

Office of Administrative Hearings

Electronic submission for docket **25F-H074-REL**
Complainant/Petitioner/Appellant exhibits
To Administrative Law Judge

Filing date: **10/30/2025**

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Submission and grounds

There is a genuine dispute regarding the date the Association (through its management company) received the signed recall petition. Management has not produced proof of receipt. These records are necessary to establish the statutory 30-day timeline under A.R.S. § 33-1813(C)–(D).

Statutory Framework.

Under A.R.S. § 33-1813(C), once a valid (signed) recall petition is received, the special meeting must be called, noticed, and held within 30 days. If the meeting is not held in time, § 33-1813(D) provides that the board is deemed removed by operation of law.

Evidence to Date.

Records already produced—specifically, the petition file’s last-modified timestamp of June 2, 2025, together with Cadden-origin notations (referencing owner fine balances) within the petition packet—show that management had the petition materials by June 2, 2025. While no author metadata identifies a specific individual, these artifacts are prima facie evidence of possession on or before June 2, 2025.

Application to the Timeline.

- **If the signed petition was received by June 2, 2025, the 30-day deadline was July 2, 2025; the special meeting was held July 3, 2025, outside the statutory window, triggering § 33-1813(D).**
- **In the alternative: If management contends the signed pages were received later, production of receipt proofs, transmittals, version histories, email archives, and activity logs is required to establish the actual receipt date and recalculate the 30-day deadline.**

Files submitted:

3 06 06 25 Sean email petition and resigation reccomend Matter03699Re A couple quick



questions.pdf