



## PRRHOA

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POLICY FOR HEARINGS ON  
GOVERNING DOCUMENT  
VIOLATIONS

## Point Richmond Ridge Homeowners Association

*c/o HOA Community Solutions*

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This policy defines the circumstances, procedures, and ACC/Board actions to be taken when an Owner has received a notice of violation and wants to contest the violation in a hearing or appeal as provided in Bylaws paragraphs 7.6 (an Appeal) and 7.11.2 (d) v.

### 1. **Request for Hearing**

The Owner must deliver, mail, or email a written Request of Hearing to the Association within ten (10) calendar days following the notice of violation. The Hearing Request must contain the following information:

- a. Owner's name and address
- b. Owner's reason and basis for an appeal of the violation and/or fine(s)
- c. A copy of all supporting documentation
- d. The name of any attending attorneys, witnesses, or other collaborating guests
- e. The Owner shall sign and date the request for hearing.

Hearings will only be scheduled at the request of the Owner or if the Board feels it is necessary.

### 2. **Hearing Procedure**

- a. The Hearing Committee shall consist of three (3) members (either from the Board, the ACC, the Point Richmond Ridge HOA membership, or other individuals appointed by the Board.)
- b. Upon receipt of the Owner's written Request of Hearing, a hearing shall be scheduled to determine if the violation(s) and/or fine(s) are valid.
- c. The Hearing Committee shall mail, email, or deliver notice to the Owner specifying the hearing date, time, and location, which is to be determined by the Hearing Committee.
- d. The Hearing Committee will permit the appealing Owner up to fifteen (15) minutes to explain the circumstances of the appeal and provide grounds as to why the violation(s) and/or fine(s) should be reduced, modified, or waived.
- e. At the conclusion of the presentation, the Hearing Committee will adjourn to review and discuss the information presented.
- f. The Owner will be notified in writing of the Hearing Committee's decision within fifteen (15) calendar days following the hearing.
- g. If the Hearing Committee finds in favor of the appealing Owner, it shall advise the Owner as to whether the violation(s) and/or fine(s) originally imposed are reduced, modified, or waived.
- h. If the Hearing Committee finds the violation(s) and/or fine(s) are valid and determines that the Owner's explanation or defense presented at the hearing was inadequate or otherwise failed to justify the reduction, modification, or waiver of the violation and/or fines, the Owner will be notified of the decision. The determination notice will specify the action required to correct the violation and a date by which the correction must be completed. The decision shall further specify if fines imposed will remain due to the Association until paid in full, regardless of whether the violation has since been removed or corrected. In any event, the fines will continue to accrue until full and adequate compliance occurs by the homeowner.

Adopted by the Board of Directors: 14 April 2021,

, President, PRRHOA