

1 **Final agency action regarding decision below:**

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3 **ALJFIN ALJ Decision final by statute**

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5 **IN THE OFFICE OF ADMINISTRATIVE HEARINGS**

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7 DENNIS W. LAMB,

8 Petitioner,

9
10 vs.

11 BELLASERA COMMUNITY
12 ASSOCIATION¹,

13 Respondent.

No. 08F-H078004-BFS

**ADMINISTRATIVE LAW JUDGE
DECISION**

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17 **HEARING:** October 16, 2007

18 **APPEARANCES:** Dennis W. Lamb on his own behalf; Jason E. Smith, Esq. for
19 Bellasera Community Association

20 **ADMINISTRATIVE LAW JUDGE:** Lewis D. Kowal

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22 **FINDINGS OF FACT AND CONCLUSIONS OF LAW**

23 1. Dennis W. Lamb ("Petitioner") filed a Petition with the Arizona Department
24 of Fire, Building, and Life Safety alleging that Bellasera Community Association
25 ("Association") violated A.R.S. §§ 33-1812(A)(1) and (2) by electing or appointing David
26 Redman and Dennis Carson to the Association's Board of Directors on or about April
27 15, 2007 at the Association's annual meeting.

28 2. Based on the above, the Association acknowledged that Petitioner is the
29 prevailing party and is entitled to reimbursement of his \$550.00 filing fee.

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¹ The parties stipulated that only Bellasera Community Association should have been listed as a named respondent and the caption is amended to accordingly to reflect that.

