

# COLONIAL SQUARE COMPLAINT POLICY

THE INTENT OF THIS POLICY IS TO:

1. SUPPLEMENT EXISTING POLICIES WHICH ADDRESS SPECIFIC AREAS OF CONCERN;
2. PROVIDE PROCEDURES TO ENABLE MEMBERS AND MANAGEMENT TO ADDRESS AREAS OF CONCERN BY EXISTING POLICY.

## I. ACTION BY MANAGEMENT

Management shall take formal action only on written complaints from individuals (hereafter called "formal complaint"). All such complaints shall be handed in accordance with the complaint procedures, under which the subject matter of the complaint is covered, e.g., complaints regarding pets would fall under the cooperative Pet Policy.

## II. COMPLAINTS NOT COVERED BY DISTINCT POLICIES

If the subject of the complaint is such that no separate policy exists, management shall rely on the appropriate portion of the Occupancy Agreement, which would apply to the complaint. Within seven working days of receipt of such a complaint, management shall notify the person being complained about ("respondent") of receipt of the complaint, providing the person with the following information:

1. Nature of complaint;
2. Date or time frame the problem occurred;
3. Any action the cooperative or management will be taking;
4. Right of person to challenge or appeal the complaint;
5. Date by which the person must challenge or appeal.

Management must also inform the complaining party ("complainant") of the disposition of their complaint. (SEE ALSO PARAGRAPH VI. MEMBERS' PRIVACY RIGHTS).

### **III. CHALLENGES/APPEALS**

The respondent, upon receiving notification of a formal complaint may challenge or appeal the complaint by the following procedure.

1. A written notification of challenge/appeal must be submitted to the manager within 10 days after notification of the complaint.
2. The challenger must be willing to discuss the complaint at a private meeting, which may include the complaining party. Failure to agree to this meeting will result in the appeal being denied.
3. The complainant shall be notified if management plans to revise the original penalty and only the decision to revise the original penalty.
4. Either the complainant or the respondent may submit a written request to the Board of Directors appealing management's final decision on the complaint, so long as the respondent is willing to attend a private meeting of the Board of Directors in the presence of the manager and the opposing person. The Board of Directors is not obligated to hear such an appeal or to otherwise intervene in the process unless the situation has reached a stage where legal action is required or recommended by management to resolve the situation.

### **IV. COMPLAINT RECORDS**

Written complaints and all correspondence and records relating to the complaint shall be filed in the respective member files (or General Files, if no member files exist) of the parties to the complaint. Only the original complaint and direct correspondence from management will be filed in the complainants file. Conversely, only the direct correspondence from management, respondent's correspondence, and records of action and/or conclusion shall be filed in the respondents file. There will be no cross filing of records as directed by management.

In the case of legal action resulting from a complaint a separate file for all parties involved will be created and maintained separate from the member files, until such time the legal action has concluded. After conclusion of the legal action the separate "legal file" will become a permanent record of the respective individual member files.

### **V. ACCEPTANCE OF COMPLAINTS**

All formal complaints regardless of their source shall be accepted by management and handled in a professional manner in accordance with this policy and complaint procedures listed in specific policies. There shall be no limit on the number of complaints an individual may file against a particular party.

## **VI. MEMBERS' PRIVACY RIGHTS**

**THE COOPERATIVE RECOGNIZES ALL MEMBERS AS HAVING A RIGHT TO PRIVACY WHETHER COMPLAINANT OR RESPONDENT. THEREFORE NO COMPLAINANT'S NAME SHALL BE DIVULGED TO A RESPONDENT WITHOUT COMPLAINT'S PERMISSION OR UNLESS SUCH INFORMATION IS SUBPOENAED OR REQUESTED BY THOSE INDIVIDUALS REPRESENTING RESPONDENT IN LITIGATION.**

**FURTHER, THE FOLLOWING INFORMATION REGARDING RESPONDENT SHALL NOT BE DIVULGED WITHOUT RESPONDENT'S PERMISSION OR UNLESS LITIGATION MAKES IT NECESSARY TO DO SO:**

- 1. NUMBER OF PREVIOUS COMPLAINTS;**
- 2. ANY INFORMATION REGARDING RESPONDENT NOT DIRECTLY RELATED TO THE COMPLAINT FILED.**