

# GRAND HAVEN MASTER ASSOCIATION

## POLICY STATEMENT

In view of the recent legislative mandate regarding changes in the fining process, I thought that it would be helpful to summarize the current procedures followed by our Board.

The Board of Directors meets at duly-noticed meeting and “levies” the fine. Presumably, the accused is not entitled to any personal notice of the meeting. This does not preclude any Association member from speaking on any non-agenda item during the Audience Comments portion of the meeting.

After the Board of Directors “levies” the fine, the accused is then entitled to and must receive a 14 day notice of hearing before the Fine Committee.

The accused has the opportunity to appear before the Fine Committee, to provide any updated information and express their position. Following which, The Fine Committee may either “confirm” or “reject” the fine levied by the Board of Directors. The Fine Committee does not have the authority to adjust the fine.

The Board of Directors then meets at a duly-noticed meeting and either:

- “imposes” the fine previously levied by the Board and confirmed by the Committee.
- Agrees with the Committee’s decision to “reject” the fine imposed by the Board
- Disagrees with the Committee’s decision to reject the fine imposed by the Board and returns it to the Committee, either with additional information or for further consideration.

### SUPPLEMENTAL PROCEDURES:

In accordance with the updated fining process and advice from counsel, only the Fine Committee has the authority to reject a fine that has previously been levied. However, the Board has the authority to refer a case back to the Fine Committee. Therefore, when a property owner requests that a levied fine be reconsidered, the following process, which is consistent with prior practice and recommended by the PPC, will be followed.

- Any property owner requesting that a fine be reconsidered will be instructed by the Community Manager to put in writing the reasoning justifying that request and any additional information in support of the request.
- The written material will be reviewed by the PPC and if in their opinion, based upon the facts of the request and any additional information provided, there is a “compelling” reason to further review the imposed fine, the PPC will then convey that recommendation to the Board.
- The Board will then have the option of either accepting the recommendation of the PPC and refer the property owners request to rescind the fine back to the Fine Committee for disposition or deny the request and thereby uphold the fine.

Approved: June 17, 2016