



Lake of the Pines Association Policies & Procedures

This policy is not an Operating Rule as defined in the Davis-Stirling Common Interest Development Act.

Internal Dispute Resolution

Lake of the Pines' own internal dispute resolution procedure is responsive to Civil Code Section 5900-5915. This procedure for dispute resolution between the association and a member (the parties) is fair, reasonable and expeditious. Either party 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.
2. A member may refuse a request to meet and confer. Lake of the Pines Association may not refuse a request to meet and confer.
3. The board of directors shall designate one or more members of the board 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.
5. A resolution of the dispute agreed to by the parties shall be memorialized in writing and signed by the parties, including the board designee on behalf of Lake of the Pines Association. The parties may be assisted by an attorney or another person at their own cost when conferring. If the member intends to be assisted by another person or their attorney, written notice shall be provided to the Association at least 7 business days prior to the meet and confer meeting. If either party will be assisted by an attorney, the other party's attorney must also be present unless the attorney obtains permission from the other party's attorney (See CA Rules of Professional Conduct 2-100. The Association may be assisted by its General Manager and/or other management employees.

A written agreement reached under this section binds the parties and is judicially enforceable if both of the following conditions are satisfied:

1. The agreement is not in conflict with law or the governing documents of Lake of the Pines Association.
2. The agreement is either consistent with the authority granted by the board of directors to its designee or the agreement is ratified by the board of directors.

A member of Lake of the Pines Association will not be charged a fee to participate in the process. If the parties to the dispute are unable to resolve the matter using this internal dispute resolution procedure, the Association or the member may then serve a Request for Resolution pursuant to California Civil Code Section 5935, if applicable.