



Book	Policy Statements
Section	Membership
Title	Suspension of Membership
Code	M 02
Status	Active
Adopted	March 28, 2019

RECREATION CENTERS OF SUN CITY WEST, INC.
POLICY STATEMENT – M 2
Suspension of Membership

1.0 Purpose:

1.1 The General Manager or any Director may refer a person to the Governing Board for a hearing to determine if a violation of the Association's Governing Documents has occurred and, if so, to establish the appropriate penalty.

1.2 No temporary suspension of a member of the Association may last longer than sixty (60) days, or until payment of all assessed dues, fees, fines, or special assessments, whichever occurs later, unless there is a health and safety related suspension imposed for a longer period.

1.3 Repeated voluntary or involuntary actions by any Association Owner Member, Associate Member, tenant or guest that are judged by the General Manager to jeopardize the health, safety or well-being of any user of the Association facilities can result in the General Manager imposing a suspension that is longer than "temporary". Such a suspension can be permanent if the General Manager deems it necessary and if confirmed by the Board after a hearing and may be for all facilities or certain facilities as deemed appropriate.

2.0 Notifications:

2.1 Pending a hearing before the Governing Board for failure to comply with

the provisions of the Association's Governing Documents, the General Manager may temporarily suspend a person's right to use any or all of the Association's facilities.

2.1.1 Temporary suspension begins upon oral notification by the General Manager or upon receipt of a certified letter, whichever is first.

2.2 The General Manager shall notify the person to be suspended by certified letter with a return receipt requested, or in person, followed by a certified letter with a return receipt requested to the last address of record in the Association's files.

2.2.1 The certified letter shall include: The substance of the alleged violation including a list of all known witnesses, statements, and evidence as soon as available; both the time and place of the alleged violation; the identity of the facilities from which the person is temporarily barred; and the fact that the Governing Board will contact the person concerning the right to a hearing, whether the suspension is temporary or permanent.

2.3 The General Manager shall notify the Governing Board in writing within three (3) calendar days of taking any suspension action. This notification shall contain all pertinent information as to the alleged violation, including a list of all known witnesses, statements, evidence, the reason for invoking the suspension, and a copy of the certified letter sent to the person.

3.0 Resident Hearing:

3.1 Unless the affected person requests additional time, the Governing Board hearing shall be held within fifteen (15) calendar days following the Governing Board's receipt of written notice of a suspension. Any request to delay the hearing may be considered by the Governing Board and may be rejected for reasonable cause.

3.2 The suspended person, or a person in violation but not suspended, shall be given at least ten (10) calendar day's prior notice of the hearing. This notification may be given by any reasonable method and must include the list of allegations and witnesses as well as any additional information at hand that could reasonably inform the person of the allegation.

3.2.1 Failing to attend the hearing or informing the Governing Board that the person will not attend, shall be considered an expression of "no contest" by the person. In such an event, the Governing Board may accept all reports and testimony as true.

3.3 At the hearing, the suspended person, or person in violation but not suspended, shall be provided an opportunity to hear all witnesses, to respond either orally or in writing, and may be assisted by another person. All questions of witnesses shall be directed to the Governing Board.

3.4 The Governing Board will render a decision as to the validity of the allegation(s), the appropriateness of the suspension (if any), the sufficiency of

the required notices, and the penalty to be imposed (if any). The Governing Board shall inform the person of its decision within two (2) business days following the hearing. The Governing Board may extend the General Manager's suspension pending the determination. The Governing Board's decision shall be final and binding on the suspended person.

3.5 During a period of suspension, the person shall be required to pay all the dues, fees, fines, and special assessments that are owed and due. The suspended person shall not be allowed to use whatever Association facilities and/or exercise such privileges as are specified by the Governing Board.

4.0 Reinstatement:

4.1 An application by a previously suspended person for reinstatement may be filed with the Governing Board after a Board imposed suspension has been in effect for at least thirty (30) calendar days.

4.1.1 The Governing Board must act on an application for reinstatement of a person within five (5) calendar days after its receipt by the Governing Board, by either approving or rejecting the application by a majority decision. The Governing Board's decision shall be final and binding on the subject of reinstatement.

4.2 Only one application for reinstatement may be filed during any non-permanent suspension. If a suspension is permanent an application may be filed no more than once per calendar year.

4.3 Upon the Governing Board approving an application for reinstatement, or upon the completion of the Governing Board imposed penalty, the applicant person shall be reinstated upon payment of any annual membership dues, fees, fines, and special assessments due and owed, and completion of any duty to be fulfilled, as determined by the Governing Board.