

FOR OFFICE USE ONLY

Date Received \_\_\_\_\_

Complaint No. \_\_\_\_\_

## HERRON ISLAND RULES Complaint Form

To the Complainant: All parts of this Complaint Form must be completed to be considered by the Rules Committee; an incomplete form will not be considered by the Rules Committee and will be rejected without notice. Once submitted, your Complaint form will become a part of HMC official records and will be shared with all parties associated with this matter.

In the event the Complainant wishes to withdraw this Complaint for any reason, the Complainant must notify the Rules Committee no later than three (3) days prior to the scheduled hearing date.

Date of alleged violation: \_\_\_\_\_

Complainant's name: \_\_\_\_\_

Respondent's name: \_\_\_\_\_

State your complaint, and describe all alleged acts or omissions with as much detail as possible, including time, date, location, nature of violation, persons involved, etc.

(Continue on separate sheet, if necessary):

List the specific provisions of the Rules, Bylaws, or decision of the Board that you allege the Respondent has violated.

Please list any witnesses to the violation(s) alleged in the Complaint.

Do you have any documents that support your Complaint?      Yes      No  
(Examples include photos, letters, emails, etc.)  
If yes, attach the documents to this Complaint Form.

Describe any steps you have taken with the Respondent in an attempt to resolve your concerns, and the outcome of your efforts. If no such attempt has been made, please explain why.

State the resolution being requested from the Rules Committee.

To avoid the inconvenience of potential delays in postal mail, are you willing to accept service of notices and other documents from the Rules Committee through email as the sole method of transmission?      Yes      No

Complainant's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

### **Description of the Complaint Process**

1. "Complainant" is the person who filed the complaint. "Respondent" is the person who the complaint was filed against.

2. Upon receipt, the Rules Committee reviews a complaint to determine if it meets the criteria for consideration by the Rules Committee. If it does not, the complaint is returned to the Complainant for completion or revision as needed.

3. If the complaint meets the criteria for consideration by the Rules Committee, a copy of the complaint and any accompanying materials are sent to the Respondent, along with a Response Form, and a hearing date is set. The hearing date can only be changed by the discretion of the Rules Committee.

4. Respondent completes the Response Form and submits the Response Form to the Rules Committee within one week of receiving it. If the Respondent chooses to "plead guilty" and enter into an Assurance of Voluntary Compliance, then the hearing is cancelled, and the Rules Committee will determine what actions or fines are appropriate. An Assurance of Voluntary Compliance is a letter that the Respondent signs stating that they understand that they violated HMC rules and are willing to bypass a hearing on the matter.

5. In the event the Complainant wishes to withdraw this Complaint for any reason, the Complainant must notify the Rules Committee no later than three (3) days prior to the scheduled hearing date. Unless the Complaint has been withdrawn or the parties have entered into an Assurance of Voluntary Compliance, the Rules Committee will conduct a hearing regarding the Complaint and the parties are expected to attend and participate.

6. Either party may provide additional statement, documents, or names of witnesses up to seven days prior to the scheduled hearing. Submissions made after that will not be considered by the Rules Committee except as may be appropriate under Rule IV.D.6.

7. Following the hearing, the Rules Committee will meet to decide if a violation has occurred and, if so, determine the corrective measures to be imposed. The Rules Committee will then mail their decision to the parties and the HMC office in a timely manner, usually within two weeks.

### **Other Notes**

1. The parties must respond timely when communicating with the Rules Committee.

2. The Rules Committee may take corrective action or impose sanctions or fines in response to a Complaint only after a hearing has been held on the matter.