

Subject: For Disciplinary Hearings for Violations of Procedures, Policies, or Rules.

Purpose: To Establish Procedures for Hearings

### **Initiation of Action**

When a hearing is called by the Board or requested by a member, the following procedures will be followed:

- The matter will be scheduled to be heard at an executive session (closed) meeting of the Board.
- At least 10 days prior to the hearing date, Rossmoor Walnut Creek's General Manager or his or her designee will personally or by first class or registered or certified mail deliver to the member notice of the date, time, and place of the hearing and a copy of the Board's resolution, which will generally describe the violation (with citations).
- In the notice, Rossmoor Walnut Creek's General Manager or his or her designee will request that the member notify them at least five (5) days prior to the hearing if they plan to bring legal counsel to the hearing.
- If a quorum of the Directors fails to attend the hearing, the matter will be heard at the next succeeding executive session Board meeting at which a quorum attends, with the member receiving the same notice as given Board members.

### **The Hearing**

A hearing by the Board will be informal and will be presided over by the President or the Vice President, who will allow the member to make a statement on his or her behalf.

If the member fails to appear at a noticed hearing, the Board may conduct its deliberations and make its decision based on the information available to the Board.

After the hearing, the Board will deliberate and, not later than three business days, will vote on the matter, which will be determined by a majority vote of the Directors present at the hearing. Within fifteen (15) days after a decision is reached by the Board, the Board, through Rossmoor Walnut Creek's General Manger or his or her designee will provide the member with written notification of the outcome of the hearing via first class or registered or certified mail delivery.

Authority: Procedure

5/29/03

1/29/26 Rev.