint File") shall be retained by the Association for not less than one (1) year after the Board renders a decision on the Complaint. The Complaint File shall be eligible for review and duplication solely by the Association's Board of Directors, the Association Manager, and the Lot Owner(s) who submitted the original Complaint Form, provided, however, the Complaint File shall be produced upon order of an appropriate judicial or administrative body having jurisdiction over the Association.
10. The Board shall amend and restate this Association Complaint Procedures Resolution each time the Association's Manager's name, address, telephone number, and email address changes to remain compliant with Section 55-530.E.2 of the Virginia Code.

IN WITNESS WHEREOF, the Board of Directors of Cheshire Forest Homeowners Association, Inc. has set their hands on this 16 day of January 2024.

  
Erin M. Karol - President

  
Todd Heinecke - Treasurer

  
Rebecca Monnikendam - Vice President

  
Robert Granata - Director

  
Jane McKlveen - Secretary

  
Matthew Merritt - Director

  
Ryan Orbison - Director