



AMERICAN SADDLEBRED HORSE AND BREEDERS ASSOCIATION, INC.

COMPLAINT REVIEW AND DISCIPLINARY PROCEDURES

The processes and procedures set out in this Complaint Review and Disciplinary Procedures document (“Review Procedures”) apply to complaints brought under the American Saddlebred Horse and Breeders Association, Inc. (the “Association”) Member Code of Conduct, Registry Rules and Regulations, and other rules, policies, and prior rulings of the Association (collectively, the “Association Rules”). Member complaints of violations related to the Amended and Restated Bylaws of the Association are addressed in Article II, Part D. of the Bylaws.

1. *Jurisdiction.*

(a) Failure to renew Association membership or resignation of Association membership shall not be grounds for automatic dismissal or avoidance of a complaint.

(b) The Association shall not, unless there are exceptional circumstances, entertain complaints which involve any of the following:

(i) Private and/or contractual disputes between two or more persons that should properly be settled by a court of law or equity;

(ii) Rule infractions at competitions or other equine events where formal protest procedures are available as a means of filing violations of misconduct but have not been used;

(iii) Disputes which have been submitted to a court of law (or equity) or to an arbitration proceeding in which a court or arbitrator has made a final, non-appealable determination of facts in such a way that no violation would have occurred; or

(iv) Complaints brought by individuals who are not members in good standing of the Association.

Following the final resolution of any matter described in subsections (i), (ii), or (iii) above, such matter may then be the subject of a Review Procedures complaint.

(c) Unless there are exceptional circumstances, in the event a complaint has been filed with the Association involving a matter in which (i) a formal protest has been filed with the United States Equestrian Federation (“USEF”), (ii) the Center for SafeSport has jurisdiction, or (iii) it becomes the subject of litigation or arbitration, the Association shall stay all proceedings in that matter pending the final outcome of the protest procedure, litigation or arbitration. For purposes of any proceeding under these rules, the Association shall accept any final factual determination made by the protest-hearing body, court of law, or arbitrator.

(d) Notwithstanding the foregoing, the Association shall automatically reciprocally enforce any temporary or permanent suspension or ban imposed on any individual by USEF or the Center

for SafeSport without the filing of any complaint or further process under these Review Procedures.

2. Violations.

- (a) Any violation of Association Rules, including without limitation, the following:
 - i. Conviction under federal, state, or municipal law of cruelty, neglect, or other inhumane treatment of a horse, or the judicial confiscation of a horse.
- (b) Any commission, or aiding in the commission of, any violations of the Registry Rules and Regulations, including without limitation, the following:
 - i. Changing a Certificate of Registration;
 - ii. Forging any statement, form, certificate, court, or any other document presented to or filed with the Registry;
 - iii. Making a false, misleading, or fraudulent statement with regard to the age, sex, markings, foaling State or Country, breeding, pedigree, ownership, or transfer of a horse;
 - iv. Knowingly withholding a Breeder's Certificate or a Stallion Service Report when the stallion service fee has been paid, or knowingly withholding a transfer certificate from the legal owner of a horse;
 - v. Refusing upon reasonable request to assist the Association in locating or identifying or answering promptly and truthfully any inquiry concerning a horse or its ancestors which such person owns or controls and which has been registered with the Registry or for which an Application for Registration has been made;
 - vi. Failure of a stallion owner or manager to supply a Stallion Service Report to the Registry by the due date or making a false statement on the Stallion Service Report;
 - vii. Falsely representing a horse as a registered horse;
 - viii. Advertising or entering in any competition a horse registered with the Registry by a name other than that by which it is registered or under the ownership of anyone other than the owner of record;
 - ix. Refusal of an owner to permit DNA testing in accordance with Registry Rules requirements; or
 - x. Failure to submit required transfer documentation and fees for the sale of a registered American Saddlebred (or registered Half-Saddlebred) horse.
- (c) Committing any other act in violation of Association Rules or not in the best interest of the Association.

3. Rules and Conduct Committee

(a) The Rules and Conduct Committee is a subcommittee of the Governance Council of the Association. The Rules and Conduct Committee, comprised of not less than seven (7) members, is appointed by the President of the Association, from time to time and for the duration and terms as determined by the President. The members of the Rules and Conduct Committee may or may not be members of the Board of Directors; the President shall also designate a Chair of the Committee. Four (4)

members of the Committee shall constitute a quorum for transacting business, and a simple majority of the Rules and Conduct Committee shall be required for any action. Any vacancies, including temporary vacancies caused by recusal, on the Rules and Conduct Committee shall be filled by the President. All members of the Rules and Conduct Committee shall be Association members in good standing throughout their term(s) of office.

(b) If a member of the Rules and Conduct Committee has a business or personal conflict of interest with any of the parties to the complaint being reviewed, they must recuse themselves from the deliberations, but they may provide evidence or testimony.

4. Initiation of Complaints

(a) Complaints of violations of Association Rules shall be brought to the attention of the Association by submitting a written notice of complaint (*See – Exhibit A – Confidential Complaint Form*) and any supporting documentation to the Association's Executive Director.

(b) A person shall be a member of the Association to initiate a complaint. A person who has previously been a member of the Association but is not in good standing due to the failure to pay dues must first reinstate their Association membership. Individuals who have been expelled from membership may not initiate complaints.

5. Contents of Complaint – Exhibit A

(a) The complaint must be filed within 180 days of the complainant becoming aware that the conduct occurred.

(b) The complaint must contain the full name and address of the person or persons in possible violation and describe their relationship to the Association.

(c) The complaint must describe the particular facts and events and the location and date of the alleged infractions that the complaining party believes constitute violation of Association Rules.

(d) The complaint must state the specific Rules alleged to have been violated.

(e) The complaint shall name all witnesses to the actions if their names are known by the complainant.

(f) The complaint must include supporting documentation then in the possession of the complainant.

(g) The complaint must be signed by the complainant and include the complainant's address, phone number, and other contact information.

(h) The complaint must include a statement whether, to the best of the complainant's knowledge, the conduct that is the basis of the complaint has been or will be the basis for claims in any court of law, arbitration, or mediation or the basis of a protest or violations filed with another governing body.

(i) The complaint must be sworn to under penalty of perjury.

(j) The complaint must include the payment of the \$75.00 filing fee made payable to the Association; no filing fee is required if the complaint is filed by a member of the Board of Directors or an employee of the Association.

6. Processing of Complaints

(a) The Association's Executive Director, or in the case of Registry Rules and Regulations

matters, the Registrar, or other person appointed by the President of the Board of Directors, shall review all complaints to verify that the complaint information is complete and complies with the preceding sections. If a complaint is incomplete in any material respect, the complainant will be notified and given thirty (30) days to submit additional information and/or documentation. If requested information is not received by the deadline, the complaint will not be reviewed.

(b) Promptly after receipt of a properly filed complaint, the Association's Executive Director shall refer the complaint to the Rules and Conduct Committee and shall serve a copy of the complaint and accompanying materials on the respondent by personal delivery or by mail, postage prepaid, to the respondent's last known address as it appears in the Association's records. Service shall be deemed to have occurred when a copy of the charge is deposited in the U.S. mail.

(c) Within thirty (30) days after such service, the respondent shall file a response to the complaint, together with a list of the names and addresses of any witnesses that respondent contends have knowledge of the matter and copies of any relevant documents in the hands of the respondent and not supplied by the person making the complaint.

7. Review of Complaints; Hearings

(a) A complaint of violation of Association Rules shall be heard and decided by the Rules and Conduct Committee in accordance with this Section 7, and upon the finding of violation, may impose one or more of the penalties described in Section 9. The Rules and Conduct Committee shall keep written minutes of its proceedings, along with all submissions, documents, and transcripts of proceedings, which shall be available to the Board of Directors of the Association.

(b) At its discretion, the Rules and Conduct Committee may conduct an independent investigation of any charge of violation, may interview witnesses, and may present evidence concerning any charge.

(c) The burden of proving all alleged violations of Association Rules is on the individual submitting the complaint.

(d) Administrative Review. After the time for filing the response provided in Section 6 has expired, the Rules and Conduct Committee shall undertake a review of the charge to determine whether a hearing shall take place. In the event the Rules and Conduct Committee determines that no hearing is needed, the Rules and Conduct Committee shall decide the matter on the basis of the materials furnished by the parties and the results of any independent investigation, and either (i) dismiss the complaint, or (ii) impose any penalties it deems appropriate. When the Rules and Conduct Committee decides a matter without a hearing, it shall prepare a written ruling that includes its conclusions and any penalty imposed, a copy of which shall be served on the parties by the Association.

(e) Hearing. If the Rules and Conduct Committee determines a hearing should be held, the Executive Director shall serve written notice of the time and place of the hearing. No hearing shall be held less than thirty (30) days after service of such notice. All hearings shall be conducted before a quorum of the Rules and Conduct Committee. Members of the Rules and Conduct Committee who actively participate in any independent investigation shall not sit on the Rules and Conduct Committee when deliberating on a complaint, but may present evidence at the hearing.

(f) Attendance; Counsel. If a hearing is granted under subsection (3),

(i) The parties may attend the hearing and bring witnesses or present other evidence. If not a formal party to a complaint, the Association may also attend and

participate in any hearing, including bringing witnesses or presenting other evidence.

(ii) The parties (including the Association, if applicable) may be represented by counsel admitted to practice law in either the jurisdiction where the party resides or the Commonwealth of Kentucky. All counsel that desire to participate in a hearing shall file an appearance with the Rules and Conduct Committee no later than fifteen (15) days prior to the hearing.

(iii) The parties (including the Association, if applicable) shall serve on the other and file with the Rules and Conduct Committee a list containing the names and addresses of all witnesses who will testify on their behalf, at least seven (7) days prior to the hearing.

(g) Continuances. All applications for continuance of a hearing shall be in writing, setting forth the reasons that good cause exists for a continuance, and shall be filed with the Association at least ten (10) days prior to the scheduled hearing date. Motions for continuance will only be granted at the discretion of the Rules and Conduct Committee for good cause shown.

(h) Burden of Proof. The person (or the Association, in the case of complaints brought by members of the Board of Directors or employees of the Association) making the complaint has the burden of proof by a preponderance of the evidence.

(i) Record. A written ruling shall be made after each hearing which shall include the Rules and Conduct Committee's findings of fact, conclusions, and the penalties imposed, if any. The Association shall serve the parties with a copy of the written ruling.

(j) Verbatim Transcript. The Rules and Conduct Committee may make a verbatim audio, stenographic, or video transcript of the hearing. Any party may arrange for a transcript through the Association in advance of the hearing and one will be ordered for them and the Association at the expense of the party or parties requesting the transcript. If a transcript is ordered, it becomes part of the official record of the proceeding, cannot be cancelled after the hearing is held, and must be paid for by the requesting party or parties. If the Association itself requests and arranges for the transcript, copies will be provided by the Association to a requesting party or parties only upon payment by the party or parties to the Association of the cost to the Association of the transcript.

(k) Rehearing. A party may request a rehearing upon the discovery of facts not discoverable by due diligence prior to a hearing. Such requests shall be in writing, shall contain a statement of the facts upon which it is based and shall be submitted within ten (10) days of the receipt of the ruling. Rehearing will be granted only at the discretion of the Rules and Conduct Committee.

(l) Rulings Not Appealed. If neither party files a timely appeal under Section 8 below, the Rules and Conduct Committee shall report the determination to the Board of Directors and the penalties imposed shall be enforced and implemented by the appropriate employees of the Association and published on the Association's website (if applicable).

8. Board of Directors Appellate Procedure.

If a party files an appeal from the decision of the Rules and Conduct Committee, which must be filed within fifteen (15) days of the party's receipt of the Rules and Conduct Committee's ruling. The notice of appeal shall be accompanied by the filing fee of \$225.00 payable to the Association and shall specify the reasons for the appeal and the relief sought. The Board of Directors shall serve as the sole appellate body of the Association. The following procedure and

considerations shall be applied in appeals:

(a) No additional evidence or oral argument shall be received or considered by the Board of Directors, which shall base its review solely on the record transmitted by the Rules and Conduct Committee.

(b) A quorum of the Board of Directors shall review the appeal. Board Members who are Rules and Conduct Committee members shall recuse themselves from deliberating on any appeal. If a majority of the members of the Board of Directors hearing the appeal finds that the written findings of fact contained in the written ruling were not based on substantial evidence, or that the Rules and Conduct Committee's interpretation of the Association Rules is clearly erroneous, or that the Rules and Conduct Committee or Rules and Conduct Committee otherwise abused its discretion, the Board of Directors shall take one of the following actions: (i) modify the ruling of the Rules and Conduct Committee, (ii) reverse the ruling of the Rules and Conduct Committee, or (iii) request clarification or amplification from the Rules and Conduct Committee. Otherwise, the Board of Directors shall affirm the ruling of the Rules and Conduct Committee.

(c) The Board of Directors shall give significant weight to the ruling of the Rules and Conduct Committee, but are not bound by its rulings. The Board of Directors may consider whether an offense was intentional or whether it continued after prior disciplinary action.

(d) It shall be the general policy of the Association to be constructive with those who have committed unethical or unsportsmanlike acts, and to prevent their recurrence, however, this policy shall not be construed to prohibit the strongest sanctions available against those persons found to have committed unethical acts or unsportsmanlike conduct.

(e) Notice of the appellate decision will be communicated to the parties by the Executive Director. The determination of the Board of Directors is final and not appealable.

(f) At the conclusion of any review or hearing, and appeal, if any, the penalties imposed shall be enforced and implemented by the appropriate employees of the Association and published on the Association's website (if applicable).

9. Penalties and Sanctions.

(a) General Sanctions. Any person found to have committed any violation set out in Section 2 shall be subject to one or more of the following penalties:

(i) *Private censure/reprimand*. A letter of censure may be entered under such person's name in the Association's record of penalties.

(ii) *Public censure/reprimand*. A letter of censure may be posted to the Association's website.

(iii) *Denial of privileges*. A person may be denied all or part of Association privileges, including attendance at Association events, membership and/or participation in Association governance and committees, and serving as a representative of the Association.

(iv) *Award forfeiture*. Removal/forfeiture of awards and other name recognition from items associated with Association membership in good standing.

(v) *Suspension of Association membership*. Suspension may be for a set duration, or linked to another penalty or sanction, e.g., suspension of Association membership or the ability to transact Registry business until a monetary fine has been paid.

(vi) *Expulsion and/or bar from Association membership.* An expelled or barred person shall be permanently prohibited from membership in the Association.

(vii) *Monetary Fine.* A monetary fine in such amount as the Rules and Conduct Committee shall determine, which shall take into account the ability of the person to pay to monetary fine.

(viii) *Other Penalties.* Such other penalty or penalties as the Rules and Conduct Committee shall deem necessary or appropriate.

(b) Registry Rules Specific Sanctions. In addition to the general sanctions, a person found to have violated the Registry Rules and Regulations shall be subject to one or more of the following penalties:

(i) *Registry Suspension.* Such person may be suspended for any period of time from registering or transferring horses or from having any business with the Registry, as follows:

(A) Except as expressly provided herein, no horse shall be registered by or transferred into or out of the name of such person.

(B) No horse shall be registered which is either sired by a stallion or out of a mare owned by such person where the breeding date of the horse sought to be registered is during the suspension period.

(C) The Registry shall not accept the signature of such person on registration applications or Breeder's Certificates during the suspension period, nor on Stallion Service Reports evidencing breeding taking place during the suspension period.

(D) Such person's signature may be honored, however, on registration applications, Breeder's Certificates, Stallion Service Reports, transfer reports, and bills of sale for the purpose of allowing such suspended person(s) to transfer horses to bona fide purchasers and not made with the intention of circumventing the suspension.

(E) Written leases filed with the Registry prior to the time of suspension covering horses owned by the suspended person shall be valid and the signature of the lessee shall be accepted during the term of such lease for all purposes other than renewal of the lease or transfer of the registration.

During the suspension, failure to comply with such restrictions may constitute grounds for further disciplinary action.

(ii) *Required DNA Testing.* DNA testing of any or all of the horses currently or previously recorded in such person's name at such person's expense by a laboratory recognized by the Registry.

(iii) *No Issuance or Transfer of Certificates of Registration.* The Registry may refuse to issue or transfer Certificates of Registration in the name of such person and any other person affiliated with such person. For purposes of this subsection, "affiliated with" means directly related to (parent (including step), child (including step), spouse (or domestic partner or cohabitant), or sibling (including step or half)), and any entity owned by or under common control with, such person.

(c) Temporary Registry Suspension. The Registrar may temporarily suspend any person whom a charge has been filed against from conducting any business with the Registry for a period not exceeding ninety (90) days from the filing of the charge or until the charge is reviewed

by the Rules and Conduct Committee, whichever is sooner. The Rules and Conduct Committee may, at its discretion, terminate or extend the suspension for a further period not to exceed ninety (90) days. If the charge involves the validity of information contained on a registration certificate, the Recorded Owner shall return the registration certificate to the Registrar upon request pending final determination of the validity of the information contained in it.

10. General Notification Procedure.

Every notice required under this these Review Procedures may be served by delivering a copy to the person to be served, either in person or by mail, postage prepaid, to his or her last-known address as it appears on the Association’s records; upon depositing in the U.S. mail or with a nationally recognized delivery service (e.g., UPS, FedEx), such notice shall be deemed served upon such person. It is the duty of each person to be served to ensure that such person’s correct address is contained in the Registry database.

11. Application of Rules.

The construction and application of the provisions of these Review Procedures are governed by the laws of the Commonwealth of Kentucky.

Amendment History

Approved and adopted by the Board of Directors of the Association on December 16, 2024.



**AMERICAN SADDLEBRED HORSE AND BREEDERS ASSOCIATION, INC.
Complaint Review and Disciplinary Procedures**

Exhibit A

Confidential Complaint Form

Provide complete information. Use additional sheets of paper if needed.

Include payment of \$75.00 filing fee.

Date: _____

Name and Address of Complainant:

Telephone No. _____ Email Address: _____ ASHBA No. _____

Name and Address of Member Who Allegedly Violated Association Rules:

Telephone No. _____ Email Address: _____

Date, Time and Location Violation Occurred: _____

Description of Alleged Violation: _____

Specific Rules Violated: _____

Names and Contact Information of Witnesses and Others with Relevant Information:

Is law enforcement or another governing body (e.g., USEF, SafeSport, UPHA) involved in investigating this matter? If yes, provide details.

Has a civil lawsuit been filed regarding the same parties and/or facts? _____ If yes, provide details.

Provide any other information or details that would be helpful to the investigation and resolution of this matter:

I declare that, to the best of my knowledge and belief, the information herein is true and complete. I understand this statement is made for use as evidence in a disciplinary process and is subject to penalty for perjury.

Signature: _____

Printed Name: _____

Date: _____

Filing Fee: \$75.00

Method of Payment: <i>(3% credit card fee will be added to all ASHBA credit/debit card transactions)</i>		TOTAL DUE: \$ _____
<input type="checkbox"/> Check # _____	<i>OR</i> Visa, MasterCard, AMEX, Discover	
Credit/Debit Card #: _____	Exp. Date: ____/____ (month/year)	
Cardholder's Name: _____		

**Return completed form and payment by email info@saddlebred.com, fax 859-259-1628 or mail to:
ASHBA, 4083 Wing Commander Way, Suite 50, Lexington, KY 40511**