

CHAPTER 4: DELINQUENT PAYMENT SUSPENSIONS AND HEARINGS

All AHA programs and events deadlines must be met as specified, whether submitted by postal service, fax, e-mail, internet or other electronic means.

ARTICLE 401. DEFINITIONS UNDER THIS CHAPTER

1. Delinquent Account. Where referenced in this chapter, a "Delinquent Account" shall include any amounts due and owing directly to AHA for goods, services, dues, fees, or similar indebtedness.
2. Notice by AHA. Where provided in this chapter, "Notice" by AHA of a potential suspension or suspension shall be in writing, sent by United States Postal Service, postage prepaid, and shall be sent to any individual or entity who may be suspended under the provisions of this chapter. Where applicable, Notices shall also be sent to owners of horses that may be suspended under Article 402. Paragraph 2.c. All Notices shall be sent to the last-known address of the individual or entity as shown in AHA's records.
3. Returned Instrument. Where referenced in this chapter, "Returned Instrument" shall mean any check or other negotiable instrument payable to AHA or to an AHA Member Organization or Recognized Competition that is dishonored and returned by a bank.

ARTICLE 402. CONDUCT RESULTING IN SUSPENSION

1. Delinquent Accounts with AHA.
 - a. Any individual or entity that has a Delinquent Account due to AHA for ninety (90) calendar days or more shall be suspended from membership in AHA.
 - b. The AHA office will send Notice, as defined in Article 401., of all amounts due and the due date in its monthly account statements. All monthly statements will also advise the individual or entity that any amounts due must be postmarked/electronic transaction dated and submitted to the AHA office before ninety (90) calendar days from the due date, or suspension will be automatic.
 - c. If payment is not received by the AHA office, AHA will send Notice of the suspension once the account has remained unpaid for ninety (90) calendar days and will publish the suspension in *Modern Arabian Horse* and/or on the AHA website.
2. Payment to AHA with a Returned Instrument.
 - a. Upon notification from a bank of a Returned Instrument, as defined in Article 401., payable to AHA, a fifty dollar (\$50) (BOD 5/02) service charge will be added to each returned item. The AHA office shall send Notice of the outstanding balance due AHA resulting from the Returned Instrument and of the fifty dollar (\$50) (BOD 5/02) service charge.
 - b. The Notice referred to in the preceding paragraph shall also state that the parties will be suspended effective fifteen (15) calendar days from the date of mailing of the Notice, unless payment in full, including the service charge, is postmarked/electronic transaction dated and submitted to the AHA office within fifteen (15) calendar days of mailing of the Notice.
 - c. If the Returned Instrument was issued in payment of horse show entries at an AHA Recognized Competition, the horse or horses which the payment was to cover will also be suspended. The name and registration number of the suspended horse(s) will also be published in *Modern Arabian Horse* and/or on the AHA website.
 - d. If payment is not received by AHA, AHA shall send Notice of the suspension and publish the suspension in *Modern Arabian Horse* and/or on the AHA website.
3. Payments to AHA Recognized Competitions and Member Organizations With a Returned Instrument. AHA recommends that AHA Recognized Competitions or Member Organizations not allow show entry or provide services or products without payment. If a Competition or organization extends credit to an individual or entity, it does so at its own risk. In the limited circumstances set forth below, AHA will assist its Recognized Competitions

or Member Organizations, if payment is made to a Recognized Competition or Member Organization with a Returned Instrument.

- a. If assistance in collection is sought against a non-member, then the Member Organization or Recognized Competition must have obtained a signed, written agreement from the non-member to be bound by AHA's Rules and Regulations (specifically including this Chapter 4).
- b. The designated representative of an AHA Recognized Competition or AHA Member Organization must, on a form provided by AHA, submit a statement of receipt of a Returned Instrument, and such other information and documentation as AHA may require, postmarked/electronic transaction dated within sixty (60) days of receiving the Returned Instrument.
- c. Upon receipt of all requested information from a Member Organization or Recognized Competition, the AHA office will send Notice of both the outstanding balance and the AHA office fee of one-hundred dollars (\$100) that is due, to the owner(s), trainer(s), coach(es), rider(s), driver(s), and handler(s) listed on the entry blank and/or other forms which the payment was to cover (the "Noticed Parties"). The Notice shall also state that, unless the amount due is paid in full to both AHA and the AHA Recognized Competition or AHA Member Organization postmarked/electronic transaction dated (BOD 8/00) within fifteen (15) calendar days of the date of mailing of the Notice, AHA shall suspend all Noticed Parties and horses.
- d. The AHA office will verify with the designated contact of the Competition or organization whether payment has been received. If payment has not been received, the AHA office shall (i) send Notice of the suspension to Noticed Parties, (ii) publish the name and registration number of the suspended horse(s) and all Noticed Parties in *Modern Arabian Horse* and/or on the AHA website, and (iii) suspend all Noticed Parties and suspended horse(s) from all membership privileges which includes participation in any manner in any AHA Recognized Competition.

ARTICLE 403. EFFECTS OF SUSPENSION

1. Suspension shall be effective on the date stated in the Notice of proposed suspension to the individual or entity
2. Under this chapter, suspension shall include the following:
 - a. If the suspended entity is a corporation, partnership, or sole proprietorship operating as a d/b/a, suspension shall include the corporation, the partnership, and the sole proprietors, as well as all of their d/b/a's;
 - b. If the suspended entity is a general partnership, suspension shall also include all partners of the partnership;
 - c. If the suspended entity is a limited partnership, suspension shall also include the general partners; and
 - d. If the suspended entity is a corporation, suspension shall also include all officers of the corporation.
3. Suspension includes:
 - a. Revocation of AHA membership benefits and privileges, including, but not limited to, denial of entry into AHA programs and events, the removal from AHA boards, commissions, and committees and office, termination of Achievement Award point accrual, and Regional and National qualification requirement accumulation;
 - b. Prohibition from holding a licensed official, or employee position as defined by USEF or EC in any AHA Recognized Competition;
 - c. Denial of participation by the individual or entity in any manner in any AHA Recognized Competition. In addition, the individual or entity shall not be allowed to be on the competition grounds in any capacity during an AHA Recognized Competition; and
 - d. For suspension of a horse, denial of the horse's entry into and the benefits of AHA programs and events, and denial of participation in any manner in any AHA Competition or AHA Recognized Competition.

4. Notification of all suspensions shall be made to AHA members, Recognized Competitions, and Member Organizations through publication of the suspension in *Modern Arabian Horse* and/or on the AHA website. Such publication shall include the name of the suspended individuals and entities, as well as the name or names and registration number of any suspended horses, and the effective date of suspension.
5. A suspension will be published in *Modern Arabian Horse* if the suspension is in effect, as provided in this chapter, on the publication deadline date for an issue of *Modern Arabian Horse* and/or will be published on the AHA website if the suspension is in effect on the deadline date for updating the AHA website. (BOD 8/04)
6. AHA will maintain a current list of suspended individuals, entities, and horses at the AHA office, and it shall also be the responsibility of each member, horse owner, Recognized Competition, or others involved in transactions with Arabian, Half-Arabian, or Anglo-Arabian Horses to contact AHA for information concerning suspended status.

ARTICLE 404. REMOVAL OF SUSPENSION UNDER THIS ARTICLE

1. The suspension of an individual, entity, or horse under this chapter will end upon receipt of good funds and acknowledgment from the AHA office of payment in full of the amounts due.
2. AHA will publish the removal of any previously published suspension in the next issue of *Modern Arabian Horse* and/or next update on the AHA website. When a suspension is removed, and only then, will privileges be reinstated. No privileges will be reinstated retroactively.
3. Upon request, the AHA office will provide an earlier notification that a suspension has been removed and is no longer in effect. However, it will be the responsibility of the suspended individual or entity to request that the AHA office send Notice of the removal of a suspension to any AHA Recognized Competition or AHA Member Organization.

ARTICLE 405. MULTIPLE VIOLATIONS OF AHA'S POLICIES ON NON-PAYMENT

1. Any individual or entity who submits two Returned Instruments for payment obligations to AHA within an eighteen (18) month period, will automatically be required to submit certified funds for any future payments to AHA for the following three-year period.
2. Repeated violations of payment obligations to AHA, its Member Organizations, or Recognized Competitions or violations of the suspension enforcement obligations imposed upon Recognized Competitions under this chapter are detrimental to AHA's ability to implement its purposes and goals; therefore, it shall be a violation of AHA's Rules and Regulations, and an EPRB charge may be filed, if:
 - a. An individual or entity has any delinquent accounts due to AHA for ninety (90) days or more, issues Returned Instruments payable to AHA, or issues Returned Instruments to AHA Recognized Competitions or Member Organizations on more than two separate occasions; or
 - b. An AHA Recognized Competition or Member Organization allows a suspended individual or entity to participate in an AHA Recognized Competition in any manner or capacity.