

Resolution of the Board of Directors
of
Cheshire Forest Homeowners Association

(Association Complaint Procedures)

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

WHEREAS, Section 54.1-2354.4 of the Common Interest Community statutes state 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 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 adopts these Association Complaint Procedures to meet the requirements of Section 54.1-2354.4 of the Virginia Code and of the Virginia Administrative Regulations of the Common Interest Community Ombudsman regarding Association Complaint Procedures effective August 1, 2025; and

WHEREAS, the Board of Directors will provide notice of this policy to all current Owners by sending a copy of this Resolution to current Owners and to all future Owners by including this Resolution in Resale Disclosure Certificates prepared pursuant to Virginia’s Resale Disclosure Act.

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NOW THEREFORE, the Board of Directors of Cheshire Forest Homeowners Association does hereby adopt this Resolution in order to adopt the following Association Complaint Procedures:

1. Right to Submit Association Complaint. When any Association Member (“Member” or “Complainant”) or other citizen observes or believes the Board of Directors (“Board”), the Association’s Common Interest Community Manager (“Association Manager”) or any individual Board Member has or is continuing to violate any provision of the laws or regulations applicable to Virginia common interest communities, the Member or citizen shall have the right to acquire, complete and submit an Association Complaint Form. The Association Complaint must be in writing.
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 with any form required by regulation duly promulgated by Virginia’s Common Interest Community Board (“CIC Board”).
 - b. The completed Association Complaint shall be submitted to

Cheshire Forest Homeowners Association
c/o United Property Associates
301 Bendix Rd. Ste. 300
Virginia Beach, Virginia 23452.
Fax: 757-497-9133
Email: resolutions@unitedpropertyassociates.com.

The Association Complaint may be submitted to the Association:

- (i) By U.S. Mail, certified, return receipt requested;
- (ii) By hand delivery, with proof of delivery;
- (iii) By third-party courier with proof of delivery;
- (iv) By facsimile to the Association’s Managing Agent;
- (v) By email to the Association’s Managing Agent at the email address provided above; and/or
- (vi) By any electronic means authorized by the Association’s Managing Agent by its Management Contract or Management Agreement with the Association.

- c. The Association Complaint should include references to specific facts and circumstances at issue, the provisions of Virginia laws and regulations that support the Complaint and any supporting documents, correspondence or other materials related to the Complaint.

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3. Association Complaint Receipt. The Association shall provide written acknowledgment of receipt of the Association Complaint (“Association Complaint Receipt”) to the Complainant within 14 days of receipt of the Association Complaint. The acknowledgment will be hand delivered, mailed or delivered by third-party courier with proof of delivery to the Complainant at the address provided or by electronic means, provided the Association retains sufficient proof of the electronic delivery.

4. Review of the Association Complaint.
 - a. Notice of the date, time and location the Association Complaint will be considered by the Board will be hand delivered, mailed or delivered by third-party courier with proof of delivery to the Complainant at the address provided or delivered by electronic means, provided the Association retains sufficient proof of the electronic delivery, at least 14 days, unless otherwise agreed to in writing, prior to consideration of the Complaint.
 - b. The Board will review any Association Complaint received and will, if necessary, consult with the Association’s attorney and/or any other contractor, vendor or professional providing services to the Association to provide as complete a review as possible to arrive at its review decision.
 - c. The Board may, but shall not be required to, consult with the Member who submitted the Association Complaint to understand more fully the substance and/or basis of the Member’s Association Complaint.
 - d. 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 will be hand delivered, mailed or delivered by third-party courier with proof of delivery to the Complainant at the address provided or delivered by electronic means, provided the Association retains sufficient proof of the electronic delivery, and will request the information to be provided within 14 days of the date of the request, unless otherwise agreed to in writing.

If such information is not provided within 14 days of the date of the request, the Complainant shall receive written notice that the Association Complaint is incomplete and that it will not be reviewed by the Board. Such notice will be hand delivered, mailed or delivered by third-party courier with proof of delivery to the Complainant at the address provided or delivered by electronic means, provided the Association retains

sufficient proof of the electronic delivery. Said notice shall include a statement that a new Association Complaint can be submitted to begin the Association Complaint process again.

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 7 days of the Board Meeting during which the Association Complaint was reviewed.

The Final Determination Letter will:

- a. Be hand delivered, mailed or delivered by third-party courier with proof of delivery to the Complainant at the address provided or delivered by electronic means, provided the Association retains sufficient proof of the electronic delivery.
 - b. Be dated as of the date of issuance and include specific citations to common interest community 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 Ombudsman and applicable contact information.
6. The Board shall not review an appeal of the decision reflected in its Final Determination Letter.
 7. Should any Member need assistance in 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) 367-2941. The CICO’s current email address is CCombudsman@dpor.virginia.gov.
 8. **Complainant’s Rights Description required by Section 54.1-2354.4 of the Code of Virginia, 1950, as amended**. In accordance with Section 54.1-2354.4 of the Code of Virginia, 1950, as amended, an Association Complainant may give notice to Virginia’s Common Interest Community Ombudsman of any final adverse decision in accordance with regulations promulgated by the Common Interest Community 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 and paid directly into the state treasury and credited to the Common Interest Community Management Information Fund pursuant to Section 54.1-2354.2 of the Code of Virginia, 1950, as amended. 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 Ombudsman shall provide a copy of the written notice to the Board of Directors, and if applicable to the Common Interest Community Manager, of the Association that made the final adverse decision.

9. The Association Complaint Form, all attachments thereto and a copy of the Final Determination Letter ("Association Complaint File") shall be maintained by the Association for not less than 1 year after the Board acts upon the Association Complaint. The Association Complaint File shall be eligible for review and duplication solely by the Association's Board of Directors, the Association's Common Interest Community Manager and the Association Member who submitted the original Association Complaint Form, *provided, however*, the Association 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 name, address, telephone number and email address of the Association's Common Interest Community Manager changes to remain compliant with Section 54.1-2354.4 of the Code of Virginia, 1950, as amended.

IN WITNESS WHEREOF the Board of Directors of Cheshire Forest Homeowners Association has set their hands on this 16 day of December, 2025.

TOO L HEINECKE
[Signature], President

RYAN OZBISON
[Signature], Vice President

MATT GRAHAM
[Signature], Secretary

LUDSEY BOSS
[Signature], Treasurer

JANE MCKLUCES
[Signature], Director

R. GRANATA
[Signature] Director

[Signature]

MATHEW MENITZ
[Signature] Director

Email: resolutions@unitedpropertyassociates.com

Complainant’s Rights Description required by Virginia Code Section 54.1-2354.4

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 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 any supporting documents, correspondence and other materials related to the decisions, 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, Virginia 23233
Telephone: (804) 367-2941
CICOmbudsman@dpor.virginia.gov

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This Block for Association Use Only:

Date Complaint Received by the Association’s Manager: _____

Printed Name of Association Manager who received Complaint

Signature of Association Manager to certify Date Complaint Received

Date Written Acknowledgment of Receipt Sent: _____

Date Complaint Reviewed by the Board of Directors: _____

Date Final Determination Letter forwarded to Complainant: _____

Printed Name of Person who prepared Final Determination Letter

Signature of Person who prepared Final Determination Letter

Attach a copy of the Final Determination Letter to this Association Complaint Form.

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