

**JAMESTOWN HUNDRED HOMEOWNERS ASSOCIATION, INC.
UNANIMOUS CONSENT OF THE BOARD OF DIRECTORS
IN LIEU OF MEETING**

(TO ADOPT THE ASSOCIATION COMPLAINT POLICY AND PROCEDURE)

The undersigned, being all of the Members of the Board of Directors of the Association, do hereby consent to the adoption of the following resolution and approve and consent to the following actions as permitted by Section 13.1-865 of the Code of Virginia, 1950, as amended ("Code"):

WHEREAS, Virginia Code Section 55-530 and the regulations promulgated by the Virginia Common Interest Community Board ("CICB"), specifically, 18 VAC 48-70 *et seq.* require that every Common Interest Community in the Commonwealth of Virginia adopt a complaint policy, in accordance with the requirements of such statute and regulations; and

WHEREAS, the Association desires to adopt a complaint policy, in accordance with the aforementioned statute and regulations; and

WHEREAS, the Association was presented with "The Jamestown Hundred Homeowners Association, Inc. Association Complaint Policy and Procedures," a copy of which is attached hereto as Exhibit A (the "Complaint Policy"); and

WHEREAS, the Board of Directors of the Association has reviewed the Complaint Policy and deemed it in the best interest of the Association to approve and adopt the Complaint Policy.

NOW THEREFORE BE IT RESOLVED that the Complaint Policy is hereby adopted and approved.

BE IT FURTHER RESOLVED that this action is effective as of 9/14/2012, 2012 and shall remain in full force and effect until revoked by the Board of Directors.

This Unanimous Consent may be executed in two or more counterparts and by facsimile, each of which shall be an original and all of which together shall constitute but one and the same instrument.

Directors:

Date Executed:

Signed: [Signature]

14 Sep 2012

Printed: Oliver Rox

Signed: [Signature]

19 Sep 2012

Printed: DAVID KRUSE

Jamestown Hundred Homeowners Association, Inc. (the "Association")
Association Complaint Policy and Procedures (the "Complaint Policy")

1. Introduction.

- a. This Complaint Policy is adopted by the Board of Directors (the "Board") of the Association pursuant to the requirements of Virginia Code Section 55-530 and the related regulations promulgated by the Virginia Common Interest Community Board ("CICB"), specifically, 18 VAC 48-70 *et seq.*
- b. This Complaint Policy is designed to address complaints by both members of the Association as well as other citizens of the Commonwealth of Virginia.

2. Certification.

- a. The Association shall certify with each annual report submitted to the CICB that this Complaint Policy has been adopted and is in effect.

3. Complaints.

a. Who May Submit A Complaint.

Any member of the Association (as such term is defined in the Association's governing documents) and/or any citizen of the Commonwealth of Virginia may submit a complaint (the "Complaint") to the Association in accordance with the following requirements and procedures.

b. Complaints Limited to Violations of Applicable Laws and Regulations.

The Complaint may only concern a matter regarding an action, inaction, or decision by (i) the Board, (ii) the community manager (if applicable), or (iii) the Association, that is inconsistent with applicable laws and regulations of the Commonwealth of Virginia. A Complaint may not relate to general matters about the Association's business and affairs, separate and apart from a violation of a law or regulation of the Commonwealth of Virginia.

c. Form of Complaint.

- i. The Complaint must be in writing.
- ii. The Complaint must be on the form maintained by the Association for that purpose, and such form shall be provided to the complaining person upon his or her request. Such form is attached hereto as Exhibit A, and incorporated herein by reference.
- iii. The Complaint must state the complaining person's mailing address.

shall have twenty-one (21) days to review and assess the Complaint, and during that time it shall be entitled to issue written request(s) to the complaining person for any additional information from the complaining person that the Association reasonably believes that it needs in order to evaluate and assess the Complaint. The Association shall issue such request(s) via certified mail, return receipt requested, and the complaining person shall have twenty-one (21) days to respond to such request(s) from the date that such request(s) are mailed by the Association. The Association shall then have an additional twenty-one (21) days to review and assess the additional information. In the event the complaining person fails to respond to the Association within that time period, the Complaint will be disposed of, and the Association will have no further obligation whatsoever related to the Complaint.

iv. Notice of Consideration.

1. In the event that the Association does not issue any written request(s) to the complaining person, the Association will, within ten (10) days of the end of the twenty-one (21) day period, deliver via hand delivery or certified mail, return receipt requested, to the complaining person, a statement that will contain notice of the date, time, and location that the Complaint will be considered by the Association's Board of Directors.
2. In the event that the Association issues any written request(s) to the complaining person, the Association will, within ten (10) days of the end of the additional twenty-one (21) day period for assessing the additional information, deliver via hand delivery or certified mail, return receipt requested, to the complaining person, a statement that will contain notice of the date, time, and location that the Complaint will be considered by the Association's Board of Directors.

v. Consideration. The Association's Board of Directors shall convene in executive session with its legal counsel for the purpose of considering the Complaint. As such proceeding will be conducted in executive session, the complaining person will not have any right to attend, observe, and/or record such proceeding in executive session.

vi. Final Determination. After a final determination is made about the Complaint by the Association's Board of Directors, in consultation with its legal counsel, the Association shall, within seven (7) days, send a written notice of final determination (the "Final Determination") to the complaining person by either hand delivery or certified mail, return receipt requested.

vii. Requirements of Final Determination.

1. The Final Determination shall be dated as of the date of issuance, and, to the extent reasonably possible, will include specific citations to applicable governing documents of the Association, and/or laws

Exhibit A

Complaint Form

Jamestown Hundred Homeowners Association, Inc.

Return this form to:

Joe Gagliano, CMCA, AMS (Association Manager)

Berkeley Realty Property Management

150 Strawberry Plains Road, Suite A-1,

Williamsburg, VA 2318

Phone: (757) 229-6810 x 204

Fax: (757) 229-8208

Email: jgagliano@berkeley-realty.com

Pursuant to Chapter 29 of Title 55 of the Code of Virginia, the Board of Directors (the "Board") of Jamestown Hundred Homeowners Association, Inc. (the "Association") has established this complaint form (this "Complaint Form") for use by persons who wish to file a written complaint with the Association regarding an action, inaction or decision by the governing board, managing agent or Association, which such person believes to be inconsistent with applicable laws and regulations.

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.

Print, sign, and date this Complaint Form on the lines as indicated below. Please include your mailing address where indicated and submit this completed form to the Association to the Association Manager at the address listed above.

<hr/>	<hr/>	<hr/>
Printed Name	Signature	Date

Mailing Address

Contact Preference	Lot/Unit/Address	
<input type="checkbox"/> Phone	<input type="checkbox"/> E-mail	<input type="checkbox"/> Other _____

original

Jamestown Hundred Homeowners Association, Inc. (the "Association")
Association Complaint Policy and Procedures (the "Complaint Policy")

1. Introduction.

- a. This Complaint Policy is adopted by the Board of Directors (the "Board") of the Association pursuant to the requirements of Virginia Code Section 55-530 and the related regulations promulgated by the Virginia Common Interest Community Board ("CICB"), specifically, 18 VAC 48-70 *et seq.*
- b. This Complaint Policy is designed to address complaints by both members of the Association as well as other citizens of the Commonwealth of Virginia.

2. Certification.

- a. The Association shall certify with each annual report submitted to the CICB that this Complaint Policy has been adopted and is in effect.

3. Complaints.

a. Who May Submit A Complaint.

Any member of the Association (as such term is defined in the Association's governing documents) and/or any citizen of the Commonwealth of Virginia may submit a complaint (the "Complaint") to the Association in accordance with the following requirements and procedures.

b. Complaints Limited to Violations of Applicable Laws and Regulations.

The Complaint may only concern a matter regarding an action, inaction, or decision by (i) the Board, (ii) the community manager (if applicable), or (iii) the Association, that is inconsistent with applicable laws and regulations of the Commonwealth of Virginia. A Complaint may not relate to general matters about the Association's business and affairs, separate and apart from a violation of a law or regulation of the Commonwealth of Virginia.

c. Form of Complaint.

- i. The Complaint must be in writing.
- ii. The Complaint must be on the form maintained by the Association for that purpose, and such form shall be provided to the complaining person upon his or her request. Such form is attached hereto as Exhibit A, and incorporated herein by reference.
- iii. The Complaint must state the complaining person's mailing address.

- iv. The Complaint must be delivered to the Association via certified mail, return receipt requested, addressed accordingly:

Joe Gagliano, CMCA, AMS (Association Manager)
Berkeley Realty Property Management
150 Strawberry Plains Road, Suite A-1,
Williamsburg, VA 2318
Phone: (757) 229-6810 x 204
Fax: (757) 229-8208
Email: jgagliano@berkeley-realty.com

- v. The Complaint must include all supporting documentation that the complaining person believes supports the Complaint. By way of illustration, and not limitation, the Complaint must include copies of any contracts, meeting minutes, records, and pictures that the complaining person may have in support of the Complaint.
- vi. To the extent that the complaining person has knowledge of the law(s) or regulation(s) applicable to the Complaint, the Complaint must also reference the specific law(s), regulation(s), or provision(s) of the Association's governing documents relating to the Complaint.
- vii. The Complaint must also state a request for action by the Association, or a proposed resolution by the Association, and an explanation for why such an action or resolution is appropriate and warranted.

d. Association's Response to the Complaint.

- i. Acknowledgment. Within 7 days of the Association's receipt of a Complaint, the Association will provide written acknowledgement of receipt of the Complaint to the complaining person. Such acknowledgement will be hand delivered, or mailed by certified mail, return receipt requested, to the complaining person, at the address provided by the complaining person on the complaint. Written acknowledgement of the Complaint does not constitute a representation by the Association that the Complaint is complete, nor that it complies with this Complaint Policy.
- ii. Compliance Review. The Association will review the Complaint to ensure that it fully complies with all of the terms and conditions of this Complaint Policy and Virginia law. The Association shall have twenty-one (21) days to conduct such a review, and in the event that the Complaint fails to fully comply with the terms and conditions of this Complaint Policy, the Association shall send a notice to the complaining person via certified mail, return receipt requested that such Complaint is deficient. [NOTE: this twenty-one (21)-day period runs concurrently with, and is not in addition to, the twenty-one (21)-day review period described in 3(d)(iii) below].
- iii. Review and Assessment. After the Association receives a Complaint that fully complies with the terms of this Complaint Policy and Virginia law, it

shall have twenty-one (21) days to review and assess the Complaint, and during that time it shall be entitled to issue written request(s) to the complaining person for any additional information from the complaining person that the Association reasonably believes that it needs in order to evaluate and assess the Complaint. The Association shall issue such request(s) via certified mail, return receipt requested, and the complaining person shall have twenty-one (21) days to respond to such request(s) from the date that such request(s) are mailed by the Association. The Association shall then have an additional twenty-one (21) days to review and assess the additional information. In the event the complaining person fails to respond to the Association within that time period, the Complaint will be disposed of, and the Association will have no further obligation whatsoever related to the Complaint.

iv. Notice of Consideration.

1. In the event that the Association does not issue any written request(s) to the complaining person, the Association will, within ten (10) days of the end of the twenty-one (21) day period, deliver via hand delivery or certified mail, return receipt requested, to the complaining person, a statement that will contain notice of the date, time, and location that the Complaint will be considered by the Association's Board of Directors.
2. In the event that the Association issues any written request(s) to the complaining person, the Association will, within ten (10) days of the end of the additional twenty-one (21) day period for assessing the additional information, deliver via hand delivery or certified mail, return receipt requested, to the complaining person, a statement that will contain notice of the date, time, and location that the Complaint will be considered by the Association's Board of Directors.

v. Consideration. The Association's Board of Directors shall convene in executive session with its legal counsel for the purpose of considering the Complaint. As such proceeding will be conducted in executive session, the complaining person will not have any right to attend, observe, and/or record such proceeding in executive session.

vi. Final Determination. After a final determination is made about the Complaint by the Association's Board of Directors, in consultation with its legal counsel, the Association shall, within seven (7) days, send a written notice of final determination (the "Final Determination") to the complaining person by either hand delivery or certified mail, return receipt requested.

vii. Requirements of Final Determination.

1. The Final Determination shall be dated as of the date of issuance, and, to the extent reasonably possible, will include specific citations to applicable governing documents of the Association, and/or laws

and regulations. The Final Determination will also include the registration number of the Association, and, if applicable, the name and license number of its common interest community manager.

2. The Final Determination will also include a notice that the complaining person has a right to file a "Notice of Final Adverse Decision with the CICB via the Common Interest Community Ombudsman," and will provide the applicable contact information.

viii. No Appeal. A complaining person does not have the option to appeal the Final Determination to the Association; any appeal must be made to the Common Interest Community Ombudsman.

4. Distribution.

- a. The Association will make a copy of this Complaint Policy available upon the request of any member of the Association and a citizen of the Commonwealth of Virginia.
- b. This Complaint Policy will be included as an attachment to the Association's disclosure packet.

5. Maintenance of Complaints.

- a. All Complaints filed with the Association pursuant to this Complaint Policy shall be maintained by the Association for at least five (5) years.

Exhibit A

Complaint Form
Jamestown Hundred Homeowners Association, Inc.

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Print, sign, and date this Complaint Form on the lines as indicated below. Please include your mailing address where indicated and submit this completed form to the Association to the Association Manager at the address listed above.

_____ Printed Name	_____ Signature	_____ Date
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Mailing Address

_____ Contact Preference		<input type="checkbox"/> Phone	<input type="checkbox"/> Lot/Unit/Address	<input type="checkbox"/> E-mail	<input type="checkbox"/> Other _____
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E-mail Address_____ Phone Number_____

If, after the Board's consideration and review of the complaint, the Board issues a final decision adverse to your position as set forth in the complaint, you have the right to file a notice of final adverse decision with the Common Interest Community Board (the "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 (the "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

**JAMESTOWN HUNDRED HOMEOWNERS ASSOCIATION, INC.
UNANIMOUS CONSENT OF THE BOARD OF DIRECTORS
IN LIEU OF MEETING**

(TO ADOPT THE ASSOCIATION COMPLAINT POLICY AND PROCEDURE)

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WHEREAS, the Association desires to adopt a complaint policy, in accordance with the aforementioned statute and regulations; and

WHEREAS, the Association was presented with "The Jamestown Hundred Homeowners Association, Inc. Association Complaint Policy and Procedures," a copy of which is attached hereto as Exhibit A (the "Complaint Policy"); and

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Directors:

Date Executed:

Signed: [Signature]


14 Sep 2012

Printed: Oliver Rox

Signed: [Signature]

14 Sep 2012

Printed: DAVID KRUSE

Signed: 

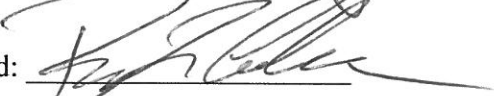
Printed: Edward T. Dixon

14 Sept 2012

Signed: 

Printed: Taron K. Taylor

14 Sep 12

Signed: 

Printed: Roy L. Cohen

14 Sept 12

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