

DREAMLAND VILLA RETIREMENT COMMUNITY

Administrative Policy and Procedure

Subject: Membership Discipline and Suspension

Adopted: January 14, 2023

Amended:

I. Policy Statement

The DVRC Board of Directors has designated the Policy and Procedures Committee as the avenue for member's complaints, grievances, and policy breaches to be heard and actions to be taken when suspension of members or elected Board members is required.

II. Procedures:

The Policy and Procedures Committee shall receive written membership complaints of alleged violations of the Dreamland Villa Retirement Community governing documents. The Policy and Procedures Committee shall investigate all such complaints and provide a written response to the complainant. Should the Policy and Procedures Committee decide to proceed to disciplinary review, the member or members in question are entitled to written notice of the violation including the rules or policies violated, an explanation of the accusations and a description of the incident involved with dates of occurrence and the proposed action to be taken. The member is provided with 15 calendar days to respond in writing and submit any evidentiary material.

After reviewing the investigative information and evidence provided by the complainant and the member(s), the Policy and Procedures Committee shall declare its findings. If discipline or suspension of the member is proposed the member will have ten (10) calendar days to provide a written request for a Disciplinary Hearing. The Policy and Procedures Committee shall report this request to the Board of Directors. If the members(s) does not provide a written request for a Disciplinary Hearing, the Policy and Procedures Committee will present their recommendation to the Board for approval and implementation.

Disciplinary Hearing

The Board upon receipt of the notice from the Policy and Procedures Committee of a request for a Disciplinary Hearing, shall convene a Special Membership meeting within 45 days from the date of notification. The Board shall provide the member(s) fourteen (14) calendar days' notice as to the time, place, and purpose of such hearing.

At the commencement of the Special Membership meeting each member in attendance will be entered into the jury pool. The President of the Board shall take nominations from the membership for the position of Presiding Officer of the meeting. Upon completion of the nominations the membership shall vote on who shall preside over the session. From the

members attending the meetings a pool of nine (9) non-conflicted members shall be selected as jurors by the Presiding Officer pulling their names from the “Hat”.

The jurors’ responsibilities shall be as follows: to hear the information and evidence provided by the Policy and Procedures Committee, along with any circumstances, witness testimony and reasons why the disciplinary action should be taken. The member(s) shall be provided with the opportunity to present mitigating circumstances, present evidence and call witnesses in support of their case.

The jurors, after review of both parties’ submissions and arguments, shall deliberate in closed session and find either for or against the member by a 2/3 majority vote. The jury’s deliberations shall be provided to the Presiding Officer for pronouncement of the jury's decision. A finding by jury that the discipline or suspension is unwarranted the member(s) will be reinstated in good standings with all memberships and voting privileges retained. If the jury finds the member has violated the DVRC’s governing documents the penalties prescribed by the Policy and Procedure Committee shall be imposed.

If suspension is imposed, it will be immediately prescribed. The member(s) in violation will surrender all DVRC facility keys and access kee cards, voting rights and all other membership rights for a minimum of one (1) year. Should the member have required DVRC to incur legal fees or fines the member shall be suspended for a minimum of one year or until all legal costs are reimbursed. They are not eligible for election to the Board of Directors for three (3) years. Any fines or fees due shall be paid within 180 calendar days of the hearing decision.

A member who holds a position as a Director of the Board, who is having suspension imposed, is subject to recall at the Special Membership meeting. The Director will be recalled upon a majority vote of membership in attendance at the meeting.