

Variance Application

The board of directors of the Appaloosa Horse Club passed the following motion to create rule 613, effective immediately.

613. The ApHC CEO, with written approval of at least a two-thirds (2/3rds) majority of the ApHC Executive Committee, may, in their sole and absolute discretion, grant variances and/or other appropriate relief from strict compliance with ApHC approved and/or sponsored show, point, qualification, class, open, non-pro and/or youth rules and regulations only upon clear and convincing proof, supported by sworn affidavit(s) detailing the circumstances necessitating the variance request, that but for, (i) the effect of nature or natural causes that could not have been prevented by the exercise of foresight or caution, or (ii) other extraordinary circumstances beyond the affected person's control and occurring without the affected person's delay, carelessness, irresponsibility, fault or negligence, such strict compliance was reasonably possible and that the affected person took reasonable steps and action to avoid failure and/or delay of such strict compliance and that the affected person timely notified the ApHC of the likelihood and/or actual occurrence which is claimed as the reason for requesting such variance.

In order to apply for such a variance, the member must submit a written affidavit, *signed by the petitioner and notarized*, that includes the following information:

1. Identification of the ApHC rule from which the member seeks a variance from strict compliance including specific details regarding the variance being sought.
2. Description of efforts undertaken to comply with rule as contained in the current ApHC Handbook.
3. Description of (i) the effect of nature or natural causes that could not have been prevented and/or (ii) other extraordinary circumstances beyond the affected person's control that made compliance difficult or impossible.
4. Statement from the petitioner that the information provided is true and accurate to the best of their knowledge
5. Any additional supporting documentation, if applicable.

This information should be sent by fax, email or regular mail to the ApHC office to the attention of Steve Taylor, CEO. Upon review by the Executive Committee, you will be notified of the final decision.