

BETZ LANDING HOMEOWNERS' ASSOCIATION  
P.O. BOX 422  
HEATHSVILLE, VIRGINIA 22473

COMPLAINT PROCEDURE

In accordance with the requirements of Virginia Code Section 54.1-2354.4 and Virginia Regulation 18 VAC 48-70-50, Betz Landing Homeowners Owners' Association. ("the Association") hereby establishes the following written process for resolving association complaints from members of the association and unaffiliated citizens.

Our complaint procedure is part of a statutorily mandated process involving the Virginia Office of the Common Interest Community Ombudsman which has prepared the attached flow chart illustrating the complaint process and review by the Ombudsman.

Please note that the complaint process is only appropriate to claims involving alleged violations of common interest community laws and regulations. We will consider complaints regarding our declaration, rules, and governing documents but our final determination is not appealable to the Ombudsman. We will decline to interpret the declaration and/or covenants if the complaint involves a dispute between two or more association members.

Our complaint procedure is not an appropriate mechanism for complaining about policy decisions made by the board of directors unless an owner believes that common interest community laws have been violated. We invite owner participation of this purpose during the comment period at each board meeting.

All complaints must involve a specific request for action or resolution by our Association.

Our procedure is as follows.

1. All complaints shall be in writing and will be handled in accordance with this written procedure.
2. Complaints may be initiated by mailing a Complaint Form and supporting documentation to the Association at [Association Address].
3. Persons presenting complaints must complete all portions of the Complaint Form, sign the form, and attach all supporting documentation. Risk of transmission remains with the complaining party. No other Complaint Form may be used.

4. Our Association will provide a written acknowledgement of the Complaint Form within seven (7) days of receipt by certified mail, return receipt requested sent to the complaining party at the address provided by such party.
5. Persons submitting complaints to the Association are required to attach all documents that are relevant to the complaint. Additionally, the extent that the complainant has knowledge of the law or regulations applicable to the complaint, the complaining party shall provide reference to specific laws or regulations. **The complaining party must also state specifically all actions or resolutions requested in response to the complaint.**
6. All complaints shall be reviewed by the Association a reasonable time following receipt. If the Association requires additional information in order to respond to the complaint, that information shall be requested not more than 14 days after receipt of the complaint. Any such additional information shall be provided by the complaining party not less than 14 days after the request. If any requested information is not provided by the complaining party within 14 days, the Association shall resolve the complaint based on complaint form and any supporting documentation originally provided by the complaining party.
7. All complaints will be considered only based on written submissions. Accordingly, complaints should be thoroughly documented and should clearly state the action or resolution requested. The Association shall provide notice to the complaining party by certified mail, return receipt requested, of the date, time, and location what the matter will be considered by the board of directors. In general, complaints will be considered at the first regular Board of Directors meeting following receipt of all requested documentation. The complaining party shall not have an opportunity to present evidence or additional documentation for the Board's consideration at that meeting. The board will provide an opportunity for the complainant to state orally the reasons for any requested action or resolution. Presentation of arguments shall not exceed fifteen (15) minutes unless, unless permitted by a majority vote of the board of directors.
8. Seven days after the complaint is considered by the board, the Association shall provide written notice of its final determination regarding the complaint to the complaining party at the address provided on the Complaint Form. Notice shall be sent via certified mail, return receipt requested.
9. Any notice of final determination shall be dated and shall include specific citations to applicable Association governing documents, laws, or regulations

that led to the final determination. The Association's DPOR registration number shall also be provided in the determination.

10. Any notice of final determination shall include a reference to the complainant's right to file a notice of final adverse decision with the Common Interest Community Board Ombudsman. Such notice will include applicable contact information for the Ombudsman.
11. A copy of this procedure and the Association's Complaint Form shall be posted as a public document on the Association's website and shall be provided to prospective purchasers as part of any resale disclosure package.