

MEMORANDUM (2013-2-M)

FROM: THE BOARD OF DIRECTORS (Board)
FRESHWATER ESTATES PROPERTY OWNERS ASSOCIATION

DATE: April 13, 2013

SUBJECT: BOARD ADMINISTRATIVE RESOLUTION 02-2013
Process for Reporting Perceived Infractions of FEPOA Covenants, By-Laws, Committees, Regulations, Policy and/or Processes

The Commonwealth of Virginia, Department of Professional and Occupational Regulation, Common Interest Community Board (CICB), of Richmond, VA, notified all associations registered with the CICB, by letter dated June 28, 2012, that, in part, associations should continue to address all internal complaints and follow due process requirements under common interest community law or members may file a complaint through the CICB alleging a lack of compliance with notice and hearing requirements.

This memorandum hereby provides a mechanism for FEPOA members who desire to report perceived infractions of the Association covenants, by-laws, written policy or processes or official actions by committees of the Board, to the Board.

Any FEPOA member, to include members not in good standing, may report perceived infractions. The Report of Perceived Infractions Form can be found at the FEPOA Website located at www.freshwaterestates.com. Using the report of perceived infractions form, members are to:

- Legibly describe the perceived infraction of the covenant, by-law, committees, regulations, policy and/or processes,
- Include specific facts and circumstances at issue,
- Identify provisions of FEPOA documents or governing law that supports the perceived infraction.
- Identify by name and/or address the alleged violator if warranted,
- Attach any supporting documents relevant to the infraction.

For additional space, a member may attach a separate sheet of paper to the complaint form. The form may be forwarded to the Board via US Mail to FEPOA Board at Box 580 in Mineral, VA 23117 or electronically, to directors@freshwaterestates.com.

Once received, a member of the Board will review for consideration the reported infractions and supporting documentation within seven days of receipt. The Board member shall notify the member of its review and shall render a written decision within 30 days of initial receipt of the form. Decisions shall be in writing and forwarded to the member via US First Class Mail.

Should the Board member return a decision adverse to the complaint, the complainant has a right to file a notice of final adverse decision with the Board for re-consideration, in person or not, by the full Board which will file a written response to the complainant within 60 days of initial receipt of the initial report of perceived infractions form. The Board's written response shall be sent via US First Class Mail to the member.

All correspondence shall be placed in the file of appropriate members associated with the complaint and with the Board Secretary.

The Board cannot lessen that which is codified by local, state, federal authorities, nor be more restrictive than codified laws/regulations. Additionally, a Board shall always remain neutral, impartial, consistent and, objective when responding to complainants.

This memorandum supersedes former FEPOA Board guidance for addressing perceived FEPOA covenant infractions. The Board shall address rules and enforcement under separate memorandum.