

## Article XXX: Removal of Directors

### **Section 1: Grounds for Removal**

Directors may be removed from the board for cause. Cause for removal shall include, but is not limited to, the following:

- Violation of the articles of incorporation or bylaws of the association
- Misuse of association funds or property
- Failure to attend 3 consecutive regular meetings of the board, without a valid excuse
- A conviction of a felony, or of a crime involving fraud or dishonesty
- Actions that are non-compliant with State or Federal Laws applicable to HOAs

### **Section 2: Removal Process**

A. A petition signed by at least 10% of the voting members of the association requesting the removal of a director for cause.

B. Upon receipt of a petition or resolution, the board of directors shall appoint a hearing committee consisting of 3 members, who are not currently serving on the board, to investigate the grounds for removal.

C. The hearing committee shall provide the director in question with written notice of the charges against him/her and an opportunity to be heard. The director shall have the right to call and cross-examine witnesses and to present evidence in his/her defense.

D. After the hearing, the hearing committee shall make a recommendation to the board of directors regarding the removal of the director. The board of directors shall vote on the recommendation at their next regularly scheduled meeting as a Resolution to be presented to petitioners and the members of the association.

### **Section 3: Bar from Reelection**

A. A director removed for cause shall be barred from reelection for a period of time proportional to the infraction committed. The board of directors shall determine the specific length of the barred period after considering the recommendation of the hearing committee and the specific circumstances of the infraction.

B. The barred period for the infractions shall be as follows:

- Violation of the articles of incorporation or bylaws of the association: 1 year
- Misuse of association funds or property: 2 years
- Failure to attend 3 consecutive regular meetings of the board, without a valid excuse: 1 year

- A conviction of a felony, or of a crime involving fraud or dishonesty: 3 years
- Actions that are not compliant with State or Federal Laws: 1-3 years at the discretion of the voting Members