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## CHAPTER 4: DELINQUENT PAYMENTS AND SUSPENSIONS

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All AHA programs and events deadlines must be met as specified, whether submitted by hand delivery, postal service, fax, e-mail, internet or other electronic means. (BOD 8/00)

#### **SUS 101. DEFINITIONS UNDER THIS CHAPTER**

1. **Delinquent Account.** Where referenced in this chapter,
  - a. a "Delinquent Account" shall be any account that is past due and owing directly to AHA for goods, services, dues, fees, or similar indebtedness. Payment is due upon request for products and services.
  - b. Failure to pay within seventy-five (75) calendar days (comprised of sixty days plus a fifteen day notification period) may result in a delinquent account being referred to a collection agency and the account holder being charged any and all collection fees in addition to the amount owed. (BOD 5/09) (BOD 12/16)
2. **Suspension Notice** by AHA. Where referenced in this chapter, Notice of Suspension by AHA of a potential or actual suspension:
  - a. Shall be in writing, sent by United States Postal Service or via email to the last-known address of any individual or entity who will be suspended under the provisions of this chapter.
  - b. Notices shall also be sent to owners of horses that will be suspended under SUS 102. Paragraph 2.c. (BOD 12/16)
3. **Returned Instrument.** Where referenced in this chapter, "Returned Instrument" shall mean:
  - a. Any check or other negotiable instrument payable to AHA or to an AHA Member Organization or Recognized Competition that is dishonored and/or returned by a bank or Credit Card Company.
  - b. Payment is due within fifteen (15) days or the membership will be suspended and the account becomes inactive. (BOD 12/16)

#### **SUS 102. CONDUCT RESULTING IN SUSPENSION**

1. **Delinquent Accounts with AHA.**
  - a. Any individual or entity that has a Delinquent Account due to AHA for seventy-five (75) calendar days (comprised of sixty days plus a fifteen day notification period) or more shall be suspended from membership in AHA and the account becomes inactive. (BOD 12/16)
  - b. The AHA office will notify the individual or entity of all amounts due. Any amounts due by an individual or entity must be postmarked/electronic transaction dated and submitted to the AHA office before seventy-five (75) calendar days (comprised of sixty days plus a fifteen day notification period) from the transaction date, or suspension will be automatic and the account becomes inactive. (BOD 12/16)
  - c. If payment is not received by the AHA office, AHA will send a Suspension Notice once the account has remained unpaid for seventy-five (75) calendar days (comprised of sixty days plus a fifteen day notification period) and will publish the suspension in *Arabian Horse Life* and/or on the AHA website. (BOD 12/16)
2. **Payment to AHA with a Returned Instrument.**
  - a. Upon notification from a bank of a Returned Instrument, as defined in SUS 101.3, payable to AHA, a sixty dollar (\$60) 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 sixty dollar (\$60) 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 (BOD 8/00) 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 that the payment was to cover will also be suspended. The name and registration number of the suspended horse(s) will also be published in *Arabian Horse Life* 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 *Arabian Horse Life* and/or on the AHA website.
3. **Payments to AHA Recognized Competitions and Member Organizations with a Returned Instrument.**
  - a. AHA recommends that AHA Recognized Competitions or Member Organizations not allow any show entry or provide services or products without payment.
  - b. If a Competition or organization extends credit to an individual or entity, it does so at its own risk.
4. **Collection Assistance.** 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 (BOD 8/00) within sixty (60) days of receiving the Returned Instrument (See SUS 101.3 for definition of 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. (BOD 1/97)
  - 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 *Arabian Horse Life* 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.

#### **SUS 103. 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 dba, suspension shall include the

- corporation, the partnership, and the sole proprietors, as well as all of their dba'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, 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 *Arabian Horse Life* 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 *Arabian Horse Life* if the suspension is in effect, as provided in this chapter, on the publication deadline date for an issue of *Arabian Horse Life* 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.

**SUS 104. REMOVAL OF SUSPENSION UNDER THIS ARTICLE**

- 1. The suspension of an individual, entity, or horse under this chapter will end upon receipt of negotiable 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 *Arabian Horse Life* 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.

**SUS 105. 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 seventy-five (75) days (comprised of sixty days plus a fifteen day notification period) 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 (BOD 12/16)
- 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.

**SUS 106. AHA CHECKS**

If an unrestricted operating check is issued and not presented for payment by **March 31** of the following Fiscal year in which the check was drawn, the money shall be forfeited. (BOD 8/10)