



COMMONWEALTH of VIRGINIA

Department of Professional and Occupational Regulation

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Governor

Jessica K. Looman
Secretary of Labor

Laura V. McClintock
Director

May 5, 2026

Complainant: Jonathan Maas
Association: Willowood Corporation
File Number: 2026-00158

DETERMINATION - NOTICE OF FINAL ADVERSE DECISION

Introduction

The Complainant, Jonathan Maas ("Complainant"), submitted a complaint to Willowood Corporation ("Association") dated March 14, 2026, and again on May 5, 2026. The Association provided two responses to the Complainant's complaint dated March 7, 2025, and June 17, 2025. The Complainant then submitted a Notice of Final Adverse Decision ("NFAD") to the Office of the Common Interest Community Ombudsman ("Office") dated June 26, 2025, and the NFAD was received by our Office on July 1, 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.

Determination or Issues to be Decided

The Complainant presents what appears to be requests to evaluate two NFAD's issued from the Association, one from March 7, 2025 (which was subsequently corrected on March 26, 2025), and one from June 17, 2025. Both appear to have arisen out of the same core complaint. That complaint concerns whether a lease for one of the units (C-1) was properly approved, in light of the fact that the Board allegedly overrode a shareholder vote in November of 2024, to reject the lease.

1. The March 14, 2025, Complaint from the Complainant.

With respect to the March 14, 2025, complaint that was submitted by the Complainant to this Office, the complaint contains no citations to any common interest community statutes or regulations that have been violated. Based on what was alleged in the sole complaint, every aspect of the Complainant's complaint concerns the governing documents of the Association and their lack of compliance therewith. Interpretation of the governing documents of the Association is outside the scope of authority granted to this Office.¹ Therefore, the Office cannot render a determination on this issue.

2. The May 5, 2025, Complaint from the Complainant.

The Complainant further submitted a complaint, dated May 5, 2025, related to the same issue of the lease approval for unit C-1. In this complaint, the Complainant states that there is a reference to a common interest community statute, Va. Code §55.1-1959, which is part of the Virginia Condominium Act ("VCA"), as well as a citation to 18VAC48-70-50, of the Virginia Administrative Code which is a common interest community regulation.

Under Va. Code §55.1-1959, the Board of the Association is granted the power to establish, adopt, and enforce rules and regulations regarding the common elements of the condominium, and granted enforcement action over those rules and regulations.² The Complainant states that this provision "mandates that associations enforce the declaration, bylaws, and rules uniformly and consistently."

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

² See Va. Code §55.1-1959.

However, nothing within that statute says this explicitly, though Va. Code §55.1-1915(A) does state that every unit owner shall comply with all lawful positions of the VCA and of the condominium instruments.³ Furthermore, while it is unclear that this allegation is specifically being made by the Complainant, if he is alleging that the bylaws are being selectively enforced in some way, such a final determination would require an interpretation of the bylaws and/ or other governing instruments of the Association. As was stated above, this Office does not have the authority to interpret bylaws and other governing instruments of the Association, and as a result, this Office cannot render such a decision. However, we would direct the Complainant to his attorney to seek other remedies related to that allegation through a court of appropriate jurisdiction.⁴

With respect to the Complainant citing a violation of 18VAC48-70-50, this Office is unsure how the complaint process has sufficient nexus with the underlying facts of the Complainant's case, as he did not plead the violations to the facts specifically enough. It appears from the information in the record that the Association does have an established, written complaint procedure.

However, this Office does note that applicable contact information for this Office was not on either of the NFADs submitted by the Association, which is required by 18VAC48-70-50.⁵ This Office would remind the Association to ensure that every complaint response has the information required by Virginia law contained within the response.

Conclusion

Based on the foregoing, this Office finds that there is no violation of the VCA or any common interest community regulation.

Required Actions

No action is required of the Association related to the alleged violation of the VCA in this case. However, the Association must ensure that it follows all regulations in 18VAC48-70-50 when issuing NFADs.

Please contact me if you have any questions.

Respectfully,



J.S. Douglas Webster, Esquire,
CIC Ombudsman

Compliance & Investigation Division

³ See Va. Code §55.1-1915(A).

⁴ See Va. Code §54.1-2354.3; *see also* 18VAC48-70-10.

⁵ See 18VAC48-70-50 (11).