

SOUTH RIDING PROPRIETARY

POLICY RESOLUTION NO. P2012-1

Amended November 5, 2025

ASSOCIATION COMPLAINT PROCEDURES (for Complaints Against Association, Board or Managing Agent)

WHEREAS, Article 4, Section 4.1 of the Bylaws for South Riding Proprietary (“Bylaws”) provides that the Board of Directors (“Board”) of South Riding Proprietary (“Association”) “shall have all of the powers and duties necessary for the administration of the affairs of the Association and may do all such acts and things as are not required by the Act or the Association Documents to be exercised and done by the Owners;” and

WHEREAS, Article 4, Section 4.1(4) of the Bylaws authorizes the Board to “[a]dopt and amend any reasonable Rules and Regulations not inconsistent with the Association Documents;” and

WHEREAS, Section 54.1-2354.4(A) of the Virginia Code and Chapter 70 of the Virginia Code (Common Interest Community Ombudsman Regulations) require community associations to adopt a reasonable procedure for the receipt and resolution of complaints alleging a violation of applicable common interest community laws 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 54.1-2354.4 of the Virginia Code and outlines the requirements of said complaint procedures; and

WHEREAS, the Common Interest Community Board amended the regulations governing an association’s written complaint policy, effective August 1, 2025; and

WHEREAS, for the benefit and protection of all Owners, the Board deems it desirable to formally adopt a policy resolution, consistent with the requirements of 18 VAC 48-70-10, *et seq.*, as amended, establishing reasonable procedures for receiving, considering and resolving complaints about actions, inactions or decisions by the Association, its Board or its Managing Agent.

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT, in accordance with the requirements of 18 VAC 48-70-10, *et seq.*, the Board of Directors hereby adopts the following policies and procedures:

A. Definitions.

Unless otherwise defined in this Resolution, the words, terms or phrases used in this Resolution shall have the same meanings as defined in the Association Documents, Section 55.1-1800, *et*

seq. of the Virginia Code, and Section 18VAC48-70-10, *et seq.*, of the Virginia Administrative Code. In the event of conflict, the Association Documents shall control.

B. Complaint Requirements

If a member of the Association, a resident or other individual alleges that an action, inaction or decision of the Association, the Board or the Association's management agent ("Managing Agent") is inconsistent with state laws or regulations governing common interest communities, then that individual must submit a formal written complaint ("Complaint") to the Board using a form similar to and containing the same information contained in the Complaint Form attached hereto as Exhibit A in order to trigger formal complaint procedures. If the individual does not wish to trigger formal complaint procedures, then the individual should submit their questions, concerns or issues to the Managing Agent or the Board without using the attached form.

All Complaints must concern a matter regarding the action, inaction or decision by or of the Association, its Board, or its Managing Agent that is inconsistent with applicable common interest community laws and regulations. Alleged violations of the Association Documents or policy resolutions are not subject to this Resolution and will not be considered under the provisions hereof.

The individual submitting the Complaint Form ("Complainant") shall state on the Complaint Form the name and address of the Complainant; the nature of the Complaint, including the relevant times, dates, and places involved, and a description of the specific facts and circumstances relevant to the Complaint; the name and address of any other persons involved, if known; the specific action, result or resolution that is being requested; the applicable common interest community laws or regulations that the Complaint concerns; any other information the Complainant deems relevant for the Board's review; and the signature of the Complainant. The Complainant must also attach to the Complaint Form a copy of any documents that Complainant believes support the Complaint (not including laws, regulations or the Association Documents).

C. Mailing or Delivering Complaint to Board of Directors.

The Complainant shall submit the fully completed, signed and dated Complaint, including the Complaint Form and all attachments, to the Board, by way of delivery to the Managing Agent, at the address provided on the Complaint Form, which address may be updated from time to time without the need to amend this Resolution, via United States Postal Service mail, hand-delivery, or facsimile, unless otherwise advised or requested by the Board.

D. Means of Providing Notices to Complainant

All written acknowledgments or other notices required by these procedures to be provided by the Association to the Complainant shall be hand-delivered, delivered by third party courier with proof of delivery, sent by electronic means provided that sufficient proof of electronic delivery is retained, or mailed by first class or certified mail to the Complainant at the address provided on the Complaint Form or at the Lot address if no other address is provided. The Managing Agent shall retain proof of the mailing, delivery or electronic transmission of the acknowledgments and notices per Section H below.

E. Acknowledging Receipt of Complaint

Within fourteen (14) days of the Association's receipt of a Complainant's Complaint Form that complies with the provisions of this Resolution, the Association, through the Managing Agent or other designated agent, shall provide the Complainant with written acknowledgement of the Association's receipt of the Complaint.

1. **Incomplete Complaint** If the Association, its Board or its Managing Agent determines that the submitted Complaint is missing the minimum information required or there is otherwise insufficient information to process the Complaint, notice shall be sent to the Complainant within fourteen (14) days of the Association's receipt of the Complaint, identifying the problem(s) with the Complaint and advising the Complainant of the corrections and/or additional information the Complainant needs to provide to the Association within ten (10) days of the date of such notice. If the corrections or additional information requested is not received within ten (10) days after the date of the notice, or if the Board otherwise determines that the Complainant has failed to cooperate with the Association, the Board may make a final determination on the disposition of the Complaint by any means the Board may deem appropriate, in accordance with Section F(3) below, and/or consider the Complaint resolved and close the complaint process without further action.
2. **Forwarding to the Board** If the Association, its Board or its Managing Agent determines that the Complaint is compliant with the provisions of this Resolution and there is sufficient information to process the submitted Complaint, the Complaint shall be forwarded to the Board for consideration.

F. Formal Action – Consideration of Complaint by Board

All completed, signed and dated Complaints that the Association, its Board or its Managing Agent determines is compliant with this Resolution and contains sufficient information to process shall be considered and decided upon by the Board at a meeting.

1. **Meeting at which Complaint will be Considered** - Complaints will be considered by the Board at a regular or special Board meeting held within ninety (90) days from the date on which the Complaint was forwarded from the Managing Agent to the Board for consideration, unless the Board determines that more time is necessary to investigate the Complaint.
2. **Notice to the Complainant** - At least fourteen (14) days prior to the Board meeting at which the Complaint will be considered, the Managing Agent, or other designated agent of the Association, shall provide the Complainant with notice of the date, time, and location of the Board meeting at which the matter will be considered by the Board. This Notice may be combined with the acknowledgment of receipt referenced in Section E above.
3. **Board's Decision on Complaint** - The Board shall make a final determination for the

disposition of the Complaint by any means the Board may deem appropriate, including without limitation issuing sanctions, modifying practices or dismissing the Complaint, upon an appropriate vote of the members of the Board at a Board meeting held pursuant to the Association Documents. If, at the meeting, the Board determines that there is *insufficient information* on which to make a final determination on the Complaint *or that additional time is otherwise required* to make a final determination, the Board may postpone making a final determination on the Complaint until a later scheduled Board meeting, make a written request for additional information from the applicable party or parties specifying a deadline by which time the additional information must be received by the Managing Agent for forwarding to the Board, make a final determination on the disposition of the Complaint by any means the Board may deem appropriate, and/or consider the Complaint resolved and close the complaint process without further action. No right of appeal to the Association is available; the Board's final rendered determination, as set forth in the Notice of Final Determination referenced in Section G below, is final, although the Board may, in its sole discretion, reconsider a Complaint or supplement thereto.

G. Notice of Final Determination. Within seven (7) days after the Board's final determination is made in accordance with Section F(3), the Managing Agent, or other designated agent of the Association, shall provide the Complainant with a written Notice of Final Determination. The Notice of Final Determination shall be dated as of the date of issuance and include:

1. Specific citations to applicable provisions of the common interest community laws or regulations that led to the final determination;
2. The Association's registration number as assigned by the Common Interest Community Board ("CICB"), and if applicable, the name and CICB-issued license number for the Managing Agent; and
3. Notice of the Complainant's right to file a "Notice of Final Adverse Decision" with the CICB via the Ombudsman, and the contact information of the Ombudsman:

Office of the Common Interest Community Ombudsman
Virginia Department of Professional and Occupational Regulation
9960 Mayland Drive, Suite 400
Richmond, Virginia 23233-1463
Phone: (804) 367-2941
E-mail: CICOmbudsman@dpor.virginia.gov

H. Records. The Managing Agent, or other designated agent of the Association, shall retain a record of each Complaint (including the Complaint Form and attachments, related acknowledgments and notices, and any action taken by the Association or Board in response to such Complaint) for a period of at least one (1) year from the date of issuance of the Notice of Final Determination or the date that the complaint procedure is closed if no Notice of Final Determination is sent.

- I. Resale Disclosure Packet.** A copy of this Resolution (including the Exhibit A Complaint Form) shall be made available to all Owners and citizens upon request and shall be included as an attachment to any resale certificates or disclosure packets issued after the effective date below.
- J. Annual report.** The Association shall certify with each annual report filing that the Association complaint procedure has been adopted and is in effect.
- K. Applicability.** The policies and procedures set forth in this Resolution shall apply to all complaints received after the effective date below.

EXHIBIT A

(POLICY RESOLUTION NO. P2021-1, Amended 11-5-2025 “ASSOCIATION COMPLAINT PROCEDURES”)

South Riding Proprietary

Mailing Address: 43055 Center Street, South Riding, Virginia 20152 **Phone:** 703-327-4390
townhall@southriding.net

ASSOCIATION COMPLAINT FORM

(for Complaints Against Association, Board or Managing Agent)

Pursuant to Section 54.1-2354.4(A) of the Code of Virginia, the Board of Directors (“Board”) of South Riding Proprietary (“Association”) established this complaint form for persons who wish to register written complaints with the Association regarding action, inaction or decision by the Association, its Board or Managing Agent inconsistent with applicable common interest community laws and regulations.

1. Legibly describe your complaint in the area provided below, and the action requested or relief sought. Include specific facts and circumstances and specific citations to any provisions of Virginia common interest community laws and regulations that support the complaint. (Please attach any supporting materials – you may use additional pages).

2. This form must be completed, signed, dated, and submitted to the Association’s Managing Agent at the above address.

Printed Name	Signature	Date
Mailing Address		
Lot Address		
Email Address	Phone Number	Contact Preference <input type="checkbox"/> Phone <input type="checkbox"/> E-mail <input type="checkbox"/> Other _____

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, within 30 days of the date of the final adverse decision. The Notice of 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
Virginia Department of Professional and Occupational Regulation
9960 Mayland Drive, Suite 400, Richmond, VA 23233
(804) 367-2941

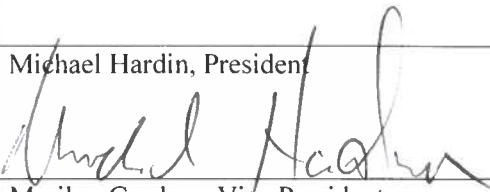
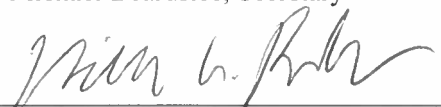



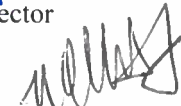
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(for Complaints Against Association, Board or Managing Agent)

Amended November 5, 2025

Duly adopted at a meeting of the Board of Directors held November 5, 2025

	VOTE: YES	VOTE: NO	ABSTAIN	ABSENT
Michael Hardin, President 	✓			
Marilyn Gardner, Vice President				✓
Michael Beardslee, Secretary 	✓			
Kevin Ubelhart, Treasurer 	✓			
Steve Pasquale, Director 	✓			
Mark Pontello, Director 	✓			✓
DJ Nelli, Director 	✓			

ATTEST:

Secretary

12/3/25
Date

Resolution effective: November 5, 2025