



POLICY and PROCEDURE

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DUE PROCESS FOR SUSPENDING MEMBER PRIVILEGES

Purpose

To establish a procedure for the suspension of Pinebrook HOA member privileges for dues or assessment delinquency and CC&R and/or P&P violations.

Policy

Proceedings for suspending HOA member's privileges will be conducted in accordance with the procedure in this document

Reference

California Civil Code, Section 7341

Forms

None

Procedure

1. When an assessment becomes delinquent, all privileges normally accorded a Pinebrook, property owner shall be suspended and the owner shall cease to be a member in good standing until the delinquent assessment and any and all penalties are paid in full. Normal privileges include the use of the lake, the Town Hall, the picnic area and any other use of the common area, in addition to voting privileges and attendance at Board of Directors' meetings or the Annual Meeting.
2. When a violation of a CC&R or P&P does occur, the Board, after due notice, can suspend use of any common area facilities for 30 days (renewable upon Board review).
3. Before the foregoing suspensions may occur, the following procedure of due process shall be followed:
 - A. The provisions of the suspension procedure with cause shall be mailed to the property owner in violation. (See Article 1, Section 1 of the CC&R's, dated August 1994.)
 - B. An opportunity shall be given to the property owner to be heard by the Board of Directors, orally or in writing at an in Executive Session, concerning the suspension.
 - C. Any Executive session must have a minimum of 2 day notification with date, location, and agenda posted.

Summary of Change from Previous Issue

Reformatted with minor changes in text,