

COPPERWOOD HOMEOWNERS' ASSOCIATION (CHOA) – COMPLAINT PROCESS

1. An issue arises.
2. Member of CHOA, or some sort of City/Provincial official (“Complainant”) must send an email request/complaint (the “Charge”) to info@copperwood-edmonton.com.
3. President by email accepts the Charge and notifies Complainant it has been received.
4. President, or a delegated member of the Board (the “HOA Delegate”), makes basic inquiry to see if Charge has any possible merit.
5. If no possible merit, the HOA Delegate will notify the Complainant that the Charge has no merit, but that it is subject to appeal to the Board and set out:
 - a. That the Complainant can, within 15 days, send a notice of appeal to the Board and the HOA Delegate via the President setting out the reasons of appeal;
 - b. The HOA Delegate provides a response and copies the Complainant;
 - c. If necessary, both the Complainant and the HOA Delegate can make rebuttals;
 - d. The Board will make a decision to adhere to the HOA Delegate’s decision, or to allow the Charge to proceed. If adhering to HOA Delegate’s decision, then the Board will notify that there is nothing left to appeal.
6. If the HOA Delegate (or the Board after the appeal), determines the Charge to have potential merit, then:
 - a. The HOA Delegate will inform Complainant that the Charge needs to go to the Board and what information the Complainant will require, including a written summation of the Charge, with notice that it will go to all the relevant parties, including the CHOA member/owner of land, about whom the Charge is about (the “Respondent”). The HOA Delegate will also inform the Complainant that should Complaint require the Board to obtain legal advice, the Board may disperse those costs to the party who is unsuccessful in process;
 - b. If no written summation of the Charge (the “Complaint”) is received by email to the HOA Delegate within 15 days (or such further reasonably requested extension), the Charge will be dismissed and consider unsubstantiated;
 - c. Upon receipt of the Complaint, the HOA Delegate will provide it to the Respondent with a statement that should the Complaint process require the Board to obtain legal advice, the Board may disperse those costs to the party who is unsuccessful in process [SEE COMMENT ABOVE IN 6.a];
 - d. The Respondent will have 15 days (or such further reasonably requested extension), to provide a written response (the “Response”) by email to the HOA Delegate;
 - e. Regardless of if a Response has been provided or not, the Board will either make a decision, or may ask for further information either from the Complainant, or the Respondent, or may put such further and other evidence or information to the Complainant, or Respondent, as they see fit and ask for comments or responses (the “Comments”) and time frames for which they require the Comments;
 - f. The request for Comments process can last as long as the Board deems reasonable to inform themselves of the facts and issue at hand.
 - g. The Board will have the right to consult legal advice at any time during this process.

7. The Board will meet and come to a decision, by ordinary resolution. The decision will be in writing and will contain written reasons which will be kept by the Secretary of the Board. If the HOA Delegate is a member of the Board, in certain circumstances, it may be proper for said member of the Board to recuse themselves from the decision process..
8. A representative of the Board will notify the Complainant and the Respondent by email, within 15 days of their meeting as to the outcome of their decision and provide the written decision. The notification will include a statement that there is no further appeal.
9. At the discretion of the Board, it may take all steps necessary, including the commencement of legal action, to enforce its decision.