

**RESOLUTION
of the
Board of Directors
of
GATLING POINTE COMMUNITY ASSOCIATION, INC.**

(Association Complaint Procedures)

WHEREAS, the Code of Virginia, 1950, as amended (the "Virginia Code"), was amended by statute effective July 1, 2008, to create a Common Interest Community Board ("CIC Board") and the Office of the Common Interest Ombudsman ("CICO"); and

WHEREAS, Section 55-530.E states the CIC Board "shall establish by regulation a requirement that each association shall establish reasonable procedures for the resolution of written complaints from the members of the association and other citizens"; and

WHEREAS, for the benefit and protection of the Association and of its individual Members, and with a goal of reducing and resolving conflicts among and/or between the Association and its Members, the Board of Directors deems it desirable to establish such procedures in the interim period between July 1, 2008, and the date any such regulations shall be promulgated by the CIC Board to meet the intent of Section 55-530.E; and

WHEREAS, it is the intent of the Board to establish procedures for the Board that meet the requirements of Section 55-530.E and F of the Virginia Code as the same may be amended and/or supplemented from time to time; and

WHEREAS, the Board of Directors will provide notice of this policy to all current owners by mailing a copy of this Resolution to current owners and to all future owners by including the Resolution in resale disclosure packages prepared pursuant to Section 55-509.4 and Section 55-509.5 of the Virginia Code; and

WHEREAS, this Resolution shall remain in full force and effect until the CIC Board adopts any applicable regulations pursuant to Section 55-530.E or until amended by further resolution of the Board, whichever first occurs.

NOW THEREFORE, the Board of Directors of Gatling Pointe Community Association, Inc. does hereby adopt this Resolution in order to adopt the following Association Complaint Procedures:

1. When any Association Member ("Member" or "Complainant") observes or reasonably believes the Board of Directors ("Board"), the Association's Common Interest Community Manager ("Association Manager") or any individual Board Member has or is continuing to violate any provision of the Association's Declaration, Architectural Guidelines, Articles of Incorporation, Bylaws, and/or Rules and Regulations ("Governing Documents"), the Member shall have the right to acquire, complete and submit an Association Complaint Form.

2. The Association Complaint Form shall comport substantially with the Association Complaint Form attached to this Resolution as Exhibit A, or with any form required by regulation duly promulgated by Virginia's Common Interest Community Board ("CIC Board").
3. The Association Complaint Form shall be submitted to Gatling Pointe Community Association, Inc., c/o United Property Associates, 739 Thimble Shoals Blvd., Suite 1003, Newport News, Virginia, 23435; ph: (757) 873-1185, ext. 463, Facsimile (757) 873-8907; email: resolutions@unitedproperty.org
4. The Board shall amend and restate this Association Complaint Procedures Resolution each time the name, address, telephone number and email address of the Association's Manager changes to remain compliant with Section 55-530.E.2 of the Virginia Code.
5. Any Association Complaint Form fully completed and submitted to the Association's Manager shall be reviewed at the Board's next scheduled regular Board Meeting, *provided, however* the Association Complaint Form must be submitted at least five (5) business days prior to the next scheduled regular Board Meeting to insure review at that meeting. If the Association Complaint Form is received less than five (5) business days prior to the next scheduled regular Board Meeting, the Association Complaint Form shall be reviewed at the next subsequent regular Board Meeting.
6. The Board shall review any Association Complaint Form received and shall, if necessary, consult with the Association's attorney and/or any other vendor or professional providing services to the Association to provide as complete a review as possible to arrive at its decision.
7. The Board may, but shall not be required to, consult with the Member who submitted the Association Complaint Form to understand more fully the substance and/or basis of the Member's Complaint.
8. The Board shall render a written decision and/or review of the Complaint to the Member within seven (7) days of the regular Board Meeting during which the Association Complaint Form was reviewed.
9. Should any Member need assistance in understanding the Member's rights and the processes available to common interest community Members, the Member may contact Virginia's Office of the Common Interest Community Ombudsman ("CICO") for assistance. The CICO may be reached at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Suite 400, Richmond, Virginia 23233. The CICO's current telephone number is (804) 367-8500 (Direct Line not yet available). The CICO's current email address is not yet available.

10. **Complainant's Rights Description required by Section 55-530-E.2 of the Code of Virginia, 1950, as amended.** In accordance with Section 55-530.F of the Code of Virginia, as amended, an Association Complainant may give notice to Virginia's Common Interest Community Board (the "Board") of any final adverse decision in accordance with regulations promulgated by the Board. The notice shall be filed within 30 days of the final adverse decision, shall be in writing on forms prescribed by the Board, shall include copies of all records pertinent to the decision, and shall be accompanied by a \$25 filing fee. The fee shall be collected by the Director of Professional and Occupational Regulation and paid directly into the state treasury and credited to the Common Interest Community Management Information Fund, § 55-530.1. The Board may, for good cause shown, waive or refund the filing fee upon a finding that payment of the filing fee will cause undue financial hardship for the member. The Director shall provide a copy of the written notice to the Association that made the final adverse decision.
11. The Association Complaint Form, all attachments thereto and a copy of the Complaint Response correspondence ("Complaint File") shall be retained by the Association for not less than one (1) year after the Board renders a decision on the Complaint. The Complaint File shall be eligible for review and duplication solely by the Association's Board of Directors, the Association Manager and the Lot Owner(s) who submitted the original Complaint Form, *provided, however*, the Complaint File shall be produced upon order of an appropriate judicial or administrative body having jurisdiction over the Association.

IN WITNESS WHEREOF the Board of Directors of Gatling Pointe Community Association, Inc. has set their hands on this _____ day of _____, 2008.

Director

Director

Director

Director

Director