

## CHAPTER 4

### RANCHO SANTA FE ASSOCIATION REQUIREMENTS FOR INTERNAL DISPUTE RESOLUTION

Rancho Santa Fe Association (the “Association”) shall provide a fair, reasonable, and expeditious dispute resolution procedure which, at a minimum, satisfies all of the following requirements:

- a. The procedure may be invoked by either the Association or the Rancho Santa Fe member (the “Member”) regarding the dispute. A request invoking the procedure shall be in writing.
- b. The procedure shall provide for prompt deadlines. The Association shall act on a request invoking the procedure within 45 days of receipt.
- c. If the procedure is invoked by a Member, the Association shall participate in the procedure.
- d. If the procedure is invoked by the Association, the Member may elect not to participate in the procedure. If the Member participates but the dispute is resolved other than by agreement of the Member, the Member shall have a right of appeal to the Association Board of Directors.
- e. A written resolution, signed by both the Association and the Member, of a dispute pursuant to the procedure that is not in conflict with the law or the governing documents of the Association binds the Association and the Member and is judicially enforceable. A written agreement, signed by the Association and the Member, reached pursuant to the procedure that is not in conflict with the law or the governing documents binds the Association and the Member and is judicially enforceable.
- f. The procedure shall provide a forum by which the Member and the Association may explain their positions. The Member and the Association may be assisted by an attorney or another person in explaining their positions at their own cost.
- g. A Member of the Association shall not be charged a fee to participate in the process.
- h. With respect to those disputes regarding a final decision by the Art Jury, the Member shall state with specificity the paragraph or section of the Rancho Santa Fe Protective Covenant, Rancho Santa Fe Regulatory Code or Rancho Santa Fe Residential Design Guidelines that has allegedly been violated.

Adopted November 5, 2020