

## **PINEY-Z APPEALS COMMITTEE HEARING PROCEDURE**

1. Unless designated by the Piney-Z Homeowners Association, Inc. (HOA) by the HOA Board of Directors (Board), the Appeals Committee shall elect a Chairperson to run each hearing of the Appeals Committee.
2. The HOA shall be provided an opportunity to present oral, written, photographic or eyewitness testimony to the Appeals Committee for each alleged violation contained in the notice. The HOA shall have a maximum of three (3) minutes to address each alleged violation contained in the notice unless an extension of time is granted by the Appeals Committee. A request for an extension shall not be unreasonably denied.
3. The alleged violator shall be provided an opportunity to present oral, written, photographic or eyewitness testimony to the Appeals Committee for each alleged violation contained in the notice and to rebut or challenge any evidence offered by the HOA. The alleged violator shall have a maximum of three (3) minutes to address each alleged violation contained in the notice unless an extension of time is granted by the Appeals Committee. A request for an extension shall not be unreasonably denied.
4. After the times provided in paragraphs 2 and 3, the HOA and the alleged violator shall each have two (2) minutes to make a single closing argument for each alleged violation. The HOA shall provide its closing argument first.
5. Upon the conclusion of the closing arguments for each alleged violation, the Appeals Committee shall consider the alleged violation and the evidence presented. The Appeals Committee shall decide by a majority vote as to whether a violation did in fact occur for each alleged violation. In instances where the Appeals Committee determines that a violation did in fact occur, the Board shall then provide written notice of the fine and/or suspension. In instances where the Appeals Committee finds that a violation did not occur, no fine and/or suspension shall be levied or imposed.
6. The Appeals Committee shall provide meeting minutes to the Board. The meeting minutes shall at a minimum indicate the parties present at the hearing and that each party in attendance was provided an opportunity to present evidence and/or to rebut evidence presented. Additionally, the hearing meeting minutes shall

indicate the disposition of each violation, including whether a violation occurred and whether the Board-levied fine and/or suspension was approved or denied.

7. The procedural guidelines provided above are not mandatory and may be modified by the Appeals Committee so long as it determines that each party is provided an adequate opportunity to present evidence and/or make arguments in favor of or opposed to the levy or imposition of a fine and/or suspension of common element/area use rights. Any deviation from these procedural guidelines shall not invalidate a decision made after hearing evidence/testimony from both parties.