

Quail Meadows West Internal Dispute Resolution

Pursuant to Civil Code, Sections 5900-5920, this Association has set forth procedures for Internal Dispute Resolution (also known as Meet and Confer). The procedure provided below is considered fair, reasonable, and expeditious, within the meaning of the aforesaid statutes. Either party to a dispute may invoke the following procedure:

1. The party may request the other party to meet and confer in an effort to resolve the dispute. The request shall be in writing. The proposed timeline for this process is as follows: 30 days from acceptance by both parties to the dispute and availability of a HOA Director.
2. A member of an association may refuse a request to meet and confer. If the member participates assuming the whole board was not present at the meet and confer) but the dispute is resolved other than by agreement of the member, the member shall have a right of appeal to the board. The association may not refuse a request to meet and confer made by a member.
3. The board shall designate [at least one] a director to meet and confer.
4. The parties shall meet promptly at a mutually convenient time and place, explain their positions to each other, and confer in good faith in an effort to resolve the dispute. The member and association may be assisted by an attorney or another person in explaining their positions at their own cost.
5. A written resolution, signed by both parties that is not in conflict with the law or the governing documents binds the association and is judicially enforceable.

The procedure shall provide a means by which the member and the association may explain their positions. The member and association may be assisted by an attorney or another person in explaining their positions at their own cost.

A member may not be charged a fee to participate in the process.

These procedures apply to a dispute between an association and a member involving their rights, duties, or liabilities under this title, under the Nonprofit Mutual Benefit Corporation Law (Part 3 (commencing with Section 7110) of Division 2 of Title 1 of the Corporations Code), or under the governing documents of the common interest development or association.

These provisions do not replace the ADR option allowed by Sections 5925-5945 to alternative dispute resolution as a prerequisite to an enforcement action (which means filing of litigation).

Quail Meadows West HOA