

# PARK TOWER CONDOMINIUM ASSOCIATION

5415 N. SHERIDAN ROAD, SUITE 107, CHICAGO, ILLINOIS 60640-1966

PHONE: 773.769.3250 - FAX: 773.769.0047 - EMAIL: PARKTOWERCONDO-MGMT@HABITAT.COM - WWW.PTCONDO.COM

## **POLICY FOR RESOLVING COMPLAINTS MADE BY UNIT OWNERS**

The following is the Policy of the Board of Directors (“Board”) of the Park Tower 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”) regarding claimed violations of the Condominium Property Act, as accepted at the Monday November 12<sup>th</sup>, 2018 Board of Directors Meeting.

1. Unit Owners who wish to make a complaint (“Complaining Unit Owner”) to the Association pursuant to Section 35 of the Ombudsperson Act must complete, date, and sign a Complaint Form. The required Complaint Form 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/Board, at the following address: Park Tower Condo Association, Attention: Management Office, 5415 North Sheridan Road, Suite 107, Chicago, IL 60640, within thirty (30) days of the date of the event that is the subject of the Complaint.
3. Within thirty (30) days of receipt of a Complaint Form from a Complaining Unit Owner, the Board shall meet in closed session to review the Complaining Unit Owner’s Complaint. At such meeting, the Board may make a 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 is required in order to review the Complaining Unit Owner’s Complaint before making a Final Determination, the Board shall promptly make a request for such additional information/documents to the Complaining Unit Owner. The Complaining Unit Owner shall deliver such additional information/documents, by certified mail or in person, to the Management Office/Board, at the address provided in Section 2, within ten (10) days of the date of the Board’s request for additional information/documents.

(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 thirty (30) days after receipt of the additional information/documents 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 to review the Complaining Unit Owner's Complaint, the additional information/documents, and the results of its investigation. At such meeting, the Board shall make a Final Determination in response to the Complaining Unit Owner's Complaint, unless the Board determines that it still does not have sufficient information/documents in order to respond to the Complaint before making a Final Determination. If the Board determines that it still does not have sufficient information/documents in order to respond to the Complaining Unit Owner's Complaint before making a Final Determination, or determines that further investigation of the Complaining Unit Owner's Complaint is necessary, the Board shall promptly seek such additional information/documents and continue and conclude its investigation, and shall reconvene, as soon as practical thereafter in order to respond to the Complaining Unit Owner's Complaint.

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 a reasonable time after receipt of the Complaining Unit Owner's Complaint, provided that the Board shall use its best efforts to make a Final Determination in response to a Complaining Unit Owner's Complaint within one hundred eighty (180) days of the date of receipt of the Complaining Unit Owner's Complaint; 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 at a Board meeting, or portion thereof, open to the Unit Owners; however, the details of the written Final Complaint 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 summary of the Complaining Unit Owner's Complaint;

(b) A summary of the documents 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.

8. The written Final Determination of the Board in response to a Complaining Unit Owner's Complaint shall be issued to the complaining Unit Owner by certified mail, within ten (10) days after the date the Board approves the written Final Determination.

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 of Directors, and the Association's managing agent (if any), 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 Complaining Unit Owner shall cooperate with requests of the Board for additional information/documents.

11. All Complaint Forms and additional information/documents requested by the Board in connection with the Complaining Unit Owner's Complaint shall be date stamped by the Association upon receipt.

12. The foregoing procedure shall not be available:

(a) If the Complaining Unit Owner owes outstanding assessments, fees, or funds to the Association, unless the assessments, fees or funds are central to the Complaining Unit Owner's Complaint.

(b) 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, concerning the subject matter of the Complaining Unit Owner's Complaint.

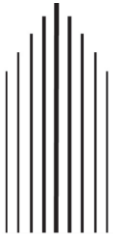
(c) To address violations of the Association's Declaration and or Rules for which the Board can levy a fine, as that is governed by a separate procedure.

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

14. If adopted by the Board of Directors prior to January 1, 2019, this Policy shall be effective on January 1, 2019 or at such later date by which time this Policy must be in place pursuant to the Condominium and Common Interest Community Ombudsperson Act.

15. This Policy shall be rescinded automatically and without further action of the Board of Directors upon the expiration of the Ombudsperson Act.

The complaint form is attached for Unit Owner records.



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## THE PARK TOWER CONDOMINIUM ASSOCIATION UNIT OWNER COMPLAINT FORM

Unit Owner Name: \_\_\_\_\_

Unit No. and Address: \_\_\_\_\_

Phone No. \_\_\_\_\_

Date of Event: \_\_\_\_\_

Time of Event: \_\_\_\_\_

Location of Event: \_\_\_\_\_

Section of Condominium Property Act **OR** Common Interest Community Association Act

Claimed to Be Violated: \_\_\_\_\_:

Description of Event: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(Use Reverse Side or Additional Copies of Form if Necessary)

The following documents are attached concerning the Incident:

\_\_\_\_\_

Names and Contact Information for Witness(es) to Incident (if applicable)

\_\_\_\_\_

\_\_\_\_\_, 20\_\_\_\_  
Unit Owner Signature Date