



## **INTERNAL & ALTERNATIVE DISPUTE RESOLUTION PROCEDURES**

The Woodbridge Village Association has established what it considers fair, reasonable and expeditious procedures for resolving disputes between the Association and any Member of the Association involving the Member's rights, duties, or liabilities under the Woodbridge Declaration, its Bylaws, Rules, Regulations, Architectural Guidelines and Standards, and Operating Policies ("the governing documents"), the Davis-Stirling Act and the Nonprofit Mutual Benefit Corporation Law.

Those procedures are set forth in the governing documents, including those procedures set forth in Article III. Section 8. of the Woodbridge Bylaws and other Operating Rules and Procedures. Those Procedures are also supplemented as follows:

### **INTERNAL DISPUTE RESOLUTION**

The Association will, upon request by a Member in writing, under the provisions of Civil Code Sections 1363.810 to 1363.850, inclusive, use the following procedures:

1. Either party to the dispute may deliver a written request to the other party seeking to meet and confer in an effort to resolve the dispute under this Internal Dispute Resolution Procedure. A member of the Association may refuse a request to meet and confer. The Association may not refuse a request to meet and confer.
2. The Association's Board of Directors has designated the President and Chairman of the Board of the Association as the Board Member who shall meet and confer with the Member, subject to further resolution of the Board to appoint other alternative Board Members as the designee.
3. 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.
4. 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.
5. An agreement reached using these procedures will bind the parties and is judicially enforceable if both of the following conditions are satisfied:
  - a. The agreement is not in conflict with the law or the governing documents of the Association.
  - b. The agreement is either consistent with the authority granted by the Board of Directors to its designee or the agreement is ratified by the Board of Directors.
6. A Member of the Association may not be charged a fee to participate in this process.



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### **ALTERNATIVE DISPUTE RESOLUTION**

In addition to the above procedures, the California Civil Code (Sections 1369.510 to 1369.590, inclusive) requires an Alternative Dispute Resolution procedure be followed by the Association and its Members before any lawsuit is filed in superior court involving a dispute under the governing documents.

If either party to the dispute does not so offer “ADR” to the other party, they may not be able to maintain a lawsuit over the dispute. There are, of course, exceptions (such as claims for damages in excess of \$5,000) and specific procedures to be followed. The Association is required by the statute to tell you that:

“Failure of a member of the association to comply with the alternative dispute resolution requirements of Section 1369.520 of the Civil Code may result in the loss of your right to sue the association regarding enforcement of the governing documents or the applicable law.”

Copies of the above Civil Code Sections are available, without charge, to Members at the Association office.