

**Mystic Shores Property Owners Association**  
**Appeals to the Board**  
**Effective December 9, 2011**

The following process has been adopted by the Board of Directors (“Board”) of the Mystic Shores Property Owners Association (“Association”) for appeals to the Board concerning Architectural Control Committee (“ACC”) decisions and violations of the Mystic Shores Declaration of Covenants, Conditions and Restrictions (“DCCRs”).

A. Scheduling a Hearing

- Any owner requesting a formal hearing with the Board shall send the request in writing to the Association’s management company (“Management Company”). The request must state the name and address of the individual requesting the hearing and the reason a hearing is being requested.
- If the hearing is being requested for appeal of an ACC decision, the request must include a copy of all correspondence with the ACC or other Association representatives and the owner’s analysis of why the ACC decision should be changed.
- If the hearing is being requested for appeal of a notice concerning a DCCR violation, the request must include a copy of all correspondence with the Management Company or any other Association representative and the owner’s analysis of why the notice is incorrect, action taken to cure the violation, why the owner is requesting an extension to cure or other relevant information which the owner wishes the Board to consider, as applicable.
- The Manager shall deliver the hearing request to the Board for review.
- The Board shall review the request and, if a hearing is deemed appropriate, will provide the Manager with two potential dates, including the time and location for the hearing.
- The Management Company will contact the owner via first class and certified mail providing the date, time, and location of the scheduled hearing. An owner may postpone the hearing one (1) time, for up to ten (10) days upon written request to the Management Company.

B. Hearing Procedure

- Hearings shall be handled in an executive session Board meeting.
- At the beginning of the hearing, the Board President or another Board member or officer of the Association shall state the basic facts as they are known to the Board, a brief

overview of why the hearing was scheduled and any details of the problem that are known to the Board.

- The owner will present his or her case, **not to exceed ten minutes in length**. The owner must provide all salient facts for the matter, explain his or her reason for the hearing, and provide all relevant information the owner wishes the Board to consider.
- Board members, upon completion of the owner's presentation, may ask any questions they consider relevant to the case.
- Prior to conclusion of the hearing, the owner will be afforded one final opportunity to provide any additional questions or concerns to the Board **in writing**. *Note: Individual Board members shall not reply directly to any questions or concerns, since they do not individually have authority to bind the Board. An owner will receive an official answer in writing from the Board, through the Management Company, at a later date.*
- The Board will conclude the hearing, and continue in an executive session Board meeting. The Board will deliberate on the information provided in the hearing, taking into account information provided by the owner, and determine the response to be sent in writing to the owner. The Board will then adjourn to a regular Board meeting where any actions taken will be summarized and recorded in the minutes thereof.
- The Association's Manager with the Management Company, if not present for the hearing, will be contacted and supplied with the Board's decision, which shall be considered final and absolute. The Management Company will notify the owner via first class and certified mail of the Board's decision.