

TFPOA Complaint and Due Process Procedures

In August of 2009, the board of directors in place at that time enacted a resolution outlining the procedures for dealing with complaints and violations of covenants. This resolution supersedes and replaces all previous versions of Rules and Regulations – Hearing Procedures and Charges of Assessments for Violation of the Governing Documents. The following is a brief outline of the procedures that **must** be followed to submit a complaint and for the board to act on the complaint. The document—available on this site since March of 2014—can be found at [Complaint and Due Process Procedures](#)

Please note: It is the responsibility of the board to follow the Code of Virginia Property Owners' Association Act which takes precedence over any TFPOA document. It is their responsibility to stay up to date on any changes to the Code that might pertain to this document.

All property owners who wish to submit a complaint, as well as members of the Covenants Committee and members of the board, should read the document in its entirety and refresh their understanding of the Virginia Property Owners Act as it pertains to violations prior to acting on any complaint.

SUBMITTING A COMPLAINT:

Any property owner may submit a complaint to the Thunderbird Farms Covenants Committee. **The written complaint must be signed by the complainant. It must include the specific violation and the date the alleged violation occurred.**

Written complaints must be mailed to:

TFPOA

Attention: Covenants Committee

P.O. Box 562

Front Royal, VA 22630

Your complaint will be delivered unopened to the Covenants Committee.

ACTIONS OF THE COVENANTS COMMITTEE:

The Covenants Committee will then determine whether or not it is likely that a provision of the Governing Documents has been violated based upon the allegations.

If the Committee determines a violation may have occurred, they will then submit the complaint to the Board for appropriate action, such as directing that a first notice be sent or that it be referred to legal counselor or county authorities.

ACTIONS OF THE BOARD:

First Notice of Violation:

- **If determined appropriate**, the board will send a formal notice to the property owner by registered mail or certified letter with return receipt advising member of the nature of alleged offense, the specific provision(s) violated, and the actions required to remedy the situation within 15 days or other reasonable timeframe.

Second Notice of Violation:

- If the property owner does not remedy the situation, the board may issue a Second Notice of Violation identical to the First Notice of Violation.

Hearing Notice (Third Notice of Violation):

- If the alleged violation is not remedied within the time specified in the notices and if the Board determines a hearing is necessary, a notice of hearing shall be sent. The notice of hearing shall delivered by registered or certified U.S. Mail, return receipt requested at least fourteen (14) days in advance of the hearing or within such other time as may be required by the Virginia Property Owners' Association Act.
- The hearing notice shall specify the following:
 - The time, date, and place of the hearing,
 - That the owner and tenant, if applicable, shall be given an opportunity to be heard and to be represented by counsel before the Board,
 - The alleged violation, citing provisions of the Governing Documents that allegedly have been violated, and
 - That charges for violation of the Governing Documents may include amounts of up to Fifty Dollars (\$50.00) for a single offense or Ten Dollars (\$10.00) per day for up to ninety (90) days for any offense of a continuing nature or such greater amounts as may be authorized by the Virginia Property Owners' Association Act.
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HEARINGS

Please see [Complaint and Due Process Procedures](#) for rules governing how hearings shall be conducted and final outcomes such as assessing charges for violations.