

CASTAWAYS MARINA

**Complaint/ Grievance Procedure**

Should any shareholder or tenant have a disagreement, complaint or grievance arising from the interpretation or application of the Marina Rules, or from any action taken by the Shareholders or Board of Directors, or from any penalty or fine imposed by the Board of Directors, he or she must seek redress through the following exclusive procedure.

**Step 1**

The aggrieved shareholder or tenant may register an informal, verbal complaint with any member of the Board of Directors. That Director shall attempt to resolve the issue informally and, if necessary, refer the matter to the appropriate officer of the corporation. The officer or director shall communicate a verbal decision to the aggrieved shareholder or tenant within five (5) days.

**Step 2**

Should the aggrieved shareholder or tenant deem the above Step 1 decision unsatisfactory or insufficient, he or she must submit a written statement of the grievance to the Board of Directors. This written grievance will be considered at the next regularly scheduled meeting of the Board of Directors. The complaining shareholder or tenant shall be entitled to personally appear at this meeting but is not required to do so. The Secretary of the Board shall submit the Board's answer in writing within five (5) days of the meeting.

**Step 3**

Should the shareholder or tenant reject the Board's Step 2 decision, he or she shall have the right to demand that the disputed issue be submitted to an arbitration panel for final and binding arbitration. The demand for arbitration must be submitted to the Board, in writing, within ten (10) days of receipt of the Step 2 decision or the complaint will be deemed withdrawn or abandoned.

**Arbitration**

A tri-partite arbitration panel shall resolve all disputes under this procedure. The aggrieved shareholder or tenant shall select any individual he or she desires to serve on the panel. The Board shall select a second individual to serve on the panel. The shareholder appointed and Board appointed arbitrators shall thereafter meet and select the third member of the panel who shall serve as Chair. A tenant or shareholder may elect, at his or her own expense, to be represented by an Attorney. However, should the shareholder or tenant choose to be represented in the arbitration proceeding by a non-attorney or by him or herself, the Board may not be represented by an attorney in the arbitration proceeding. The decision of the arbitration panel shall be by majority vote and issued in writing. Should there be any dispute over the conduct of the proceedings, the rules of the American Arbitration Association shall apply.

The expenses and fees of the Neutral Chairman of the Arbitration Panel shall be divided equally between the parties.