



## Mount Tabor Meadows Homeowners Association, Inc.

### ASSOCIATION COMPLAINT PROCEDURE

In accordance with § 54.1-2354.4 of the Code of Virginia, every Virginia homeowners association is required to have a written process for resolving complaints about the Association from members and citizens. The procedure is specifically related to non-compliance with common interest community laws, including the Virginia Property Owners Association Act. This can include any action, inaction or decision by the governing board or association inconsistent with applicable laws and regulations.

This complaint procedure does not pertain to violations by homeowners of the association's governing documents such as the declaration (covenants), bylaws, rules and regulations or architectural guidelines. These may be brought to the Association board's attention at any time by emailing [hoaboard@mount-tabor-meadows.org](mailto:hoaboard@mount-tabor-meadows.org) without using this formal complaint procedure.

#### PROCEDURES FOR FILING A COMPLAINT

1. Complaints about Association actions must be in writing and filed using the Association Complaint Form (attached). A downloadable form is available at the Association website ([mount-tabor-meadows.org](http://mount-tabor-meadows.org)) or will be sent upon email request to [hoaboard@mount-tabor-meadows.org](mailto:hoaboard@mount-tabor-meadows.org).
2. Supporting documentation must be included along with the complaint form. These may include:
  - Copies of pertinent correspondence between the complainant and the Association
  - Citations of portions of the Declaration of Covenants, Conditions, and Restrictions; Association By-laws or meeting minutes relevant to the complaint
  - References to public laws or regulations applicable to the complaint
3. The completed complaint form and supporting documentation may be mailed to the Association's mailing address or sent as an attachment to an email to the Association. It is recommended that the attachment be sent in portable document format (.pdf). Alternatively, it may be hand delivered to an individual Board member or brought to a monthly Board meeting or annual membership meeting.
4. The Association shall provide formal written acknowledgment of receipt of the complaint to the complainant within seven days of receipt by the preferred contact method selected on the Complaint Form.
5. Upon receipt of the complaint, all Board members will be informed of the matter immediately so that the complaint may be addressed in a rapid manner. The complaint will be added to the agenda of the first Board meeting following receipt of the complaint. If the first Board meeting following receipt of the complaint is not within 45 days of receipt of the complaint, the Board will hold a special meeting within that timeframe to address the complaint. The Board will notify the complainant of the date, time and location of the meeting where the complaint will be discussed.
6. If during the meeting at which the complaint is discussed, the Board determines that additional information is needed, the complainant will be notified of what specific additional documentation or information is requested within seven days of the meeting. This notification will be made by the preferred contact method selected on the Complaint Form. Any additional documentation or information must be received within 30 days of the notification or the Complaint will be considered



null. If the complainant has an explanation or justification for the delay or non-provision, this deadline may be extended at the discretion of the board.

7. If no additional documentation or information is requested by the Board, the Board will reach a final decision on the complaint as quickly as possible, but not later than the conclusion of the second monthly Board meeting following receipt of the complaint or 90 days following receipt of the complaint, whichever is earlier. If additional documentation or information is requested, this timeline shall be extended to the date of the second monthly board meeting following the board's receipt of the additional information or 90 days following the board's receipt of the additional information, whichever is earlier.
8. Within seven days after the final determination concerning the complaint is made, the written notice of final determination shall be provided to the complainant. This notice will be made by the preferred contact method selected on the Complaint Form.
9. 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 registration number of the association.
10. If the complainant is not satisfied with the Board's final determination, the complainant may appeal to the Board for reconsideration without submitting a new complaint form. The complainant may also request that the complaint be added to the agenda of the next annual membership meeting.
11. In accordance with Virginia law (18 VAC 48-70) a complainant can appeal the final determination issued by the Board if the complainant believes the determination is opposite of, or does not provide for the cure or corrective action sought by the complainant, and is inconsistent with applicable laws and regulations. This appeal is done by filing a Notice of Adverse Decision with the Virginia Common Interest Community Board via the Common Interest Community Ombudsman. Brief instructions for filing such a Notice of Adverse Determination are contained in the attached Association Complaint Form; more detailed instructions are available upon request to the Board.

**Adopted 1/23/2025**

**Mt. Tabor Meadows Homeowners Association**

**PO Box 11292, Blacksburg, VA 24062**

**ASSOCIATION COMPLAINT FORM**

Pursuant to Chapter 23.3 of Title 54.1 of the Code of Virginia, the Board of Directors (Board) of the Mt. Tabor Meadows Homeowners Association 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, managing agent or association 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.

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Sign, date and print your name and contact information below.

<hr/> Printed Name	<hr/> Signature	<hr/> Date
<hr/> Mailing Address		<hr/> Lot #
<hr/> Email Address		<hr/> Phone Number

Contact Preference:     E-mail     Certified Mail, return receipt requested

Submit this completed form and supporting documents to the Association by either sending as an email attachment to [hoaboard@mount-tabor-meadows.org](mailto:hoaboard@mount-tabor-meadows.org), mailing to the address listed at the top of the page, hand-delivering to an individual Board member, or bringing it to a monthly Board meeting or annual membership meeting.

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](mailto:CICOmbudsman@dpor.virginia.gov)