

SANDY POINT CONDOMINIUM ASSOCIATION
POLICY FOR RESOLVING COMPLAINTS MADE BY UNIT OWNERS
PURSUANT TO SECTION 35 OF THE
ILLINOIS CONDOMINIUM AND COMMON INTEREST COMMUNITY
OMBUDSPERSON ACT

The Board of Directors (“Board”) has created the following written policy (“Policy”) of the Sandy Point Condominium Association (the “Association”) for resolving complaints made by Unit Owners pursuant to Section 35 of the Condominium and Common Interest Community Ombudsperson Act (“Ombudsperson Act”).

1. Each Unit Owner seeking to make a complaint to the Association (a “Complaining Unit Owner”) pursuant to Section 35 of the Ombudsperson Act must complete, date, and sign a complaint form (“Complaint Form”), a copy of which is attached to this Policy.

2. The Complaining Unit Owner must deliver a completed Complaint Form to the Association, by certified mail or in-person, to the management office (the "Management Office") and/or Board within thirty (30) days of the date of the event that is the subject of the complaint.

3. Within a reasonable timeframe after receipt of a Complaint Form from a Complaining Unit Owner, the Board shall meet in executive session of a Board meeting to discuss and review the Complaint Form. At the subsequent open portion of said Board meeting, the Board may either make a final determination (“Final Determination”) in response to the Complaining Unit Owner’s complaint, or may make a determination that additional information/documents and/or investigation is required in order to respond to the Complaining Unit Owner’s complaint before making a Final Determination.

4. (a) If the Board determines that additional information, documents or investigation is required to make a Final Determination, the Board shall promptly make a request for such additional information/documentation to the Complaining Unit Owner. The Complaining Unit Owner shall deliver such additional information/documentation, via certified mail, to the Management Office/Board, within ten (10) days of the date of the Board’s request.

(b) If the Board determines that additional investigation is required in order to respond to the Complaining Unit Owner’s complaint before making a Final Determination, the Board shall promptly engage in such investigation.

(c) Within a reasonable timeframe after receipt of the additional information/documentation requested under Section 4(a) above and/or the conclusion of its investigation under Section 4(b) above, the Board shall meet in executive session of a Board meeting to discuss and review the Complaining Unit Owner’s complaint and the additional information/documentation. During the open portion of said meeting, the Board shall make the Final Determination in response to the Complaining Unit Owner’s complaint, unless the Board determines that it still does not have sufficient information/documentation in order to make a Final Determination, in which case, the Complaining Unit Owner shall cooperate with the

Board's requests for further information, documentation or investigation and provide said documentation or information via certified mail to the address provided in Section 2 hereof. Within a reasonable timeframe after receipt of any further information/documentation, the Board shall continue and conclude its investigation. Thereafter, the Board shall respond, in writing, within 180 days after delivery of the Complaining Unit Owner's original Complaint Form to the Association, with a Final Determination.

5. The Final Determination of the Board in response to a Complaining Unit Owner's complaint shall be:

(a) Made in writing;

(b) Made within 180 days after receipt of the Complaining Unit Owner's original Complaint Form and of the submission of any additional documentation or information requested by the Board, whichever is later; and

(c) Marked clearly and conspicuously as "Final."

6. The decision of the Board to approve the written Final Determination in response to a Complaining Unit Owner's complaint shall be made during open session at a Board meeting, or portion thereof, open to the Unit Owners; however, that the details of the written Complaint Form and Final Determination shall not be disclosed at the Board meeting, or portion thereof, open to the Unit Owners.

7. The written Final Determination shall include the following:

(a) A copy of the Complaining Unit Owner's Complaint Form;

(b) A copy of the documentation and information considered by the Board;

(c) The Board's determination with respect to the Complaining Unit Owner's complaint and any action to be taken by the Association pursuant to such a determination, marked clearly and conspicuously as "final," if any.

8. The written Final Determination of the Board in response to a Complaining Unit Owner's Complaint Form shall be issued to the Complaining Unit Owner by regular mail, email or hand-delivery, within 180 days after the Association received the Unit Owner's original Complaint Form.

9. The written Final Determination shall be deemed confidential and shall not be available to any person other than the Complaining Unit Owner, the Board, and the Association's managing agent (if any), except as otherwise required by applicable law and the Complaining Unit Owner shall not disclose the written Final Determination to any person (other than such Complaining Unit Owner's attorney), except as may be required by law.

10. The foregoing procedure shall not be required:

(a) If there is a pending complaint filed in any court or administrative tribunal in any jurisdiction or for which arbitration or alternative dispute resolution is scheduled to occur or has previously occurred, related or correlated in any manner to the subject matter of the Complaining Unit Owner's complaint, in the discretion of the Board.

(b) To address violations of the Association's Declaration and/or Rules for which the Board can levy a fine or exercise other available remedies which are governed by separate procedures.

11. This Policy shall be made available to all Unit Owners upon request.

12. If adopted by the Board prior to January 1, 2019, this Policy shall be effective on January 1, 2019.

13. Upon the repeal of the Ombudsperson Act, this Policy shall also be repealed automatically.

