

[PROPOSED] SPOA Policy 2020-2 relating to the procedures of the Rules Committee

WHEREAS, Section IV.4 of the Stagecoach Property Owners Association Responsible Governance Policies provides that if an alleged violation of the Covenants is not cured by the Member, after notice, a meeting of the Rules Committee shall be scheduled and the Member shall be notified of their right to appear and be heard at that meeting; and

WHEREAS, Section IV.6 of the Governance Policies provides that at the hearing any relevant evidence may be admitted; and

WHEREAS, the implication of the said Sections IV. 4 and 5 is that no action may be taken by the Rules Committee until the time scheduled for the hearing has passed, even if the Committee is aware that the Member does not intend to appear at the meeting; and

WHEREAS, the Board wishes to establish a procedure for those situations where a Member waives their right to appear at a hearing;

NOW, THEREFORE, the Board hereby adopts and promulgates the following policy to supplement Section IV of the Governance Policies:

1. The letter sent to the Member pursuant to Section IV.4 of the Governance Policies shall also include a provision stating that:
 - a. The Member may waive their right to appear at the scheduled hearing, by submitting a written statement to that effect [including a statement sent by email or as a phone text] to the Association Managing Agent, or, if there is no Managing Agent, to the President of the Association, by a date specified in the letter which shall be not less than two weeks after the date the letter is mailed.
 - b. In the event the Member waives their right to appear, they may submit to the Managing Agent or the President, as the case may be, any written or photographic evidence that they consider relevant. Such evidence shall be submitted at the same time the Member submits their waiver, provided that the Rules Committee may, for good cause, consider evidence submitted later.
2. If a Member waives their right to a hearing, the Rules Committee shall consider any evidence submitted by the Member before deciding the matter but may decide the matter at any time after receipt of the waiver and without convening a face-to- face meeting.