

Mineral Springs Plantation Homeowners' Association Association Member Complaint Form

Mail to:

OR

Email to:

MSPHOA Secretary
13709 Kalmbacks Mill Drive
Fredericksburg, VA 22407

secretary@mineralspringsplantation.org

Pursuant to Chapter 29 of Title 55 of the Code of Virginia, the Board of Directors (Board) of the Mineral Spring Plantation Homeowners' Association (MSPHOA) 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 inconsistent with applicable state laws and regulations.

Please 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.

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

Printed Name: _____ Signature: _____ Date: _____

Mailing Address: _____

Lot Number: _____ Contact Preference: [] Phone [] E-mail

E-mail Address: _____ Phone Number: _____

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

Instructions for Filing a Formal Complaint

1. The complaint must be in writing.
2. The complaint must be filed on the form provided (continuation sheets are allowed).
3. A complaint form can be mailed to the address on page 1 or emailed to:
secretary@mineralspringsplantation.org.
4. The association will provide written acknowledgment of receipt of the formal complaint to the complainant within seven days of receipt. Such acknowledgment will be hand delivered or mailed by registered or certified mail, return receipt requested, to the complainant at the address provided, or as consistent with established association procedure, by email with proof of the electronic delivery.
5. The complainant must provide specific documentation with the formal complaint. In addition, to the extent the complainant has knowledge of the law or regulation applicable to the complaint, the complainant shall provide that reference, as well as the requested action or resolution.
6. The goal shall be to adjudicate a complaint within 45 days of receiving the formal complaint. Within 7 calendar days of receiving the written complaint, the association secretary will provide a copy of the complaint form and documentation to all board members. The board will meet in closed session within 14 calendar days of the association secretary receiving the complaint and discuss the appropriate response. If additional information is needed from the complainant at any time, the association secretary shall contact the complainant and allow 7 calendar days for a response. If no response is received from the complainant within the allowed 7 calendar days, the complaint shall be considered to have been abandoned and no further action will be taken by the association.
7. After the closed meeting of the board to discuss the association's response, a separate, open meeting of the board will be scheduled according to standard association bylaws and procedures. It is the goal of the association to hold this meeting within 30 calendar days of the original complaint and to have the complainant present.
8. In the alternative to an open meeting, the complainant may optionally request that the board schedule a private session of the board to hear arguments from the complainant with no other association members present except those which the complainant desires to attend. However, if the complaint involves another/other member(s) of the association then that/those member(s) shall be allowed to attend as well. Optionally, legal counsel for any party may also be in attendance.
9. Notice of the date, time and location that the matter will be adjudicated will be hand delivered or mailed by registered or certified mail, return receipt requested, to the complainant at the address provided, or as consistent with established association procedure, by email with proof of the electronic delivery.
10. After the final determination is made, within 7 calendar days the written notice of final determination will be hand delivered or mailed by registered or certified mail, return receipt requested, to the complainant at the address provided, or as consistent with established association procedure, by email with proof of the electronic delivery.
11. 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 CIC registration number of the association.
12. Only after the above process is completed does the complainant have a right to file a Notice of Final Adverse Decision with the Common Interest Community Board via the Common Interest Community Ombudsman as noted on the front of this form.