

FOXCROFT OWNERS ASSOCIATION

HOMEOWNER COMPLAINT POLICY & PROCEDURES

Based on advice received at an educational meeting for Community Associations, and in light of some of the troubles neighboring Associations have had, the Foxcroft Board of Directors has decided to implement a formal complaint policy and procedure. The goal of the procedure is to clarify the types of complaints appropriately made to the Board, to establish concrete expectations for response and to be sure all residents are aware of their rights. Our community is fortunate to have been well-governed to date, and complaints remain minimal. However, the Board wants to ensure that all residents feel free to make their voice heard if or when a concern arises.

Note: These procedures are the recommended procedures of the Association, but do not summarize, supplement or limit a homeowner's legal right to enforce covenants, rules and regulations.

I. **Complaints about the Association and/or its management**

These Complaints include items such as the condition of the Clubhouse, pool, trails and common areas, and the conduct of the Board of Directors, Officers or Association Manager.

All Complaints must be submitted to the Board in writing via the attached form. The form can be delivered by hand, mail or e-mail to any present Board member or to the Association Manager. The form should be submitted to a Board member who is not the subject of the Complaint. If the Complaint is about the Board of Directors as a whole, the Complaint should be submitted to the President *and* the Association Manager. Contact information is available on the website (www.foxcroftcommunity.com) and in our annual directory.

The Board will address the matter at its next regularly scheduled meeting following receipt of the Complaint form. The Board meets on the third Thursday of each month. The complaining party is welcome to attend the meeting and participate in the discussion. The Board will make every reasonable inquiry into the merits of the Complaint and address it directly with the complaining party. Within seven (7) days following the Board meeting at which the Complaint is discussed, the Board will provide a written determination of its review of the Complaint to the complaining party.

If the complaining party believes the Board has violated his/her rights as a member of the Association after receiving the determination letter from the Board, he/she may contact the Common Interest Community Ombudsman, who is affiliated with the State's Department of Professional and Occupational Regulation. More information regarding the Ombudsman can be found here: http://www.dpor.virginia.gov/dporweb/cic_ombuds.cfm. The Ombudsman can then serve as an independent third party to assist in resolving the situation.

IMPORTANT: IF THE COMPLAINT INVOLVES CIRCUMSTANCES THAT PRESENT AN IMMEDIATE THREAT TO SAFETY, PLEASE NOTIFY A BOARD MEMBER OR THE ASSOCIATION MANAGER BY TELEPHONE IMMEDIATELY, OR, WHEN APPROPRIATE, CALL 911 OR OTHER AUTHORITIES.

II. Complaints about a neighbor

Complaints about a neighbor's violation of the Covenants or Rules and Regulations should be submitted to a Board member per the same process listed in Section I, above. Please note that some issues that arise among neighbors are not appropriate for Board intervention. If you are unable to cite a specific provision of the Covenants or Rules and Regulations, it is likely the issue is one that should be addressed directly with your neighbor rather than with the Board. A Complaint will only be considered duly filed by the Board if the Complaint form contains a citation to the applicable covenant provision(s), rule(s) or regulation(s) being violated. The Covenants and Rules & Regulations are available via the HOA page of the website.

The Board will make an initial determination regarding the merits of the Complaint, and if the Complaint is deemed arguable by the Board, the Board reserves the right to notify the offending neighbor of the identity of the complaining party, so both sides have a chance to address the situation in the open. If the Board finds that the Complaint presents a clear violation of the Covenants or Rules, it will address the matter directly with the offending party and make every effort to maintain the confidentiality of the complaining party.

PLEASE NOTE: These procedures only deal with complaints. The Board remains open to all other manner of suggestion and participation by the community and its individual residents. Please feel free to offer suggestions to any Board member or at any regular Board meeting.

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HOMEOWNER COMPLAINT FORM

Full name of person who observed the violation: _____

Observer's address: _____

Address of the property allegedly in violation (include name if known):

Date(s) of violation: _____

Reference to governing document (Covenant, Rule, Regulation or policy) which was violated (be specific, including Article and Section number where appropriate): _____

Description of violation: _____

Description of actions taken to address problem directly with neighbor and summary of neighbor's response: _____

Note: By submitting this form, you understand that under certain circumstances the Association may divulge that you were the originator of the Complaint per the Association's Complaint Policy. This is necessary to ensure a full and fair hearing on the merits of a Complaint which the Board deems arguable.

Signature of Observer: _____ **Date:** _____

Phone # and Email address of Observer: _____