IN THE OFFICE OF ADMINISTRATIVE HEARINGS

Terry Marvin & Lori J. Lefferts, Petitioners,

v. The Stone Canyon Community Association, Inc., Respondent. No. 22F-H2221018-REL

ORDER REGARDING IN-PERSON HEARING APPEARANCE

The administrative hearing in this matter is scheduled for virtual presentation on March 16, 2022 at 1:00 P.M. On March 6, 2022, Petitioners requested to attend the hearing in-person, indicating that their evidence would include numerous visual exhibits and proffering that an in-person presentation would be more convenient and efficient. Petitioners further indicated they have no objection to the virtual appearance of Respondent and Respondent's witnesses.

In its Minute Entry dated January 21, 2022, the Tribunal reiterated that this administrative hearing is limited to the one-issue presented in Petitioner's Petition, as follows:

Petitioners [Lot 20 Owners] allege that Respondent's Design Review Committee violated the Respondent's adopted Development Design Guidelines, which were adopted pursuant to CC&R Section 11.3, when the Committee *granted a variance* to Lot 19 Owners regarding the side yard setback requirements in violation of Guideline Section 1, Items 1 and 32 requirements and Guideline Section 5, Item 12 requirements.

The parties have filed proposed exhibits and each has also filed supplemental exhibits. While Petitioners may attend the hearing in-person, the presentation of exhibits is typically limited to the proposed exhibits already disclosed due to the nature of virtual hearings and inability to make any new exhibits available to the virtual participants during the hearing. Additionally, based on the Tribunal's guidelines for in-person appearances, the following standards shall be observed by anyone appearing in-person:

(a) Only one individual for a party and, if represented, the party's attorney or legal representative, shall be permitted to appear in-person.¹

¹ With two petitioners who are unrepresented, the two petitioners may both appear.

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² You must be able to contact your witnesses and let them know to log in/call in at the time they are being called to testify. While this is a non-confidential hearing, the participants that are logged in should be limited to prevent technical issues with feedback and/or poor transmission.

³ Fully vaccinated, and boosted, persons need not wear a face mask if they choose not to do so.