

**Date: November 4, 2025**

**To: Board of Directors**

**From: Corporate**

**Board Action Item: Approval General Rule 1.4 Disciplinary Hearings and Appeals of Fines**

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**Background**

General Rule 1.4 establishes procedures for disciplinary hearings, fines, suspensions, and appeals. The current language predates recent legislation and changes are required to update the rule to current law and practice.

The proposed revisions strengthen due process protections and update notice procedures. They also update provisions regarding postponements and failure-to-appear situations, and more clearly assign jurisdiction to the appropriate committees.

These updates ensure the Canyon Lake POA's enforcement process complies with state law, provides consistency across hearings, and offers members a clearer understanding of their rights and responsibilities.

**Fiscal Impact**

This change has no fiscal impact.

**Recommendation**

It is recommended that the Board of Directors approve the revisions to General Rule 1.4 Disciplinary Hearings and Appeals of Fines and Suspensions.

Corporate

## Proposed Changes:

### **GR.1.4 Disciplinary Hearings and Appeals of Fines and Suspensions**

Disciplinary hearings shall be scheduled before the appropriate CLPOA committee / department (“committee”). Members shall be sent written notice of the hearing at least ten (10) days prior to the hearing. Notice shall be sent either by first class mail or ~~personal~~ other individual delivery. The notice shall state the date, time and place of the hearing and the name of the committee that will conduct the hearing. Members have a right to attend a hearing at which they face disciplinary action, to be heard by the committee, to present evidence and to confront the evidence against them. Requests for postponements shall be handled in accordance with paragraph GR.1.4d. The decision of the committee shall be sent to the Member, either by first class mail or ~~personal~~ other individual delivery, within ~~fifteen~~ fourteen (14) days of the hearing. Members may request an Internal Dispute Resolution (IDR) per California Civil Code and / or an appeal to the Board of Directors to dispute a decision of a committee to impose discipline against the Member to the Board of Directors. Appeals will be heard by the Board of Directors in the following manner as described in the subsequent paragraphs.

**GR.1.4a Basis for Appeal** - The basis for the appeal must be stated in writing and should not simply re-argue factual disputes. If the Member failed to attend the hearing at which the committee considered the imposition of disciplinary action, the appeal must specify, in writing, good cause for the Member’s failure to attend the scheduled hearing before that committee and offer a summary of the what the Member’s defenses will be to the violation(s) charged ~~so that the Board may determine that there is a dispute to be resolved rather than an attempt to delay the process.~~

**GR.1.4b Time for Appeal** - Appeals to the Board of Directors must be filed, in writing, with the CLPOA, and CLPOA requests such appeals within fifteen (15) days of the CLPOA’s sending notice to the member of the decision of the committee.

**GR.1.4c Appeals Evidence** - Although a Member has the right to attend the Board’s appeal hearing in Executive Session and to be represented by Counsel at the Member’s expense, appeals will be decided solely upon the review of the written record and of proceedings before the committee below unless:

**GR.1.4c.1** - The appealing Member requests in the written appeal to the Board of Directors the opportunity to offer additional evidence and states the reasons why the evidence now being offered was not presented to committee which initially considered the matter; and

**GR.1.4c.2** - The Board of Directors grants the request. The Board of Directors will not hear additional evidence unless the Board finds that a second evidentiary hearing is justified by exceptional circumstances. The Member appealing to the Board of Directors has the burden of showing that the Committee’s determination was unsupported by evidence, constituted an abuse of discretion or was otherwise in error.

**GR.1.4d Postponements** - A member may request one (1) postponement of a scheduled hearing for a good cause. The postponement is not to exceed sixty (60) days from receipt of the written

request. Such postponement request may be made in writing to the Appeals Services Administration, CLPOA, 31512 Railroad Canyon Road, Canyon Lake, California, 92587 by stating in detail the reason(s) for the request and must be received by the Appeals Services Administration not less than three (3) days prior to the scheduled hearing.

**GR.1.4e Receipt by CLPOA** - The CLPOA is not responsible for postponement requests ~~or appeals to the Board of Directors~~, which are not timely received by the CLPOA. It is the Member's obligation to confirm the CLPOA's timely receipt of such requests. Initial disciplinary hearings shall be conducted by the following committees:

**GR.1.4e.1** – ACC / **Planning & Compliance**. Alleged architectural violations;

**GR.1.4e.2** - Appeals Committee. Citations issued by Community Patrol, Marine Patrol or by Association Staff (other than for architectural violations); and,

**GR.1.4e.3** - Disciplinary Hearing Committee - Suspension of privileges / revocation of good standing status for failure to pay charges levied to a Member's account and any other potential disciplinary action for matters not covered under sub-paragraphs GR.1.4e.1 and GR.1.4e.2 above.

**GR.1.4e.4** - Failure To Appear - If a member fails to appear at a scheduled hearing without submitting a request for a postponement with good cause, the matter will be heard by the Board in the member's absence and ruled upon.