

Process for reviewing a complaint against one of the CBA's sublease holders.

1. Complaint must be in writing and filed with the President of the Board in order to be considered by the CBA.
2. Board will review the complaint and decide if there is some merit to the complaint. If the Board determines there is not some merit to the complaint, it will so notify the complaining party in writing.

If the Board determines there is some merit to the complaint, it will proceed as follows:

3. Board will acknowledge receipt of the complaint to both parties in writing (email acceptable) and advise them of the process that will be followed.
4. Board will request a written response (email acceptable) to the complaint by the person charged in the complaint which shall be submitted to the President of the Board. The failure to respond within 2 weeks after receiving the request from the Board may be deemed by the Committee or the Board to be an admission that the person charged in the complaint has committed some or all of wrongful acts alleged in the complaint. Further, the Committee may, but need not, consider any response submitted by the person charged that is received by the President after the 2 week deadline.
5. Board will appoint a five (5) person investigation committee to consist of three (3) board members and one (1) person chosen by each of the parties. The Committee member chosen by each party may, but need not be a Board member but must be a member of the CBA in good standing (i.e., the person has paid his or her dues and is not currently subject, and has not been subject within the prior three (3) years, to any disciplinary action by the CBA or ACBL). If a party fails to appoint a Committee member within one week after requested by the board, then the Board will make the appointment.
6. Committee will conduct an investigation reasonable in scope and duration based on the alleged charges but which will include a review and discussion of the complaint and written response and contacting any Board members and other CBA members who were present at the time of the alleged charges or who have verifiable information in order to verify and/or resolve differences in the facts or other differences between the complaint and written response.
7. Whether or not the person charged files a written response, the Committee will schedule a closed meeting at which the complaining party and the person charged will be given at least 1 week's advance notice of the time and place, and will each be given an opportunity to present his or her case. Each party may present written documentation and other tangible evidence including signed statements by witnesses of any of the events relating to the charges but neither party may call live witnesses. At the conclusion of the meeting, the Committee may make its decision or may adjourn the meeting in order to follow-up on any evidence presented at the closed meeting; provided, however, that the Committee will make its decision and submit it to the Board within 30 days of the closed meeting. The decision of the Committee shall be a recommendation to the Board (by majority vote of the 5 Committee members) which shall include written findings of the relevant facts and the recommended action.
8. The Committee will present the written findings and recommendations to the board.
9. Board takes action.