



COMMONWEALTH of VIRGINIA

Department of Professional and Occupational Regulation

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Governor

Jessica K. Looman
Secretary of Labor

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Director

July 30, 2026

Complainant: Trish Corvelli
Association: Country Club Green Condominium
File Number: 2026-03188

DETERMINATION - NOTICE OF FINAL ADVERSE DECISION

Introduction

The Complainant, Trish Corvelli ("Complainant"), submitted a complaint to Country Club Green Condominium ("Association") dated March 9, 2026. The Association provided a response to Complainant's complaint dated April 23, 2026. The Complainant then submitted a Notice of Final Adverse Decision ("NFAD") to the Office of the Common Interest Community Ombudsman ("Office") and the NFAD was received by our Office on May 5, 2026.

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

The Complainant presents one allegation against the Association. As described more fully below, the allegation concerns a request that the Complainant made to the Association on January 26, 2026, for “copies of all invoices, documentation, and related financial records associated with the Dumpster Project that was recently constructed within the community.” However, the Complainant alleges that by March 9, 2026, the documents were still not given to the Complainant, and the only document that she had received was a proposal related to the project. The Complainant alleges a violation of Va. Code § 55.1-1945 of the Virginia Condominium Act (“VCA”). This is explained in further detail below.

1. Did the Association violate the records provisions of the VCA?

The Complainant contends that the Association violated the VCA, specifically Va. Code § 55.1-1945, because on January 20, 2026, she requested copies of certain documents related to a Dumpster Project from the Association. The Complainant further alleges that she was not given the documents that she requested, and instead, she only received a proposal related to the Dumpster Project, which does not reflect the final cost of the project and was not the document(s) that the Complainant requested.

The Association responded that the Association’s manager responded to the January 20, 2026, request by providing the Complainant with the copies of records that the Association believed were responsive on February 18, 2026. The Association further states that it has determined that it has acted in accordance with Virginia law.

Under Va. Code § 55.1-1939, every owner who is a member in good standing of the Association has a right to access all books and records kept by or on behalf of the unit owners' association according to and subject to the provisions of § 55.1-1945, including records of all financial transactions.¹

Under Va. Code § 55.1-1945(B)

¹ See Va. Code § 55.1-1939(1).

B. Subject to the provisions of subsection C, all books and records kept by or on behalf of the unit owners' association, including the unit owners' association membership list, and addresses and aggregate salary information of unit owners' association employees, shall be available for examination and copying by a unit owner in good standing or his authorized agent so long as the request is for a proper purpose related to his membership in the unit owners' association and not for pecuniary gain or commercial solicitation. Notwithstanding any provision of law to the contrary, this right of examination shall exist without reference to the duration of membership and may be exercised (i) only during reasonable business hours or at a mutually convenient time and location and (ii) upon five business days' written notice for a unit owner association managed by a common interest community manager and 10 business days' written notice for a self-managed unit owners' association, which notice shall reasonably identify the purpose for the request and the specific books and records of the unit owners' association requested.²

Based on the evidence in the record, it is impossible to conclude that a violation occurred with respect to the Association withholding documents. The Association has stated that it has produced the documents which it believed were responsive to the Complainant's request on February 18, 2026. The Association is required to provide access to the documents that are part of its books and records, but the statute does not require that the Association create additional documents that would be responsive to the Complainant's request.³ There is no information in the record that Association is actively concealing responsive documents to which the Complainant is allowed access.

However, the Association stated in its response that it determined that it acted in accordance with Virginia law, specifically, the VCA. In waiting until February 18, 2026, to fill the Complainant's January 20, 2026, it certainly did violate the VCA, as it did not produce access to the responsive documents within the required five business days, as the Association had a manager.⁴ The Association Board states that it will "ensure such requests are handled in accordance with the timing requirements outlined in the Act." This Office would encourage the Association Board to, in consult with the Association Manager, develop processes to ensure that Association member record access requests are appropriately addressed from intake to fulfillment in a timely manner to prevent the violation of their members' statutory rights under the VCA.⁵

Conclusion

Based on the foregoing, this Office finds that there is not sufficient information to determine that a violation of the VCA occurred with respect to the production of documents, but there is sufficient information that the Association violated the VCA, specifically Va. Code § 55.1-1945(B), when it did not produce the responsive documents that it did have in a timely manner.

Required Actions

² Va. Code § 55.1-1945(B).

³ See Va. Code § 55.1-1945.

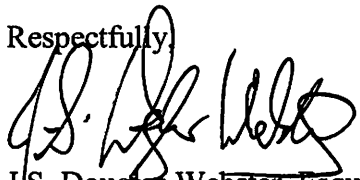
⁴ See Va. Code § 55.1-1945(B).

⁵ See Va. Code § 55.1-1939(1).

This Office recommends that the Association consider creating consistent processes to respond to and completely fulfill record access requests in order ensure compliance with Virginia law.

Please contact me if you have any questions.

Respectfully,



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