

Chesapeake Commons Homeowners Association

Owner Complaint Procedure

From time to time, owners may have complaints regarding the actions of the Association, the Board of Directors, other owners or Association service providers. The Board of Directors hereby adopts the following procedure for owners to submit a *formal* complaint to the Board of Directors for its review, consideration and response. This complaint procedure is being adopted pursuant to the Condominium and Common Interest Community Association Ombudsperson Act, 765 ILCS 615/1 et seq., which requires that the Association have such a written policy.

- A. Owners who have a complaint against the Association, the Board of Directors, other owners or Association service providers may submit a written complaint in a form similar to Exhibit A attached hereto. In order for a complaint to be considered, all information noted on Exhibit A must be provided to the Board of Directors in some form. Anonymous complaints will not be considered or addressed.
- B. Complaints submitted by tenants or occupants or other third parties, including legal counsel, are not considered owner complaints for the purposes of this Owner Complaint Procedure. Therefore, this Owner Complaint Procedure is applicable only to complaints submitted directly by an owner to the Association. Complaints submitted by third parties shall be addressed as determined by the Board from time to time, upon advice of legal counsel.
- C. The complaint noted in Paragraph A above must be submitted to the Association, via regular and certified mail, to the address provided by the Board of Directors for notice. As of the date of adoption of this policy, complaints should be submitted to:

Chesapeake Commons Homeowners Association
1490 Geneva Dr.
Geneva, IL 60134

- D. Complaints received will be reviewed by the Board of Directors at its next regularly scheduled Board meeting in executive session. At that time, based upon the information provided by the complainant, the Board may elect to:
 - 1. Direct the manager to provide a final response to the complainant regarding the complaint;
 - 2. Request that the complainant attend the next regularly scheduled Board meeting to discuss the complaint and/or provide any additional information required to make a final decision on the complaint; or
 - 3. Seek additional information to address the complaint from legal counsel or Association service providers.

The complainant shall be advised as to the status of the complaint within fourteen (14) days of the date of that determination.

- E. In the event that a hearing is requested with the complainant, it is expected that the complainant will attend the next regularly scheduled Board meeting. In the event that the complainant does so, the Board may elect to:
1. Direct the manager to provide a final response to the complainant regarding the complaint; or
 2. Seek additional information to address the complaint from legal counsel or Association service providers.

The complainant shall be advised as to the status of the complaint within fourteen (14) days of the date of that determination. In the event that the complainant does not attend the hearing and/or provide the additional information requested by the Board, the Board of Directors will deem the complaint to be abandoned and advise the complainant of the same. The complainant may request, within fourteen days (14) of the date of notice of the closure of the complaint, that the complaint be reinstated. If such a request is received, the complainant shall be directed to attend the next regularly scheduled Board meeting.

- F. In the event that additional information to address the complaint is required from legal counsel or Association service providers, in status updates issued within fourteen (14) days of the Board determination, an estimated date of response will be provided to the complainant based upon the estimated amount of time needed to obtain the additional information from legal counsel or Association service providers. The Board strives to address complaints, which are complete and/or do not require the involvement of legal counsel or other Association service providers within ninety (90) days of receipt. All complaints will be responded to within one hundred and eighty (180) days of receipt of the complaint or the date of reinstatement of the complaint as noted in paragraph E.
- G. Final determinations shall be issued to the complainant in writing, via regular and certified mail to the address listed in the Association's books and records.
- H. Final determinations are final and shall be marked as such. The Association will not grant further appeals or requests for reconsideration.
- I. Complaints regarding and related to a matter at issue in an ongoing or concluded legal action or which are involved in an ongoing rule violation proceeding, where the hearing procedure has not yet been exhausted, will not be considered by the Board. In addition, routine work order requests shall not be governed by this complaint procedure.

Exhibit A

Chesapeake Commons Homeowners Association Owner Complaint Form

PLEASE NOTE: An Owner Complaint Form must be completely filled out or the complaint will not be considered valid by the Board. Complaints may not be submitted anonymously.

Name: _____

Address: _____

Phone Number: _____

Email Address: _____

Complaint Levied Against: _____

Basis: _____

Please attach any and all documentation which supports or otherwise forms the basis of your complaint.

I hereby attest that I am an owner within the Association and this information is true and accurate to the best of my knowledge. I further agree to cooperate with the Association to provide any and all information deemed necessary by the Board of Directors to investigate this complaint.

Signature

Printed Name

Date