



Eagle Trace Homeowners Association Deed Restriction Violation COMPLAINT PROCEDURE

The Eagle Trace Homeowners Association is a common interest community subject to regulation by the Eagle Trace Homeowners Association Board (Board). The established rules for receiving and considering complaints from members concerning deed restriction violations by the Board that are inconsistent with the Declaration of Restrictions of the Association, the Board adopts the following Deed Restriction Violation Complaint Procedure.

I. Filing the Written Complaint.

A. A member of the Association must register a complaint in writing with the Deed Restriction Violation Complaint Form (Complaint Form) available on our website www.eagletracesylvania.net.

B. The completed Complaint Form with all supporting documents, correspondence, and other materials related to the complaint, must be sent to the Board by email at eagletracesylvania@gmail.com, provided the sender retains sufficient proof of electronic delivery, or by mail to: Eagle Trace HOA Board, PO Box 71, Sylvania, OH 43560.

II. Receipt and Adequacy of the Complaint.

A. The Board shall provide written acknowledgment of receipt of the complaint to the complainant within ten (10) days of receipt. Such acknowledgment shall be sent by electronic means, provided the sender retains sufficient proof of the electronic delivery, or mailed by registered or certified mail, return receipt requested, to the complainant at the address provided on the Complaint Form.

B. The complainant shall provide appropriate reference to the Association's Declaration of Restrictions, as well as the requested action or resolution on the Complaint Form. If it appears that the submitted complaint is inadequate in any way, then the Board may provide notice of such to the complainant. The notice should describe how the Complaint is inadequate and advise the complainant of the need to submit a revised Complaint, or additional information before it can be considered. If it appears that the submitted Complaint includes the required information, the President, or other officer designated by the Board, shall provide the Board with a copy of the Complaint for consideration.

III. Board Consideration of the Complaint.

A. The Board, or other hearing tribunal constituted by the Board, shall consider the Complaint within fifteen (15) days of receipt of an adequate and completed Complaint, or under extenuating circumstances, as soon thereafter as may be reasonably possible.

B. Notice of the date, time, and location informing the Complainant when and where the matter will be considered shall be delivered by electronic means, provided the sender retains sufficient proof of the electronic delivery, or mailed by registered or certified mail, return receipt requested, to the complainant at the address provided in the Complaint, at least fifteen (15) days prior to consideration by the Board.

C. If the Association has provided notice to the complainant of the inadequacy of the Complaint as provided for in Section II B above, but if the complainant does not submit a revised Complaint or additional information within fifteen (15) days after such notice is sent, then the Board may consider the Complaint as submitted and make a final determination.

IV. Notice of Board Decision

A. After the final determination is made, the written notice of final determination shall be delivered by electronic means, provided the sender retains sufficient proof of the electronic delivery, or mailed by registered or certified mail, return receipt requested, to the complainant at the address provided in the Complaint, within fifteen (15) days.

B. The notice of final determination shall be dated as of the date of issuance and include specific citations to applicable association governing documents, laws, or regulations that led to the final determination.

C. No further appeal process under this Complaint Procedure is available, and the decision rendered by the Association's Board may be considered a "final adverse decision" for purposes of this Complaint Procedure.

V. Association Records.

A. A record of each Complaint shall be maintained after the Board acts upon the Complaint.

B. The Association Complaint Procedure must be readily available (upon request) to all members of the association and will be posted on our website www.eagletracesylvania.net

C. The Association Complaint Procedure shall be included as an attachment to the Association Welcome packet (Welcome Committee).

D. For the privacy of our members, Board actions are recorded by address in meeting minutes and names will not be made public. Complaint forms and Board decisions are recorded in the Association archives and can be made available to a neighbor upon request.