

ELECTIONS

Membership Meetings, Annual Meeting, Election of Directors and Membership Votes

01-01-2023

- 1) The Association will hold an Annual Meeting of the membership to elect Directors and to conduct Association business.
- 2) The Board of Directors consists of five Directors. Directors are elected for two (2) year terms. In years ending in even numbers, three (3) Directors are elected. In years ending in odd numbers, two (2) Directors are elected.
- 3) Director/Candidate Qualifications:
 - a. Must be a Member of the Association at the time of nomination.
 - b. Must be a natural person, not a corporation or a trust. A corporation or trust may be represented by the appointment of a natural person, including a trustee if a trust or natural person appointed pursuant to a corporate resolution.
 - c. Candidates for election to the Board of Directors shall be disqualified for any of the following reasons:
 - i. If a Member for less than 1 year at the time of nomination.
 - ii. If the Candidate discloses or the Association becomes aware of a past criminal conviction that either prevents the purchase of fidelity bond coverage or terminates the existing fidelity bond coverage should the person be elected. The Association shall have no obligation to investigate the background or possible history of any candidate.
 - iii. If the Candidate would be serving on the Board at the same time as someone else on title for their separate interest and the other person is properly nominated or an incumbent director.
 - iv. A member who is delinquent in the payment of the regular assessments and special assessments (not including nonpayment of fines, fines renamed as assessments, collection charges, late charges, or costs levied by a third party) is not qualified to be a nominee. Likewise, directors shall not be more than sixty (60) days delinquent in the payment of the regular assessments and special assessments. A member shall not be disqualified for failure to be current in payments of the regular assessments and special assessments if either of the following circumstances is true: The member has paid the regular common assessments or special assessments under protest pursuant to Civil Code section 5658; the member has entered into and is in compliance with a payment plan pursuant to Civil Code section 5665; or prior to disqualifying any member from being a nominee, the Association omitted to offer the member an opportunity to engage in internal dispute resolution pursuant to Civil Code section 5900 et.Seq.
- 4) The Board of Directors will appoint a nominating committee approximately 110 days prior to the Annual Meeting date, for the purpose of placing names into nomination for election to the Board pursuant to the Association's Bylaws. The Association will send out to all members a request-for-candidates form, seeking candidates for the Board, approximately 105 days prior to the Annual Meeting date. All forms must be completed by the candidate and must be received by the Association by the deadline stated in the form in order for a candidate's name to appear on the Notice of Annual Meeting and the

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Ballot. If the fully completed form is not received by the Association by the deadline date, a candidate may still be nominated by himself, herself or by someone else from the floor of the Annual Meeting or by submittal of a written nomination to the Inspector(s) of Election prior to the deadline described in Rule 5 below. Nominations will be valid so long as the nominee has either nominated himself/herself or provides written notice of acceptance of the nomination prior to the close of nominations. Nominations may also be made by a petition delivered to any officer of the Association, signed within eleven (11) months prior to the Annual Meeting by at least two percent (2%) of the voting power of the Association, pursuant to the Association's Bylaws.

- 5) The Association may, but need not, provide individual notice of the election and procedure for nominating candidates, at least ninety (90) days before the deadline for submitting nominations, stating (i) the number of positions to be filled, (ii) the deadline for submitting nominations, (iii) the manner in which nominations can be submitted, and (iv) a statement that if, at the close of nominations, the number of candidates does not exceed the positions to be filled, the Board of Directors may vote to elect those candidates by acclamation without balloting. Between seven (7) and thirty (30) days prior to the deadline for nominations, the Board may, but need not, send a reminder notice including these statements, and a list of all qualified candidates.
- 6) The Board of Directors may (but is not required to) approve a motion to elect the qualified candidates by acclamation if: (i) following the deadline to submit nominations (per Rule 5, above) the number of qualified candidates does not exceed the number of open seats; (ii) the Association has sent the individual notices required by Rule 5, above; (iii) the Association has held a regular election for directors within the past three (3) years; and (iv) the agenda for the meeting where the motion and includes the name of each qualified candidate.
- 7) The candidacy form will include the opportunity for each candidate to submit a 150-word written statement which is reasonably related to the election, including advocating a point of view. Candidate's statements will be included with the Association's mailing of the Notice and Ballot materials. The Association will not edit or redact these statements but may include a statement specifying that the candidate is responsible for that content.
- 8) Meet the Candidates Night - The Association will hold an informal gathering not less than 15 days prior to the Annual Meeting. All candidates may participate, including those who did not submit a candidate's form but who have advised the Association of their intention to be nominated from the floor of the Annual Meeting. Each candidate may give an oral statement of his/her qualifications of no longer than five minutes per candidate. Questions may also be directed to any candidate by the members present at the meeting. The candidates are not required to attend the Meet the Candidates Night, to make a statement, or to answer questions but are encouraged to do so.
- 9) Secret Ballots: The Association will utilize a secret ballot process, which is now required by California law, as described below, for:
 - a) A vote of the membership regarding assessments legally requiring a vote per Civil Code Section 5605(b)
 - b) Election and removal of members of the Association's Board of Directors
 - c) Amendments to the governing documents
 - d) Grant of exclusive-use common area property pursuant to Civil Code Section 4600

- e) Any other membership votes, including removal of directors, which may be required or allowed by law.
- f) The Association's Annual Meeting will be set by the Board to occur each year on a date and at a time in the month of May. The Association will send out a Notice of Annual Meeting/Instructions for Voting, not less than thirty (30) days nor more than ninety (90) days prior to the deadline for voting, which will advise all members of times when polls will open and close. The Notice will also state the dates and times when the members and candidates may attend the Annual Meeting and/or Board of Directors' meeting to witness the inspectors' registration, review, count and tabulation of the Ballots. The notice may also state the specific dates and times at which access to common area meeting space will be made available to all candidates and members advocating a point of view at no charge for purposes reasonably related to the election.
- g) Other meetings of the members ("Special Membership Meetings") may be noticed and held by the Association to vote on matters which are proper for member vote. The Board may also determine not to notice/hold membership meetings for votes on matters, except for election and removal of directors/annual meetings, and may conduct the vote by secret ballot process and have the ballots counted and tabulated at a regular open Board meeting.
- h) The Directors must be elected by secret ballot and cannot be elected by voice vote or show of hands at the Annual Meeting.
- i) Other business at the Annual or other membership meeting, such as approval of minutes, motions to close registration, motions to cease balloting, motions to adjourn and other parliamentary procedures required by a recognized system of parliamentary procedure may be conducted by a show of hands, voice vote or other recognized method, including a roll call vote.
- j) All membership meetings and votes will be conducted in accordance with the Association's Governing Documents and California Corporations and Civil Codes, as appropriate.
- k) Members will have one vote per Lot owned. In no event shall more than one vote be cast with respect to any particular Lot.
- l) Cumulative voting is not permitted pursuant to the Association's Bylaws.

Inspector(s) of Election

01-01-2023

- 1) One (1) or three (3) inspector(s) of election ("Inspector(s)") will be selected and appointed by the Board of Directors at an open Board meeting, approximately ninety (90) days prior to the date of the Annual Meeting, other membership meeting or vote.
- 2) The Board may, but is not required to, select non-member third parties as the Inspector(s), which may include, but are not limited to, a volunteer poll worker with the County registrar of voters, a licensee of the California Board of Accountancy, or a notary public.
- 3) The Board will not select as an Inspector, a member of the Board of Directors, a candidate for the Board of Directors, a relative of a member of the Board or of a candidate, or a person currently employed by or under contract to the Association for other compensable services other than serving as Inspector(s).

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- 4) The Board may determine to pay compensation to the non-member third party Inspector(s), if any. If the Board determines to appoint and pay an independent third party, the Board will require the following terms to be met by the independent third-party Inspector(s):
 - a) A formal written contract for the Inspector(s) to be hired as independent contractor(s);
 - b) The Inspector(s) will maintain insurance with at least \$1 million CGL coverage, including completed operations coverage, and \$1 million D&O/E&O (naming the Association and its management company as additional insured's on both policies);
 - c) The Inspector(s) shall receive and store election envelopes and ballots for at least twelve (12) months, then turn the documents over to the Association;
 - d) Contract to require independent third-party Inspector(s) to indemnify Association if independent third-party Inspector(s) is grossly negligent or commits malicious and/or willful misconduct.
- 5) If an Inspector is unwilling to, unable to, or does not, perform his/her duties as stated in these rules, or becomes ineligible to be an Inspector at any time after appointment the Board may remove that Inspector without notice, and may appoint another Inspector in his/her place.
- 6) Inspector(s)' Duties:
 - a) Make corrections to the candidate registration list and voter list;
 - b) At least thirty (30) days before an election, deliver to each member (or cause to be delivered) a Ballot or Ballots and a copy of these Rules. Delivery of these Rules may be accomplished by: posting these Rules to the Association's internet website and including the corresponding internet website address on the Ballot together with the phrase, in at least 12-point font: "The rules governing this election may be found here."; or via individual delivery as specified at Civil Code Section 4040.
 - c) Determine number of memberships entitled to vote and the voting power of each;
 - d) Determine the authenticity, validity, and effect of proxies, if any;
 - e) Receive Ballots and proxies, if any;
 - f) Hear and determine all challenges and questions in any way arising out of or in connection with the right to vote;
 - g) Count and tabulate all votes;
 - h) Determine when the polls shall close;
 - i) Determine the results of the election;
 - j) Perform any acts as may be proper to conduct the election with fairness to all members, in accordance with California law and these rules;
 - k) All duties must be performed in good faith, to the best of the Inspector(s)' ability, and as expeditiously as practical, and in a manner that protects the interest of all members;
 - l) Prior to the mailing of the Ballots by the Association, the Inspector(s) will determine the location where the sealed ballots will be mailed or delivered and where the Inspector(s) will maintain custody of the sealed ballots before and after the tabulation of the vote by the Inspector(s). The Inspector(s) may select the Association's management company or a private post office box to receive the sealed ballots on behalf of the Inspector(s). Where the Inspector(s) are volunteers, the Association's management company or a private post office box shall be the preferred receipt and storage location. Management will not organize, register, open, review or count the

ballots. The Inspector(s) will not select his/her/their own residences as the location where the ballots will be mailed/received. Professional Inspector(s) may designate their business address as the location where the ballots will be mailed/received.

- m) In the event of an election challenge, the Inspector(s) shall, upon written request, make the Ballots available for inspection and review by an Association Member or Member's authorized representative. In order to protest the security of the Secret Ballot, one or more Association representatives must be present during such review.
- 7) The Inspector(s) may appoint additional personnel to assist them in their duties, including registration, counting and tabulating, but the Inspector(s) will oversee and be responsible for all actions of such personnel. Any additional persons appointed to assist the Inspector(s) must meet the qualifications stated above. Only the Inspector(s) may sign the Inspector(s)' report of the election, but additional persons must sign an oath regarding his/her/their duties.
- 8) If there are three Inspectors, the decision to act must be by a majority of the Inspectors and is effective, in all respects, as the decision of all.
- 9) The Inspector(s)' report of the election shall be prepared for all votes, and once signed to certify the election, is prima facie evidence of the facts stated in the report.

Association Election Material

01-01-2023

- 1) Voter List: A voter list shall be prepared. The voter list shall include name, voting power and either the physical address of the voter's separate interest, the parcel number, or both. The mailing address for the Ballot shall be listed on the voter list if differs from the physical address of the voter's separate interest or if only the parcel number is used.
- 2) Candidate Registration List: A candidate registration list shall be prepared with names and addresses of individuals nominated as candidates for election to the Board of Directors. Other candidates may later announce their intention to be a candidate as provided in the Governing Documents and these Rules, including nomination from the floor of the Meeting/Election.
- 3) The Association shall permit Members to verify the accuracy of their individual information on the candidate registration list and voter list at least thirty (30) days before Ballots are distributed. The Association or Member shall report any error or omissions to either list to the Inspector(s) of Election who shall make any correction within two (2) business days.

Secret Ballot Process

04-01-2020

- 1) At least thirty (30) days before the Ballots are distributed, the Association shall provide general notice of the date and time by which, and the physical address where, Ballots are to be returned by mail or handed to the Inspector(s); the date, time, and location of the meeting where the Ballots will be counted; and the list of candidates that will appear on the Ballot.
- 2) At least thirty (30) days prior to the Annual Meeting, other membership meeting, or vote taken, the Association will mail to members by first-class mail, the Ballots, along with two pre-addressed envelopes. The Annual Meeting date, other membership meeting date, or deadline date for other votes taken without a meeting

will be considered the due date for completed ballots to be received by the Association. A Notice of Meeting will also be sent which will include instructions on how to return Ballots.

- 3) The Ballot itself will not identify voter by name, address, Lot and Tract, parcel number or unit number, or other identifying information.
- 4) The Ballot and Notice will contain the names of any candidates known to the Association at the time the Ballot/Notice is mailed. If no candidates are known or if there are less candidates than the number of directors to be elected, the Association will send out a Ballot which has the names of the candidates known and/or blank lines for write-in candidates.
- 5) Any write-in candidate must be nominated from the floor of the Annual Meeting, by himself, herself or another member, or by written notice which is received by the Inspector(s) prior to the close of nominations, and must be present at the Annual meeting to accept the nomination or have sent written acceptance of the nomination to the Association in advance.
- 6) The Ballot itself is not signed by the voter but is inserted into an envelope which is pre-addressed to the Inspector(s) (Envelope #1).
- 7) The voter then seals Envelope #1 and inserts Envelope #1 into a second pre-addressed envelope (Envelope #2) which is then also sealed by the voter.
- 8) In the upper left-hand corner of Envelope #2, the voter shall sign his or her name, indicate his or her name, and indicate the address or other property identifying account number or Lot and Tract number that entitles him or her to vote. A proxy holder voting on behalf of a member at a meeting shall indicate the name and address or other property identifying account number or Lot and Tract number, of the proxy giver in the upper left-hand corner of Envelope # 2 but shall sign the proxy holder's name on Envelope # 2.
- 9) The owners of multiple properties must submit separate Ballots in separate sealed Ballot Envelopes #1 and #2 for each property owned.
- 10) Envelopes #1 and #2 are pre-addressed to the Inspector(s) at the location selected by the inspector(s).
- 11) Ballots may be mailed to the selected address or delivered by hand by the member to the location selected by the Inspector(s).
- 12) The member may request a receipt for hand delivery of the sealed Envelope #2 to the location selected by the Inspector(s). Any member desiring a receipt for mail delivery should send the Ballot by certified mail, return receipt requested, to the location selected by the Inspector(s).
- 13) Only the Association's Ballots and envelopes which are sent out to the membership by the Association or are provided by the Association at the membership meeting will be accepted by the Inspector(s).

Proxies

02-26-2007

- 1) The Association will not send out a proxy for the annual meeting or other membership vote. Proxies will be accepted only if those proxies are determined by the Inspector(s) to meet the requirements of the Bylaws, the California Corporations Code and the California Civil Code. Proxy holders shall not be given Ballots pursuant to proxies until after the time that all proxies and Ballots (except for those Ballots to be distributed pursuant to proxies) have been registered, and the proxy has been upheld as valid.
- 2) Any instruction given in a proxy that directs the manner in which the proxy holder is to cast the vote must be set forth on a separate page of the proxy that can be detached and given to the proxy holder to retain.
- 3) The proxy holder must be a member and must be present in person at the meeting and shall cast the proxy giver's vote by secret ballot at the meeting, unless the proxy is revoked by the proxy giver prior to the Inspector(s) receipt of the Ballot cast by the proxy holder. If the proxy holder is not present at the meeting, the proxy shall not be valid for any purpose.
- 4) Any member, or authorized representative of a member, who gives another member the member's proxy, does so with the full understanding that the Association and Inspector(s) will not be responsible for ensuring that any proxy holder votes the proxy in accordance with the proxy giver's direction. The Inspector(s) cannot verify or observe how the proxy holder marks the proxy giver's/ member's ballot.
- 5) Any proxies previously distributed by the Association for quorum purposes only, including general proxies, will be valid and accepted by the Association until their expiration.

Effect of Submitting Ballot

02-26-2007

- 1) Once a member mails or delivers his/her Ballot, that Ballot cannot be changed or revoked.
- 2) Only one Ballot may be submitted for each address. Once a member submits a Ballot with regard to a particular address, no other Ballot or proxy may be submitted for that property. Should more than one Ballot be submitted with regard to a particular property address, the Ballot which was earliest received shall be counted for that property. If it cannot be determined which Ballot was earliest received, no Ballot will be counted for that property.

Registration of Secret Ballots at the Meeting

02-26-2017

- 1) The Association will have the membership registration list at the membership meeting.
- 2) Management will not register or open any of the Ballots or proxies received by the Association. Opening of the Ballots will be performed by the Inspector(s) at a duly noticed membership or Board meeting in front of any members or candidates who may wish to witness the opening of the Ballots or Proxies.

- 3) All Ballots must be sealed in the two sealed pre-addressed Envelopes and contain all required information on the upper left-hand corner of Envelope #2.
- 4) If a member brings ballots for other members to a membership meeting, the Ballots must be sealed in separate individual Envelopes #1 and #2 as required above. The Inspectors will register and make all necessary determinations regarding those sealed Ballot Envelopes.
- 5) The Inspectors will review the information provided on the upper left-hand corner of Envelope #2. The Inspectors will require, at a minimum, the following:
 - a) The member must sign his/her name and indicate his/her name on Envelope #2, (or, where voting by proxy the proxy giver's name), it must be legible and must match the name of at least one of the record owners of the property as shown on the Association's membership list;
 - b) The member's (or, in the case of a Ballot cast pursuant to proxy, the proxy holder's) signature must be on Envelope #2;
 - c) The property address or other property identifier shown on Envelope #2 must correspond to the member's (or, in the case of a Ballot cast pursuant to proxy, the proxy giver's) property address on the Association's membership list;
 - d) If these requirements are not met, the envelope/Ballot will not be valid for any purpose, including quorum, and will not be registered.
 - e) The Inspector(s) will determine whether the failure to include any information on Envelope #2 should result in the Ballot being counted for quorum purposes only, or not counted for any purpose.
 - f) If an owner fails to put a Ballot in the two sealed envelopes, and sends/delivers empty Envelopes, the Envelopes will not count for any purpose, including quorum.
 - g) Verification of information on the outside of Envelope #2 may be performed by the Inspector(s) or his/her/their designees prior to the meeting of the Board or membership, or deadline for voting.

Registration of Members in Person

04-01-2020

- 1) A member wishing to vote in person at the membership meeting must present himself/herself at the registration table. The holder of a general power of attorney for a member must present the original, signed, notarized general power of attorney and identification to show that he/she is the attorney-in-fact and that the general power of attorney authorized the attorney-in-fact to act with regard to Association related matters.
- 2) A member may not revoke any previously mailed or delivered Ballot, or any Ballot cast by the member's proxy holder prior to revocation of the proxy, if the Inspector(s) confirm that Ballot was received by the Inspector(s). A member may attend the meeting but will not be given a new Ballot to vote at the meeting if the Association has received a Ballot for that property address.

- 3) If a Ballot has not been previously received by the Inspector(s) for a particular address, a member in attendance at the meeting will be given a Ballot along with two envelopes to mark and cast in secret at the membership meeting. The Inspector(s) will mark the registration list to memorialize that the member received a Ballot at the membership meeting. A person with general power of attorney for a member will not be denied a ballot. Such Ballots may, at the discretion of the Inspector(s), be on paper of a color different than the color used for Ballots cast by mail. Such Ballots will only be counted at any adjourned meeting if properly placed in Envelopes # 1 and # 2, and if they are otherwise valid pursuant to these election rules.
- 4) Members voting in person at the meeting must still use Envelopes #1 and #2, and Envelope #2 must be filled out, sealed and signed. Failure to use the two-envelope system at the meeting may lead to invalidation of the Ballot cast at the meeting and shall prevent the Ballot from being counted at any adjourned date if the meeting is adjourned for lack of a quorum.

Registration of Proxies/Determination of Quorum

02-26-2007

- 1) If a person brings proxies to the membership meeting, the Inspector(s) will review and make all necessary determinations regarding those proxies, including the validity of those proxies.
- 2) The Inspector(s) will determine prior to or at the meeting, based upon the count of the number of members voting in person, by proxy, or by a mailed or delivered Ballot as shown on the registration list, that quorum has been obtained.
- 3) The quorum consists of not less than fifty percent (50%) of the voting power of the membership. At an adjourned meeting, the quorum shall be one-half (1/2) of the required quorum at the preceding meeting.
- 4) If a member has cast a Ballot by mail or delivery which is received by the Inspector(s) prior to the Inspector(s)' receipt of a Ballot cast by the member's proxy holder, the member's Ballot will supersede and control over any proxy submitted or any Ballot later cast by the member's proxy holder. A member may revoke a proxy at any time prior to the Inspector(s)' receipt of a Ballot submitted by the member's proxy holder.
- 5) Upon determination that a quorum has been obtained, the Inspector(s) may close registration at the polls.

Adjournment for Lack of Quorum

02-26-2007

- 1) Any Ballots which are cast in person at the Annual Meeting and put directly into the ballot box without Envelopes #1 and #2 for that meeting will not be counted at or used for any adjourned meeting. Ballots which are put directly into the ballot box or received by the Inspector(s) in properly completed, sealed Envelopes #1 and #2 will be valid for adjourned meetings.
- 2) The Ballots will be counted during duly noticed Board or membership meetings. The Inspector(s) may request that any meeting be recessed to allow the Inspector(s) to

complete the counting and tabulation of the Ballots at another time. Notice of the recessed meeting will be given to all members and candidates of the location, dates and times when the counting and tabulation will be performed. The Inspector(s) will continue to maintain custody of all Ballots until the counting and tabulation is complete.

Observation/Custody of Ballots, Etc.

01-01-2023

- 1) Any candidate or other member of the Association may witness the opening of the sealed Ballots, proxies (if any), and the counting and the tabulation of the votes.
- 2) No person, including any member of the Association, any employee or manager, may open or otherwise review any Ballot prior to the time and place at which the Ballots are counted and tabulated by the Inspector(s). Inspector(s) can cause the removal of any observer who interferes with or disrupts the counting or tabulation process. The Inspector(s) may perform such other acts as may be necessary to conduct the election or balloting in fairness to all members and in accordance with applicable law and rules of the Association. They may appoint persons to assist in performing any of the above duties. Any such persons shall meet the qualifications for appointment as an Inspector of Elections.
- 3) The sealed Ballots at all times will be in the custody of the Inspector(s), and for twelve (12) months until after the tabulation of the votes at which time custody shall be transferred to the Association.

Consultation with Association Counsel

02-26-2007

The Inspector(s) will have the authority to confer with Association legal counsel in advance of or at the meeting. Legal counsel represents the Association and does not represent the members, Inspector(s), Board members, management or any other person. By the adoption of these rules, Association legal counsel has been authorized by the Board of Directors to provide advice to and to waive the attorney-client confidential communication privilege as determined necessary or prudent by the attorney to inform and advise the Inspector(s) regarding issues related to the Inspector(s) performance of their duties for the Association. The Inspector(s) may confer with Association legal counsel outside the presence of the members.

Nomination/Balloting

02-26-2007

Once registration for the polls has been closed, if a quorum is present, the membership meeting may proceed with nominations from the floor, followed by balloting, etc.

Tabulation, Counting, Inspector's Conduct

04-01-2020

- 1) The Inspector(s) may register, and open the sealed Envelopes and begin the count and tabulation of the ballots at any time, at any duly noticed membership meeting, Board meeting, or series of noticed meetings, which will be held before the date of the actual Membership Meeting date. The ballot of a person with general power of attorney for a member will be counted if returned in a timely manner.
- 2) The Inspector(s) may open, count and tabulate the Ballots at any duly noticed board or membership meeting, even though quorum has not been reached, if the Inspector(s) have registered the Ballots on the membership list.
- 3) If the Inspector(s) open the envelopes and determine that there is no Ballot in an envelope, then the Inspector(s) will so indicate on the registration list next to that owner's name that no Ballot was received. If a member then attends the Annual Meeting, they will be given a Ballot, but the empty Envelope will not be counted towards a quorum.
- 4) Members and candidates may witness the counting and tabulation from a distance of no less than six feet from any Inspector.
- 5) The Inspector(s) will not provide members or candidates with information, will not answer questions, or engage in discussion, and will not provide any interim counts or tabulations. Inspectors will only provide the members, candidates or Directors with a final count and tabulation.
- 6) Members and candidates may not communicate with the Inspector(s) during the inspection, opening, counting or tabulation process.
- 7) Any witness or observer may be ejected or removed by the Inspector(s) for disruptive, noisy, or rude behavior.
- 8) Any Ballot must be legible and clearly marked. If the ballot is marked to cast more votes than the maximum number of votes for that election, no votes will be counted, and the Ballot will be used for quorum purposes only.
- 9) If a Ballot is signed or other identification is written on the Ballot by the owner, the Inspector(s) will count the Ballot. However, the Association will not protect the owner's privacy and will not be responsible for redacting that information in the event a recount or review of the Ballots is requested.
- 10) Inspector(s) will certify the results of the Membership election by completing a written report of the Inspector(s).

After Tabulation

04-01-2020

- 1) Results of the election shall be announced and be promptly reported to the Board of Directors and recorded in the minutes of the next meeting of the Board.
- 2) Results shall be available for review by all members after the certification of the membership meeting by the Inspector(s).
- 3) Tie Votes: The vote to break the tie may be taken at the same meeting where the tie was determined. Ballots will be distributed to the members present and to any proxy holders of valid proxies at the meeting. Said vote shall be conducted in accordance with the procedures herein; to the extent they are applicable to a run-off vote. No previously cast ballots or proxies will be used at the meeting to break the tie.

- 4) Within 15 days of the election, the Board shall publicize the results of the election in a communication directed to all the members.
- 5) If the Inspector(s) are professional Inspector(s), they shall store the election records for twelve (12) months after the election, and then transfer the records to the Association. If the Inspector(s) are homeowners or volunteers, they agree to delegate to the Association the responsibility for keeping the election records on behalf of the Inspector(s).
- 6) The Ballots and the envelopes, along with the registration list, will be stored by the Association in a secure place for no less than five years after the date of the election.
- 7) In the event of an election challenge and upon receipt of a written request from a member, the Association will make the Ballots available for inspection and review by Association members or their authorized representatives. In order to protect the security of the Ballots, one or more Association representatives must be present during such review. Any recount shall be conducted in a manner that shall preserve the confidentiality of the vote. However, the Association will not be responsible for redacting or otherwise protecting any identification/other information which is written on a Ballot by a member.
- 8) The Voter List, Candidate Registration List, returned ballots, signed voter envelopes, and proxies are Association Election Materials, which may be reviewed and copied by Owners, except that signed voter envelopes may be inspected but not copied.

Access to Association Facilities and Communication/Use of Association Funds

02-26-2007

- 1) If any candidate or member advocating a point of view is provided access to any Association media, including newsletters, Internet web sites, or other Association publications during any campaign, for purposes that are reasonably related to that election, then all candidates and members advocating a point of view shall be provided with equal access for purposes reasonably related to that election.
- 2) The Association shall not edit or redact any content from the communications of candidates and members advocating a point of view but will provide a statement specifying that the candidate or member, not the Association, is responsible for that content.
- 3) Access to common area meeting space will be made available to all candidates and members advocating a point of view, for purposes reasonably related to the election, at no charge. The Association may set forth specific dates and times at which such access will occur in the Notice of the membership meeting.

Other Election Rules

02-26-2007

These Election Rules shall supersede any prior Election Rules adopted by the Association.