

INTERNAL DISPUTE RESOLUTION PROCESS AND ALTERNATIVE DISPUTE RESOLUTION PROCEDURES

High Sierra Property Owners Association, Inc.

(Adopted November 30, 2009)

In accordance with Civil Code §§1363.810 et seq., the High Sierra Property Owners Association, Inc (the “Association”) has adopted the following internal dispute resolution process to be followed by the Association and owners in connection with disputes relating to the enforcement of the Association's governing documents, the Davis-Stirling Common Interest Development Act (Civil Code §§1350 et seq.), and the Nonprofit Mutual Benefit Corporation Law (Corporations Code §§7110 et seq.) (collectively, the “Disputes”).

Either party to a Dispute 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. An owner may refuse a request to meet and confer; the Association may not refuse a request to meet and confer.
3. The Association's Board of Directors (the “Board”) shall designate a member 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 the Association.
6. The agreement reached binds the parties and is judicially enforceable if both of the following conditions are satisfied: (a) The agreement is not in conflict with law or the governing documents of the Association; and (b) The agreement is either consistent with the authority granted by the Board to its designee or the agreement is ratified by the Board.

Please note: A member of the Association may not be charged a fee to participate in the process.

Failure of a member of the Association to comply with the alternative dispute resolution requirements of Civil Code §1369.520, may result in the loss of the party’s right to sue the Association or another member of the Association regarding enforcement of the governing documents or the applicable law.