

# Lake Vista Property Owners Association

## COMPLAINT PROCEDURE

### PURPOSE:

This Complaint Procedure and Complaint Form were developed with the objective of fully complying with the requirements of Virginia statutes including regulations of the Common Interest Community Board and Common Interest Community Ombudsman pursuant to section 55-530(E) of the Code of Virginia, 1950, as amended.

This Complaint Procedure provides Lake Vista property owners with a procedure to use if a property owner believes that his/her legal rights have been violated by actions of a member(s) of the Lake Vista Property Owners Association Board of Directors("Board") or LVPOA staff ("Staff"). The owner's referenced legal rights are those provided by Federal and Virginia statutes and regulations and by Association governing documents including the Declaration, By-laws and Rules of the Association.

A two level complaint review process is provided. The first level is a review/decision by the LVPOA Board of Directors. If the decision is adverse to the owner, procedures are included for an appeal to the Virginia Common Interest Community Ombudsman, if the owner so desires.

### PROCEDURE:

1. When any Association Member ("Member or Complainant") observes or reasonably believes that a member(s) of the LVPOA Board or Staff has violated his/her legal rights, the Member shall have the right to acquire and submit an Association Complaint Form. The referenced legal rights are those provided by the Association's Declaration, By-laws, Articles of Incorporation, Architectural Guidelines, Rules and Regulations and applicable Federal and Virginia statutes and regulations ("Governing Documents"),
2. The completed Association Complaint Form along with any supporting documents shall be submitted to the LVPOA Office at 200 Lake Vista Drive, Forest, VA 24551.
3. Any properly completed and submitted Association Complaint Form shall be reviewed at the next scheduled regular Board Meeting provided it is submitted at least five (5) business days before the date of that Board Meeting. Any Association Complaint Form received less than five (5) days before the next scheduled regular Board meeting shall be reviewed at the subsequent next scheduled regular Board Meeting.

4. Should the Member need assistance in understanding the Member's rights and/or the complaint process available to common interest community members, the Member may contact the Virginia Office of the Common Interest Community Ombudsman ("CICO") for assistance. The CICO can be reached at the address, telephone number, or email listed in paragraph 7. below.

5. The Board shall review any properly completed Association Complaint Form that is received. If deemed necessary, it shall consult with the Association's attorney and/or any other relevant professional individuals to help provide as thorough a review as possible prior to making its decision. The Board may, but shall not be required to, consult with the Member who submitted the Association Complaint Form to help more fully understand the reason for the Member's Complaint.

6. The Board shall render a written decision and/or review of the Complaint to the Member within the seven (7) business days following the regular Board Meeting at which the Association Complaint Form was reviewed.

7. If, after the Board's consideration and review of a complaint, the Board issues a final decision adverse to the complaint, the Complainant has the right to give notice to the Common Interest Community Board Ombudsman ("CICO") of the final adverse decision. In accordance with the regulations promulgated by the CICO:

- a. The notice shall be filed within 30 days of the final adverse decision,
- b. Shall be in writing on forms prescribed by the CICO,
- c. Shall include copies of all records pertinent to the decision,
- d. Shall be accompanied by a \$25.00 filing fee.

8. The CICO's contact information is:

Office of the Common Interest Community Ombudsman  
Virginia Department of Professional and Occupational Regulation  
9960 Maryland Drive, Suite 400  
Richmond, Virginia 23233  
Phone: (804) 367-2941  
email: [cicombudsman@dpor.virginia.gov](mailto:cicombudsman@dpor.virginia.gov)

9. The Association Complaint Form, all attachments thereto and a copy of the Complaint Response correspondence ("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 property owner(s) who submitted the original complaint form, unless the Association is legally required to produce the file by written order of an appropriate judicial or administrative body having jurisdiction over the Association.

