



CANDLEWOOD LAKE CITATION / VIOLATION APPEAL REQUEST & PROCEDURE

Members requesting an appeal of any citation / violation must submit their appeal request in writing within thirty (30) calendar days from the date of Committee's appeal decision to;

**CWL General Manager, Association Office
7326 St. Rt. 19, Unit 1507
Mt. Gilead, OH 43338**

MEMBER'S APPEAL REQUEST TO BOARD OF TRUSTEES

| | | |
|----------------------|----------------------------|--------------------------------|
| Name: | Unit: | Lots: |
| Today's Date: | Date on Citation: | Citation / Violation #: |
| Phone: | Member's Signature: | |

I hereby request an appeal of the above referenced citation / violation issued to me.

State below in detain the reason(s) you feel this citation/violation should be reconsidered or dismissed and attach any documentation you believe supports your appeal.

You may attach a separate sheet to this page, if needed.



CANDLEWOOD LAKE APPEAL PROCEDURE

(Please detach and keep this sheet for your records)

Appeal to the Candlewood Lake Board of Trustees

- 1) An appeal of a committee's decision shall be submitted in writing by the appellant by email and/or surface mail to the General Manager within thirty (30) calendar days of the date of the committee's decision.
- 2) If no appeal is submitted within thirty (30) calendar days of the committee's decision, the committee's decision is final and conclusive of the matter.
- 3) The General Manager will notify the Board President of the request for an appeal to the Board within five business days of the General Manager's receipt of the request to appeal to the Board.
- 4) The Board President or his representative will acknowledge to the appellant by email and/or surface mail within three (3) business days receipt of the request for an appeal to the Board of Trustees.
- 5) The Board President shall schedule the appeal for an executive session during the next meeting of the Board of Trustees.
- 6) The Board President, or the Board vice president in the absence or recusal of the president, shall preside over the appeal hearing before the Board. The Board's review of an appeal of a committee's decision is de novo, meaning that the Board will decide the matter without deference of the committee and as if the matter was being heard the first time by the Board.
- 7) The appellant must be present for the appeal to be heard by the Board of Trustees.
- 8) In hearing an appeal, the Board has the discretion as to from whom it shall hear testimony and evidence which it will receive.
- 9) An appeal shall be offered by, or continued by, the Board to the appellant no more than two consecutive Board meetings when dealing with the same matter on appeal. This is to accommodate any possible scheduling conflicts for the appellant.
- 10) A simple majority of the Trustees present at the appeal hearing shall determine the outcome of the appeal. A decision by the Board of Trustees is final and conclusive of the matter.
- 11) The decision of the Board regarding the appeal shall be decided within three (3) business days of the appeals hearing, or at the Board's discretion, at the time of the appeal hearing. If judged by a majority of the Board that it needs additional information, the Board's decision of the appeal may be tabled, but for no longer than ten (10) business days.
- 12) If the Board has not reached a decision and has tabled its ruling for the receipt of additional information, it shall schedule a second special meeting for eleven (11) business days following the first special meeting.
- 13) The appellant shall be informed in writing of the Board's ruling and the amount of any fine, penalty, charge or assessment within thirty (30) calendar days following the Board's imposition of any charge or assessment.
- 14) The decision of the Board shall include communication of any resulting fine, penalty, charge or assessment due and the associated time period in which to comply with the fine, penalty, charge or assessment.

Candlewood Lake Association

7326 State Route 19, Unit 1507

Mt. Gilead, Ohio 44833

receptionist@candlewoodlake.us

(419) 947-1138

