



COMMONWEALTH of VIRGINIA

Department of Professional and Occupational Regulation

Abigail D. Spanberger
Governor

Jessica K. Looman
Secretary of Labor

Laura V. McClintock
Director

May 28, 2026

Complainant: Tarnisha Ruffins
Association: Meadow Lake Farms Homeowners' Association
File Number: 2026-01244

DETERMINATION - NOTICE OF FINAL ADVERSE DECISION

Introduction

The Complainant, Tarnisha Ruffins ("Complainant"), submitted a complaint to the Meadow Lake Farms Homeowners' Association ("Association"), dated August 5, 2025. The Association provided a response to Complainant's complaint dated September 23, 2025. The Complainant then submitted a Notice of Final Adverse Decision ("NFAD") to the Office of the Common Interest Community Ombudsman ("Office") dated October 10, 2025, and the NFAD was received by our Office on October 21, 2025.

Authority

In accordance with its regulations, this Office, as designee of the Agency Director, is responsible for determining whether a "final adverse decision may be in conflict with laws or regulations governing common interest communities." (18 Va. Admin. Code ("VAC") § 48-70-120) The process of making such a determination begins with receipt of a NFAD that has been submitted to this office in accordance with §54.1-2354.4 of the Code of Virginia of 1950, as amended ("Va. Code") and the Common Interest Community Ombudsman regulations ("Regulations"). An NFAD results from an association complaint submitted through an association complaint procedure. The association complaint must be submitted in accordance with the applicable association complaint procedure and as specifically set forth in the Regulations, "shall concern a matter regarding the action, inaction, or decision by the governing board, managing agent, or association inconsistent with applicable laws and regulations."

Under the Regulations, "applicable laws and regulations" pertain solely to common interest community laws and regulations. Any complaint that does not concern common interest community laws or regulations is not appropriate for submission through the association complaint procedure, and we cannot provide a determination on such a complaint. Common interest community law is limited to the Virginia Condominium Act, the Property Owners' Association Act, and the Virginia Real Estate Cooperative Act.

The only documents that will be considered when reviewing an NFAD, in accordance with Regulation 18 VAC 48-70-90, are the association complaint submitted by a complainant to the association (and any documents included with that original complaint), the final adverse decision from the association, and any supporting documentation related to that final adverse decision. Other documents submitted with the Notice of Final Adverse Decision cannot be reviewed or considered. Further, this Determination is final and not subject to further review or appeal pursuant to Va. Code § 54.1-2354.4(C).

If within 365 days of issuing a determination that an adverse decision is in conflict with laws or regulations governing common interest communities we receive a subsequent NFAD for the same violation, the matter will be referred to the Common Interest Community Board to take action in accordance with Va. Code § 54.1-2351 or § 54.1-2352 as deemed appropriate by the Board.

Issues to be Decided

The Complainant presents several allegations. However, none of these issues are explicit allegations of statutory or regulatory violations of the Common Interest Community statutes or regulations, though a couple of the allegations from the Complainant do touch on Common Interest Community-specific laws. Each of the Complainant's allegations is explained below.

The Complainant's first allegation concerns the broadness of a violation that the Complainant was issued, regarding the need to power wash/ clean her property. Adjudication of such a complaint would require an interpretation of the governing documents, which is outside the power of this Office to adjudicate.¹

Secondly the Complainant alleges a fair housing violation by the management group of the Association, due to the Complainant's belief that the Association's regulations and by-laws are being selectively enforced. As stated above, this Office cannot adjudicate violations of governing documents of the Association.² Should there be a fair housing violation, such an allegation would be justiciable in a court of appropriate jurisdiction which would be able to render adequate remedies for such a violation, if proven. However, such an adjudication is not within the jurisdiction of this Office.³ Furthermore, after checking with our Agency's fair housing staff, there is no evidence that the Complainant ever filed a fair housing complaint related to this matter through this Agency.

Thirdly, the Complainant alleges a violation of homeowner privacy and misuse of authority by a board member. While there is a requirement in the Virginia Property Owners' Association Act ("POAA") that that members may only access association records for a proper purpose, there is no evidence that these records were accessed for an improper purpose, other than a coincidental advertisement.⁴ The Association, in their September 23, 2025, NFAD denied that confidential information was accessed. Furthermore, the Complainant did not cite the relevant statute nor allege a violation of any common

¹ See Va. Code § 54.1-2354.3; see also 18VAC48-70-10.

² *Id.*

³ *Id.*

⁴ See Va. Code § 55.1-1815.

interest community-related statute. Based on the totality of the evidence in the record, this Office has no reason to believe that the Association violated the POAA, specifically Va. Code § 55.1-1815.

Fourthly, the Complainant raises questions about whether the board updated the “Rules and Regulations” without having called a meeting of the Board of Directors of the Association, in violation of the bylaws. It was also alleged by the Complainant that notice must be sent via United States Postal Service, per the bylaws of the Association. As noted above, this Office does not make determinations on alleged violations of the governing documents of the Association as it is not within our authority to do so.⁵ While no violations of Common Interest Community statute or regulation were alleged to have been violated, in its NFAD, the Association properly indicated that, at the very least according to Va. Code §55.1-1816(B), notice of time date and place of a meeting of the Board of Directors or any subcommittee shall be published where it is reasonably calculated to be available to a majority of the lot owners.⁶ Based on the complaint, the Association utilized Facebook to notify the membership of an Association meeting. Given what was provided in the record, there is no evidence to clearly indicate that utilizing Facebook for meeting notice is not reasonably calculated to reach a majority of the lot owners as required by the statute.⁷ However, if notice is required by other means in the governing documents, the Association is encouraged to follow its own rules and regulations.

Additionally, the Complainant believes that the Association should have each member of the Board sign a “Code of Conduct Ethics.” However, nothing in the Va. Code or common interest community regulations requires such a code to be signed. Therefore, this Office finds that the failure of the Association to require its Board of Directors to sign such a code is not a violation of Common Interest Community law.

Conclusion

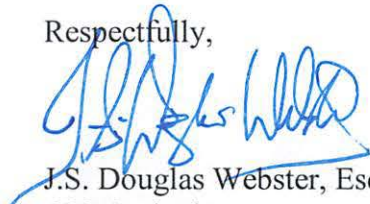
Based on the foregoing, for the reasons above, we find that there is no violation of the POAA or any Common Interest Community Regulation.

Required Actions

No action is required of the Association.

Please contact me if you have any questions.

Respectfully,


J.S. Douglas Webster, Esquire,
CIC Ombudsman
Compliance & Investigation Division

⁵ See Va. Code § 54.1-2354.3; see also 18VAC48-70-10.

⁶ See Va. Code § 55.1-1816(B).

⁷ *Id.*