

Procedure for Appeal from Decision or Notice of The Fairways at Lakeside Community Association, Inc.

1. A signed, dated letter requesting appeal must be *received* by the Secretary of The Fairways at Lakeside Community Association, Inc. (hereinafter, "FALCA") not later than 30 days after the date of the Decision or Notice from which appeal is being taken. A copy of the letter must be sent to the President of FALCA. The letter must state the specific Decision or Notice from which appeal is being taken, including the title and date of the Decision or Notice. E-mail is acceptable, without any signature but with the full name, postal address e-mail address (if any is available), and phone number of each appellant. The letter requesting appeal need not explain the basis for the appeal. (That comes later.)
2. After receipt of a timely letter requesting appeal, a dated copy of this "Procedure for Appeal" shall be sent to the appellant(s) and to any non-appellant who is a subject of the Decision or Notice. The date shall hereinafter be the "Procedure Date." Included will be the names, postal addresses, and e-mail addresses of the Secretary and the President of FALCA.
3. Appellant shall file an appeal brief (written explanation), to be *received* by the Secretary and the President within 30 days of the Procedure Date. Multiple appellants may file independent or joint briefs, but no appellant shall file both. The appeal brief shall state the title and date of the Decision or Notice which is being appealed, the names, postal addresses, e-mail addresses and telephone numbers of the appellants and any legal counsel representing appellants, and the date of the brief. The paper copy shall be signed by all appellants and any legal counsel. The appeal brief shall be filed with the Secretary as a signed paper copy, plus an identical electronic copy (except a signature is not required on the electronic copy). An additional electronic copy shall be filed also with the President of FALCA. The electronic copies shall be in either Adobe PDF format (preferred) or Microsoft Word 2003 format. The electronic copies may be sent via e-mail, or delivered on readable CD (compact disk) or DVD. The filing will remain with FALCA – it will not be returned to the appellant(s). The filings shall be in reasonable format, and must not make any demands upon FALCA.
4. The appeal brief shall present *fully* the position of the appellant(s). The appeal brief may request an opportunity for an oral presentation to the Board of Directors (hereinafter the "Board") of FALCA, specifying a time limit, which will include time spent on questions from the Board. The Board will be in touch about the time and place for an oral presentation, if any.
5. The brief shall be 5,000 words or less, with pages numbered sequentially.
6. The paper copy of the appeal brief must be accompanied by a paper copy of the Decision or Notice from which appeal is taken.
7. All submissions shall be delivered by any of the following methods. (1) U.S. Mail. (2) E-mail (but for electronic copies only, obviously). (3) Hand-delivery directly to the intended recipient (but not to anyone else) at recipient's address.
8. If any of the rules concerning the appeal are unduly burdensome, appellant(s) may request specific exceptions to the rules, by letter to the Secretary. The Board shall decide any such requests, and whether to extend the filing deadline.
9. Filing an appeal does not postpone the deadline for paying any fines required by the Decision or Notice appealed from. Failure to pay timely any such fines shall result in denying the appeal. If the Decision or Notice is modified or reversed upon appeal, any excess payment shall be applied to other debts of the appellant(s) owed to FALCA, or refunded.

Martin Kaplan, President, Fairways at Lakeside Community Association
3665 Park Pointe Dr, Lexington KY 40509
martinkaplan.fairwaysboard@gmail.com Telephone: (859) 523-5581

Jim Phillips, Secretary, Fairways at Lakeside Community Association
3641 Park Pointe Dr, Lexington KY 40509
secretary@fairwaysatlakeside.org Telephone: (859) 263-4963

Procedure Adopted Date: 09/10/2010