



## **The Second Gate Post Estates Homeowners Association**

P.O. Box 1081  
Centreville, VA 20122

### **RULES AND PROCEDURES FOR RECEIVING AND CONSIDERING COMPLAINTS FROM MEMBERS OR OTHER CITIZENS REGARDING VIOLATIONS OF COMMON INTEREST COMMUNITY LAWS AND REGULATIONS**

1. Complaints filed by a member of The Second Gate Post Estates Homeowners Association (“GPEII”) or citizen shall concern a matter regarding the action, inaction, or decision by the Board of Directors (“Board”) inconsistent with applicable common interest community laws or regulations.
2. Complaints must be in writing and submitted to the Board using the attached complaint form. Complaint forms may be sent by registered or certified mail to the above address or by electronic means to a Board member using the email addresses on the GPEII website (<http://www.gatepost.addr.com/newcomer.html>).
3. The Board shall provide written acknowledgment of receipt of the complaint to the complainant within seven days of receipt. Such acknowledgment shall be hand delivered or mailed by registered or certified mail, return receipt requested, to the complainant at the address provided, or by electronic means provided the sender retains sufficient proof of electronic delivery. Such acknowledgement shall also provide notice of the date, time, and location that the matter will be given initial consideration by the Board pursuant to Paragraph 4.
4. The Board shall give initial consideration to the complaint at the next Board meeting following acknowledgment of receipt. At the meeting, the Board shall identify any additional information that is necessary for the complainant to provide in order to continue processing the complaint. Within seven days of the meeting, the Board shall advise the complainant by registered or certified mail, return receipt requested, or by electronic means, of any additional information that is necessary to continue processing the complaint. The complainant shall provide such information to the Board within thirty days of the Board’s request. If the complainant fails to provide the requested information within thirty days, the Board may at its discretion render a default decision against the complainant. If no additional information is requested, the Board shall make a final determination regarding the complaint within thirty days of the meeting.
5. If additional information is requested from the complainant, the Board shall consider the complaint at the next Board meeting following receipt of any such information. Notice of the date, time, and location of the Board meeting shall be hand delivered or mailed by registered or certified mail, return receipt requested, to the complainant at the address provided, or by electronic means provided the sender retains sufficient proof of electronic delivery. The Board shall make a final determination regarding the complaint within thirty days of the meeting.
6. After the final determination is made, the written notice of final determination shall be hand delivered or mailed by registered or certified mail, return receipt requested, to the complainant at the address provided, or by electronic means provided the sender retains sufficient proof of electronic delivery, within seven days. The notice of final determination shall 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, as well as the registration number of the Association. The notice of final determination shall advise the complainant of his or her right to file a Notice of Final Adverse Decision with the CICB via the Common Interest Community Ombudsman and include the following contact information:

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

7. Within 30 days of the date of the final adverse decision, the complainant may file a Notice of Final Adverse Decision with the CICB. The notice shall be in writing on forms provided by the Office of the Common Interest Community Ombudsman. Such forms shall request the following information: (a) name and contact information of complainant; (b) name, address and contact information of association; (c) applicable association governing documents; and (d) date of final adverse decision. The notice shall include a copy of the complaint, the final adverse decision, reference to the laws and regulations the final adverse decision may have violated, any supporting documentation related to the final adverse decision, and a copy of these complaint procedures. The notice shall also be accompanied by a \$25 filing fee or a request for waiver pursuant to 18VAC48-70-100.
8. These rules and procedures, including the attached complaint form, shall be readily available upon request to all Association members and citizens, and shall be included as an attachment to the Association disclosure packet.



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## COMPLAINT FORM

Pursuant to Chapter 29 of Title 55 of the Code of Virginia, the Board of Directors (“Board”) of The Second Gate Post Estates (“Association”) has established this complaint form for use by persons who wish to file written complaints with the Association regarding the action, inaction or decision by the governing board, managing agent or association inconsistent with applicable laws and regulations.

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 the complaint.

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Sign, date and print your name and address below and submit this completed form to the Association at the address listed above.

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Printed Name	Signature	Date	
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Mailing Address		Lot/Unit Number	
<hr/>	<hr/>	<hr/>	
E-mail Address	Phone Number	Contact Preference: <input type="checkbox"/> E-Mail <input type="checkbox"/> Phone	

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 any supporting documents, correspondence and other materials 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

***This complaint form is only for violations of Common Interest Community law.  
This form is not for violations of HOA bylaws, declarations, or ARB guidelines.***