

## **Place One Condominium**

# *Policy Statement*

**Date:** February 1, 2015  
**Policy Statement:** 15-32 (Replaces Policy Statement 00-32)  
**Subject:** Complaints and Policy Violations

### **I. Introduction**

Place One, its Management and Directors, its Co-Owners and Residents are subject to the Virginia Condominium Act, City of Alexandria Codes, its Master Deed and Policy Statements. This Policy Statement sets procedures for reporting, managing and responding to complaints and policy violations. Place One's "Complaint and Policy Violations Process at a Glance" can be found in Attachment A to this policy. *A complainant may request **confidentiality** and every reasonable effort will be made to honor such request.*

### **II. Policies Subject to Complaints**

Complaints concerning actions of Building Management, Staff, the Board of Directors, Co-Owners or Residents can be made by anyone who believes an external and/or internal policy has been violated. Major policies are listed below.

- A. Virginia Condominium Act (Act).** The Act establishes requirements primarily associated with Place One Condominium governance and how the Board of Directors and Management conduct business. Among other topics, the Act sets policies for replacement reserve funds, various charges and fees, open Board meetings and the availability of information provided to Board members in advance of meetings. A link to the Act can be found at [www.placeonecondo.net/our-policies](http://www.placeonecondo.net/our-policies).
- B. Alexandria City Code (Code).** Primarily, the Code establishes requirements for Place One Condominiums to address fire prevention and safety. Among other topics, the Code sets standards for electrical, plumbing, signage, recycling, fire safety and pool operations. The Code can be found at <https://www.alexandriava.gov/CityCode>.
- C. Master Deed.** The Master Deed is Place One's primary governing document. Among other topics, it sets restrictive covenants, insurance requirements, occupancy limits, ownership interests, financial management requirements and governance rules. The Master Deed may only be

amended by Co-Owners. The Master Deed can be found at <http://www.placeonecondo.net/our-policies>.

- D. Policy Statements.** Place One Policy Statements establish methods to administer external policies and Master Deed requirements, along with day-to-day procedures, to ensure efficient, fair and safe operations. Policy Statements are adopted by the Board of Directors. Policy Statements can be found at <http://www.placeonecondo.net/our-policies>.

### III. Reporting Complaints and Policy Violations

A complaint may be made by anyone, including Management, who is affected by or has witnessed an alleged violation issue. Complaints can be Informal or Formal.

- A. Informal Complaints.** Are made through a phone call or visit to the Front Desk, General Manager and/or an email to [placeonecondo@comcast.net](mailto:placeonecondo@comcast.net). Informal Complaints are better suited to address “real-time” situations and/or issues in need of immediate attention. Examples include loud sound systems, musical instruments, balcony parties, barking dogs, pool and community room parties, renovation noise, improper elevator use, visitor parking abuse and immediate safety/security concerns. An Informal Complaint can be elevated to a Formal Complaint when the issue is not immediately resolved to the satisfaction of Place One and/or the complainant.
- B. Formal Complaints.** Are made in writing using the attached form. Except when there is a “real-time” situation, use of the form found in Attachment B is preferred in all cases and is required for complaints associated with the Virginia Condominium Act. The form is available at the Front Desk or at <http://www.placeonecondo.net/our-forms>. The completed form is delivered to the Front Desk *preferably in a sealed envelope* addressed to the “General Manager.” Alternatively, the completed form can be delivered to the Front Desk addressed to “Chair, Policy Committee.” Formal Complaints are intended to be addressed within 60 days of receipt.
- C. Complaint Reporting.** To ensure effective resolution, complainants must provide the following information.
- 1. Complainant Contact Information.** Including name, unit number and phone.
  - 2. Complaint Description.** Including an accounting of the issue with dates, times and, when possible, how the issue relates to a specific policy violation as well as sufficient identification of who is violating the policy. Photos, diagrams and other evidence are helpful when appropriate to the complaint.

#### IV. Managing Complaints and Policy Violations

Ideally, Informal and Formal Complaints outlined in Section III are addressed at the lowest practical level within Place One's staff. An intervention from Staff and/or the General Manager in the form of a phone call, email or other instruction to make the policy violator aware of the situation and need for a correction is often sufficient to address the issue. When an intervention on the part of Staff or the General Manager is insufficient to address the matter consistent with applicable requirements, the response requires the conduct of a Hearing to determine penalties, if any, that should be imposed.

- A. Front Desk Staff.** The Front Desk Staff are able to address many Informal Complaints especially those involving noise, elevator use, pool, fitness center rules and parking. Depending on the nature of the Informal complaint, Staff may need to elevate the issue to the General Manager or in his/her absence an available member of the Board of Directors when quick action is needed. Additionally, when a safety and/or security concern is immediate, Front Desk Staff are empowered to contact Police, Fire, and/or Emergency Services.
  
- B. General Manager.** The General Manager is able to address most complaints including Formal ones provided the resolutions are consistent with applicable requirements. Additionally, the General Manager:
  - 1. Maintains Formal Complaint Log.** The General Manager maintains a log of the status of all Formal Complaints including the date received, date addressed and how the complaint was ultimately resolved. The General Manager issues a written or email acknowledgement of the complaint's receipt. The General Manager provides copies of all Formal Complaint forms to the Chair of the Policy Committee at the time of receipt and works with the Chair/Committee to ensure an appropriate strategy is in place to address each Formal Complaint.
  
  - 2. Issues Written Notice.** When deemed necessary to resolve a complaint, the General Manager issues a written notice of a policy violation, providing a reasonable timeframe for corrective actions to occur along with notice of a potential hearing.
  
- C. Policy Committee.** The Policy Committee monitors the progress of the complaint process in general and works with the General Manager to ensure complaints are being addressed. Additionally, the Committee:
  - 1. Provides Reports.** The Policy Committee works with the General Manager to maintain the Formal Complaint Log and report to the Board of Directors on the status of outstanding Formal Complaints and the complaint process in general.
  
  - 2. Conducts Hearings.** The Committee conducts hearings when a response potentially includes a monetary penalty, suspension of amenities and the matter has not been resolved in a timely manner after written notice from the General Manager, or the complaint

involves the Virginia Condominium Act. When a Hearing is needed, the Policy Committee:

- a. Validates that when required, the initial written notice from the General Manager described in Section IV. B, 2. has occurred without an acceptable resolution.
- b. Validates that when required, the Complaint Form referenced in Section III B. has been provided.
- c. Ensures that any Policy Committee Member who may have an interest in the Complaint is recused from the Hearing process and those who participate are committed to the confidentiality requirements found in Section III D.
- d. Identifies a Hearing date and provides at least 14 days written notice to the alleged policy violator to include the date, time, location and subject of the Hearing along with a notice that they can be represented by legal counsel.
- e. Evaluates all evidence provided and consistent with Section V. issues a response in writing to the alleged policy violator within seven days of the Hearing.

**D. Board of Directors.** The Board of Directors ensures complaint and policy violation procedures are followed consistent with applicable Virginia Condominium Act requirements. The Board also ensures that required hearings are conducted in the event the Policy Committee is unable to act.

## **V. Responding to Complaints and Policy Violations**

For many complaints and policy violations associated with an issue other than non-payment of assessments, there are no penalties, provided the matter is resolved in a timely and permanent manner and consistent with applicable requirements. When not the case, a Hearing is conducted consistent with Section IV. C. 2. to determine a response. A response includes the following potential outcomes.

- A. A Response in Favor.** Occurs when the evidence is without merit and/or insufficient to authorize a penalty, the Hearing results in a finding in favor of the alleged policy violator.
- B. A Response Against.** Occurs when the evidence is sufficient to authorize/recommend/direct one or more of the following, the hearing results in a finding against the alleged policy violator.
  1. Authorize denying the use of amenities (e.g. pool, tennis court, exercise room, etc.) to the unit's occupant(s) for a defined period.
  2. Authorize imposing a monetary fine against the unit's Co-Owner(s) for policy violations associated with their unit for one or multiple occurrences.
  3. Recommend to the Board informing appropriate city, state, or federal authorities of alleged violations of the Code when applicable.

4. Recommend to the Board filing suit, or the potential of, in the appropriate court, to enforce policy provisions and/or seek damages when appropriate.
5. Request the Board to ensure compliance with an applicable Virginia Condominium Act requirement.

## **VI. Administrative Appeal Options**

There are no Administrative Appeal options for Place One responses to most complaints and policy violations. The exception is when the complaint involves Association compliance with the provisions of the Virginia Condominium Act outlined in Section II, A. In the event of an adverse response for this issue, the complainant or the policy violator(s) may submit an appeal to the Common Interest Community Ombudsman. Information can be found at, <http://www.dpor.virginia.gov/CIC-Ombudsman/>.

## **VII. Conflicts with the Policy**

Future revisions to the Virginia Condominium Act subsequent to adoption of this Policy Statement may impose different requirements for addressing Complaints and Policy Violations. The latest version of the Virginia Condominium Act prevails in the event of conflict. Additionally, nothing in this policy should be interpreted to interfere with any decision by the Board of Directors to independently engage in a court action against a Co-Owner on behalf of Place One.

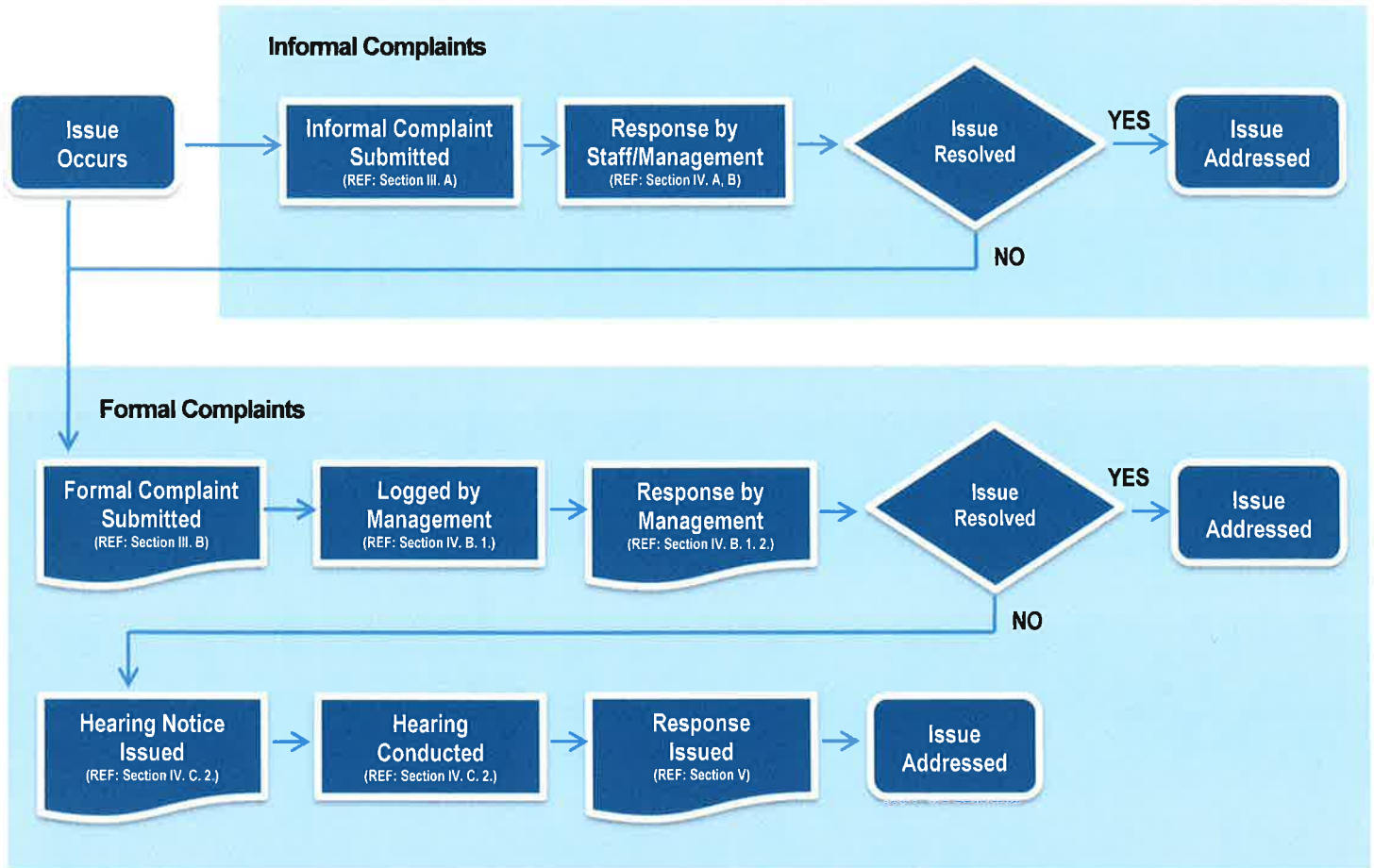


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John M. Trembler, President  
Board of Directors

# Place One Complaints and Policy Violation Process at a Glance

Complaints are Informal or Formal. Each stage shown is referenced to the relevant policy section.



**Place One Condominium  
FORMAL COMPLAINT FORM**

Consistent with the Virginia Condominium Act, Place One Policy Statement 15-32, Complaints and Policy Violations, establishes procedures for Co-Owners and others to submit a Formal Complaint. Unlike Informal Complaints, a Formal Complaint must be in writing using this form. The Formal Complaint is to be used by those with concerns regarding the actions, inactions, or decisions by the Board of Directors, General Manager and/or the Association believed to be inconsistent with Virginia and Alexandria codes and regulations. The Formal Complaint can also be used to raise concerns about compliance with Place One Master Deed and Policy Statements on the part of the Board of Directors, General Manager, Co-Owners and Residents. Please read Policy Statement 15-32.

**Section I: Type of Complaint**

*Please check all that apply. If you don't know which applies, check the last box.*

- My complaint relates to a violation of the Virginia Condominium Act or related regulation. (If you checked this box, see Policy Statement 15-32, Section V. Appeal Options for additional information regarding your options if your complaint is deemed unfounded.)
- My complaint relates to a violation of the Alexandria City Code or related regulation.
- My complaint relates to a violation of Place One's Master Deed and/or Policy Statement.
- My complaint relates to something else as described below.

**Section II: Description of Complaint**

*Please describe your complaint and any requested action or resolution of the issue. If you checked any of the first three boxes above, please cite the specific requirement (e.g., as found in the Condominium Act, Master Deed, etc.) you believe has been violated. Please provide as much detail as possible, e.g., dates and times associated with the issue, including who is involved. List any facts and other circumstances that may apply to your complaint. Attach any documents, letters and/or photos relevant to the complaint. If you need additional space, attach a separate piece of paper to this form.*

**Section III: Contact Information**

*Please provide the information below. Be sure to sign the form and attach relevant material.*

Name:	Phone:	Email:
Address:		
City:	State:	ZIP:
Signature:		Date:

- I request that my complaint be confidential with the understanding that every effort will be made to honor this request.

*Print, sign and deliver your completed form and any attachments, preferably in a sealed envelope to either:  
"General Manager", or "Chair, Policy Committee,"  
Place One Condominium, 5500 Holmes Run Pkwy, Alexandria, VA 22304*