

ICHA DISPUTE RESOLUTION PROCESS



UHILLS RESIDENT



University Hills resident requests to resolve a conflict/dispute.

ICHA STAFF AND/OR HRB

WITHDRAWN

ISSUE RESOLVED
(document agreement)

ISSUE UNRESOLVED:

Resident requests in writing a review by the Dispute Resolution Committee.

DISPUTE RESOLUTION COMMITTEE *(Subset of the ICHA Board)*

BINDING DECISION
(document agreement)

**COMMITTEE REFERS MATTER
TO THE FULL BOARD**

FULL ICHA BOARD

**BOARD DECLINES
TO CONSIDER**

BINDING DECISION
(document agreement)



**IRVINE CAMPUS HOUSING AUTHORITY
DISPUTE RESOLUTION POLICY**

I. Purpose.

A. Conflicts and disputes are inevitable in any community. Most of the time, persons who experience conflicts and disputes are able to resolve matters on their own without assistance from others. From time to time, however, situations may arise that are not easily resolved without additional help. Sometimes the process of resolving conflicts and disputes is aided by the participation of persons with different perspectives and views.

B. Within the University Hills community, residents have reported a wide variety of conflicts and disputes, such as disturbances due to behavior of other residents and their guests and pets (e.g., loud parties, barking dogs), conflicts over the use of community facilities in University Hills (e.g., rule violations at swimming pools, tennis courts and parks), and complaints regarding Irvine Campus Housing Authority's services to the community (e.g., maintenance complaints or home sale issues).

C. Irvine Campus Housing Authority (ICHA) desires by this Dispute Resolution Policy to establish a framework for the resolution of a wide range of conflicts and disputes in the University Hills community. The objective of these procedures is to help to maintain University Hills as a safe, harmonious and inclusive community for all of its residents and guests. It is intended that the procedures in this Dispute Resolution Policy may be initiated by any resident of University Hills who would like assistance resolving a conflict or dispute with another University Hills resident or with ICHA. This conflict resolution process may also be used for conflicts or disputes between the Homeowners Representative Board (HRB) and ICHA with respect to a resident conflict or dispute.

D. ICHA anticipates that the overwhelming majority of conflicts and disputes reported by University Hills residents will be resolved through informal discussions between residents, ICHA staff and/or the HRB, but that on occasion a more formal process may be necessary to resolve such disputes.

E. This Dispute Resolution Policy is not intended to cover such matters as employment disputes between University faculty/staff and the University, or matters which are more appropriately resolved by academic or administrative departments of the University. This Dispute Resolution Process is not available for the resolution of disputes with persons who are not University Hills residents, such as business disputes between ICHA and its contractors, vendors, professionals and suppliers. Participation in this process is voluntary, and is not intended to replace or supplant other formal reporting and grievance procedures such as sexual harassment and discrimination complaint procedures, research misconduct complaint procedures, police procedures for criminal matters, or dispute and appeals processes under the architectural guidelines and maintenance rules applicable to University Hills residents. The procedures in this Dispute Resolution Policy are not intended to provide mediation or arbitration services for litigation matters.

II. Policy.

1. University Hills residents may initiate informal discussion of conflicts and disputes with either ICHA staff or the HRB, as they feel comfortable.
2. ICHA shall designate one or more of its staff members to be available to speak informally with University Hills residents regarding conflicts and disputes. ICHA staff will make a good faith effort to work with residents to resolve reported conflicts and disputes in a manner that is mutually agreeable to all parties. Initial discussions between the resident and the ICHA staff member should be held within a timely manner after the resident request is made.
3. If a University Hills resident requests the assistance of the HRB in the resolution of a conflict or dispute, the HRB may confer with the resident and/or ICHA regarding the conflict or dispute. Initial discussions between the HRB and the resident or ICHA should be held within a timely manner after the resident request is made.
4. When appropriate, ICHA staff and the HRB shall work together to facilitate the resolution of conflicts and disputes of University Hills residents.
5. The ICHA Board of Directors shall annually appoint a Dispute Resolution Committee ("Committee") for the purpose of assisting in the resolution of conflicts and disputes of University Hills residents.
6. When ICHA staff and the HRB are unable to resolve a University Hills resident conflict or dispute in a mutually agreeable manner, or ICHA staff and the HRB have made conflicting determinations in a resident conflict or dispute, ICHA staff, the HRB and/or the resident may individually or jointly request that the Committee assist in the resolution of the conflict or dispute. The request must be in writing and shall include a summary of the conflict or dispute and any prior determinations made with respect to the conflict or dispute.
7. The Committee may discuss the conflict or dispute with the resident who initiated the resolution process and other persons involved in or with knowledge of the conflict or dispute. ICHA staff and the HRB shall participate in discussions of the conflict or dispute by the Committee, and shall make recommendations to the Committee for the resolution of the conflict or dispute. After undertaking a review of the conflict or dispute, the Committee may in its discretion determine either to (i) consider the conflict or dispute itself, and make a binding decision for its resolution, or (ii) refer the conflict or dispute to the full ICHA Board of Directors for its consideration.
8. In the event a conflict or dispute has been referred to the full ICHA Board of Directors by the Committee, the ICHA Board of Directors shall determine in its discretion whether to consider the conflict or dispute. If it chooses to consider the conflict or dispute, the ICHA Board of Directors may discuss the conflict or dispute with the resident who initiated the resolution process and other persons involved in or with knowledge of the conflict or dispute. The Committee, ICHA staff and the HRB shall participate in discussions of the conflict or dispute

by the ICHA Board of Directors, and shall make recommendations to the ICHA Board of Directors for the resolution of the conflict or dispute. After undertaking a review of the conflict or dispute, the ICHA Board of Directors may in its discretion determine either to (i) make a binding decision for the resolution of the conflict or dispute, or (ii) decline to further consider the conflict or dispute or make any further decision for its resolution. ICHA Board of Directors determinations may include, without limitation, the appointment of a professional mediator to facilitate the resolution of the conflict or dispute, provided that there is mutual agreement among the parties regarding the allocation of costs of the mediation.

9. ICHA shall assist in the preparation of written statements and agreements documenting resolutions of conflicts and disputes. ICHA shall further assist in the implementation of such resolutions of conflicts and disputes, when necessary or appropriate.

10. All University Hills residents, ICHA staff, HRB members, Committee members, and ICHA Board of Directors members who participate in the resolution of conflicts and disputes under this Dispute Resolution Policy shall keep discussions of conflicts and disputes confidential to the extent permitted by law.

11. ICHA staff, HRB members, Committee members, and ICHA Board of Directors members who participate in the resolution of conflicts and disputes under this Dispute Resolution Policy shall be impartial, and shall abstain from participation in the event of conflicts of interest.

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