

Los Feliz Estates Owners Association
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LFEOA@losfelizestates.org

Dear LFEOA homeowner:

"Internal Dispute Resolution" ("IDR") is an informal method of resolving disputes which may arise between a homeowner and the Homeowners Association to which he or she belongs. IDR, also known as a "meet and confer" under Civil Code §1363.830, is a step recently required by new legislation which attempts to avoid costly litigation. It is a precursor to the more formal Alternative Dispute Resolution ("ADR") process. Because there are no procedures in place, the Board has adopted the default procedures set forth in Civil Code §1363.840 to be its IDR procedures.

Basically, the homeowner and the Board of Directors meet to discuss the issues in a good faith effort to resolve the dispute.

1. Either party may request the other party to meet and confer. The request must be in writing.
2. A member of an Association may refuse a request to meet and confer, but the Association may not.
3. The Association's Board of Directors designates **one or more** members of the Board to meet and confer with the homeowner.
4. The parties then meet within thirty (30) days, 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.
5. If the dispute is resolved, the agreement must be in writing and signed by all parties, including Board designee(s) on behalf of the Association.

Once an agreement is reached, the parties are bound by the agreement, which can be enforced in a court of law should either party breach the agreement, as long as the agreement does not conflict with either the law or the Association's governing documents. The agreement must also be either consistent with the authority granted by the Board to its designee(s) or ratified by the Board.

Should the dispute be resolved other than by agreement of the homeowner member, the member has the right to appeal the decision to the Association's Board of Directors.

The homeowner cannot be charged a fee to participate in the IDR process.

Sincerely,
2005 LFEOA Board of Directors

**Los Feliz Estates Owners Association
Internal Dispute Resolution Procedures (IDR)
CA Civ. Code §1363.810**

1. The Internal Dispute Resolution Process applies to the Association as well as an Owner as a prerequisite to the filing of any litigation related to a dispute involving their respective rights, duties or liabilities under the governing documents, the Davis-Stirling Common Interest Development Act ("D-S Act") and/or the nonprofit mutual benefit corporation law (collectively "CID Dispute"). It does not relate to any collection of assessments unless the Association determines it needs to file litigation to collect same.
2. Either party (Association or Owner) to a Common Interest Development (CID) dispute may invoke the following procedure:
 - A. The party may request the other party to meet and confer, in an effort to resolve the CID Dispute. The request shall be in writing.
 - B. An Owner may refuse an Association request to meet and confer. The Association may not refuse an Owner's request to meet and confer.
 - C. The Board hereby designates two or more of the following Board members, in addition to the LFEOA Manager, to represent the LFEOA in any meet and confer, IDR process:

The LFEOA President, or in his/her absence, the Vice President , plus

The committee Chair representing the area involved in the dispute (i.e. Architectural, Landscape, etc.)

The Legal chair if there is the threat or likelihood of legal action.
3. Although not precluded, attorney participation in the IDR Process is discouraged in order to maintain direct discussions between the principals of the CID Dispute and to maintain the goal of resolution through an expeditious process. To the extent Owner requires that his/her/its attorney attend the IDR Process, the Owner shall be required to give fifteen (15) business days' notice to the Association so that the Association can ascertain if it desires its corporate counsel to also attend.
4. The parties shall meet within thirty (30) days at a convenient time and place, explain their positions to each other and confer in good faith in an effort to resolve the dispute with the LFEOA.

5. A resolution of the dispute with the LFEOA, agreed to by the parties, shall be memorialized in writing and signed by the parties, including at least one LFEOA Board Designee on behalf of the LFEOA.
6. The Agreement reached by the Owner and the Board Designee binds the parties and is judicially enforceable if both the following conditions are satisfied.
 - A. The Agreement is not in conflict with law or the governing documents of the Association; and
 - B. The Agreement is ratified by the Board of Directors within thirty (30) days of the date that the Agreement is executed by the Owner and the Board Designee.
7. The Owner participating in the IDR Process shall not be charged a fee to participate in the IDR process.