

LONGWOOD LAKE CABIN OWNERS MEMORANDUM

To: All Members
From: LLCOA Board of Directors
Subject: Rule Enforcement and Dispute Resolution
Date: October 30, 2021

The purpose of this memo is to clarify how the board intends to approach the issue of rule enforcement. We want to highlight the role that the Alternative Dispute Resolution (ADR) process will play.

At the Annual Meeting in June, the membership voted to update the LLCOA Handbook. (<https://longwoodlakecabins.org/llcoa-rules-and-regulations/>) The Handbook is excellent – thoughtful, well-researched and well-written. Now that members have voted to approve these rules, we hope everyone will make an effort to comply with them. We expect that voluntary compliance will be the main engine of rule observance in our community that values courtesy, and mutual respect among members.

There will inevitably be cases where violations and/or allegations of violations do occur. Fortunately, the Rules themselves establish clear procedures for dealing with such eventualities -- beginning on page 20. We ask all members study those pages. They set out a process that is reasonable and fair; and gives all parties an opportunity to be heard.

The Board intends to honor this process fully. We also wish to inform all members that we adopted the following specific operating guidelines to ensure that these processes run smoothly and fairly.

1. Allegations of a rule violation must be made in writing and delivered to the board secretary by mail or email.
2. Verbal complaints or allegations of a particular member's non-compliance will not be considered.
3. Persons making a complaint or allegation verbally during a Board meeting will be ruled out of order and asked to put their issue in writing so that it can be considered during an executive session.
4. Anonymous complaints, even if written, will not be considered.
5. If appropriate, the complaint will be communicated to the person or persons whose conduct is alleged to be in violation of the rules, following the process and the timetable set out on page 21 of the Handbook.

6. If the party who is the object of the complaint accepts responsibility for a rule violation, the board may work with that party to correct or ameliorate the violation as described on page 21.
7. However, if the party being complained of denies or disputes the complaint, or raises any mitigating circumstances, or introduces other factors that they think need to be considered, then the issue will be referred to ADR.
8. A refusal by the person making the complaint or allegation to go through the ADR process will result in no further action being taken.
9. However, the reverse is not true. Refusal by the person on the receiving end of the complaint to participate in ADR may well trigger action by the board.

ADR was part of the rules when they were adopted two years ago. But so far, not a single case has gone through the process. This is unfortunate. ADR is an essential part of the process of both rule compliance and conflict resolution. Regarding conflicts between neighbors, whenever there is any doubt, or mitigating circumstances, or simply two sides to the story, we believe that ADR gives both parties the best chance of finding a satisfactory resolution. Therefore, we wish to make it a matter of policy that ADR should not be an option that is rarely or never used. Instead, it should be an essential part of investigating and resolving most complaints.

There are currently four members of the ADR Committee: Gary Garrison, Richard Leigh, Margie Lugo and Nancy Heisler who is the current chairperson. Please contact Nancy if you would like to join the committee, serve as a volunteer mediator, or would like to learn more about ADR.