

# Pelican Reef Adjudicatory Panel

## Policies & Procedures

### Policy:

The HOA is required to enforce the rules of the Association. To that end, in 2007, the Pelican Reef Board of Directors authorized the creation of an Adjudicatory Panel consisting of Member Volunteers. The HOA governing documents allow for the imposition of fines on Members who violate the Restrictive Covenants and/or Rules & Regulations of the Community. The Adjudicatory Panel is the “Fact Finding” arm of the Association and has no power to enforce rules or impose fines. That power lies solely with the Board of Directors.

The Adjudicatory Panel’s duties are to conduct fact finding hearings on issues brought before it. When possible, the Panel will attempt to resolve the issue in a calm and courteous manner. After conducting the hearing the Panel will make its recommendation to the Board of Directors.

### Procedure:

- Upon the receipt of a third complaint against a Member regarding the violation of a Restrictive Covenant and/or Rule & Regulation (same issue), Community Solutions Southeast, LLC, our Management Firm, will schedule a hearing before the Adjudicatory Panel.
- Hearings are held once every two (2) months at the Pelican Reef Clubhouse. The hearings will be held in private or publicly, as the Member desires.
- The hearings are informal and designed to hear the facts

concerning the issue.

- Members of the Board of Directors do not attend the hearings.
- The hearing is the HOA Member's opportunity to explain their side of the story and offer proof, evidence, denial, explanation, apology, recommendations and/or solutions to the issue at hand. If you do not wish to attend the hearing you may submit your position on the issue, in writing, to the Adjudicatory Panel prior to the scheduled hearing.
- You may be represented by an Attorney if you so desire. Remember, the hearing is informal, there is no sworn testimony and no recordings made of the hearing.
- Hopefully, a satisfactory resolution of the issue will be achieved.
- The facts and information presented at the hearing will be forwarded to the HOA Board, along with the Panel's recommendation, for their review.
- The Board will review the information presented and make a determination as to a course of action, if one is required.
- Following a ruling issued by the HOA Board, the Member may appeal the ruling, in writing, to the entire Board of Directors.
- A Member's failure to appear at the hearing may result in their loss of the appeal process.