

Park Mediterrania Owners Association

Election and Voting Rules

(Adopted October 8, 2020)

These Election and Voting Rules (these "*Election Rules*") have been adopted by the Board of Directors of Park Mediterrania Owners Association (the "*Association*"), in accordance with applicable statutory requirements. These Election Rules shall apply only to votes cast directly by the Membership and are intended to comply with Sections 5100 through 5145 of the California Civil Code,

I. Definitions

- A. Whenever used in these Election Rules, the following capitalized terms shall have the following meanings:
1. The term "*Act*" shall mean the Davis-Stirling Common Interest Development Act at California Civil Code Section 4000, et seq.
 2. The term "*Board*" or "*Board of Directors*" shall mean the board of directors of the Association.
 3. The term "*Bylaws*" shall mean the bylaws of the Association.
 4. The term "*Candidate*" shall mean a candidate for election to the Association's Board of Directors, including both incumbents and nonincumbents.
 5. The term "*Campaign*" shall mean the period of sixty (60) days prior to an election to advocate for purposes reasonably related to that election.
 6. The term "*Director*" shall mean a person who serves on the Board of Directors of the Association.
 7. The term "*Governing Documents*" shall mean the governing documents of the Association, including, without limitation, (1) the Bylaws, (2) the Covenants, Conditions and Restrictions, with amendments, if any, and (3) any rules, regulations and policies adopted by the Board from time to time that apply generally to the conduct of the business and affairs of the Association.
 8. The term "*Inspector*" or "*Inspector of Elections*" shall mean an independent third party acting as the inspector of elections in all Association election by Members conducted by Secret Ballot, as hereafter defined.
 9. The term "*Member*" or "*Members*" shall mean a member of the Association.

10. The term "*Secret Ballot*" shall mean a ballot used in all Association elections by Members.
- B. Other capitalized terms used in these Election Rules shall have the same meanings given to them in the Governing Documents, unless otherwise defined herein. Capitalized terms used in these Election Rules not defined herein or in the Governing Documents shall have the meaning as defined in the Act.

II. Equal Access

- A. Any Candidate, or Member advocating a point of view including those not endorsed by the Board shall be provided equal access to Association media, newsletters, or Internet Web sites during a Campaign. The Association shall not edit or redact any content from communications by a Candidate or a Member, but the Association may include a statement specifying that the Candidate or Member, and not the Association, is responsible for that content. The Association shall not be responsible for the content of Candidate or Member communications, regardless of whether such a statement is included.
- B. Access to common area meeting space, if any exists, shall be made available during a Campaign, at no cost, to all Candidates, including those who are not incumbents, and to all Members advocating a point of view, including those not endorsed by the Board, for purposes reasonably related to the election. Such access, as may be applicable, shall be made available upon the request of a Candidate or Member, and shall be scheduled at a reasonable time(s) by the Board, the Association's President or the Association's managing agent.

III. Qualifications for Candidates

- A. An individual shall not qualify or act as a Director or Candidate if (1) previously convicted of a felony; (2) convicted of criminal conduct that would, if the person was elected, either prevent the Association from purchasing fidelity bond coverage required by the Act or terminate the Association's existing fidelity bond coverage; (3) declared of unsound mind by a final order of court; or (4) no longer a Member.
- B. To be eligible to serve on the Board, a Candidate must satisfy the following qualifications for Directors, and any qualifications set forth in the Bylaws. Each Candidate and/or Director must at all times:
 1. Be a Member of the Association and, if a Candidate, be a Member for a period of one (1) year or more prior to the first (1st) date scheduled for the election at which the Candidate may be elected.
 2. Not be delinquent more than forty-five (45) days in the payment of any regular or special assessment, which are consumer debts subject to validation, excluding fines, fines renamed as assessments, collection charges, late charges, costs levied by a third party or other charge levied against the Candidate's common interest/property. A Candidate shall not be delinquent in the payment of regular or special assessments if the Candidate has: (1) paid the delinquent regular or special assessments under protest pursuant to the Act; (2) or entered into an Association approved payment

plan pursuant to the Act and is current under the plan; or (3) not been provided the opportunity to engage in internal dispute resolution under the Act at Civil Code Sections 5900, et seq.

3. Not be in violation of the Governing Documents, provided however, a thirty (30) day cure period shall be given to cure/remedy such violation, if curable;
 4. Not be a party to any active alternative dispute resolution proceeding or civil action (including, but not limited to, active or pending litigation) by or against the Association or the Board;
 5. Not have a joint ownership interest in (either directly or indirectly), or reside within, the same unit as another Director; or
 6. Not owe any money to the Association pursuant to any court-ordered judgment obtained by the Association.
- C. Any Candidate who does not meet the qualifications described in this Article III shall be deemed ineligible to become a Candidate or serve on the Board upon the occurrence of such non-qualifying event. If a sitting Board Member becomes ineligible, the Board seat shall be deemed vacant and the remaining Board Members may fill the vacancy with a Member that would have qualified as a Candidate at the most recent Director election, as provided in the Bylaws. A Board Member that becomes ineligible and later becomes eligible is not automatically again a Board Member if the seat remains vacant.

IV. Procedures for Nomination of Candidates

- A. A Nominating Committee (the "**Committee**") shall be appointed by the Board annually in accordance with the requirements of the Bylaws; to the extent practical for the Association's governance, the Nominating Committee may be appointed at least ninety (90) days prior to the date of each annual meeting of Members at which Directors will be elected. The Committee shall consist of a Chair, who shall be a member of the Board, and two (2) or more Members, who may or may not be members of the Board. The Committee shall promptly perform the duties described in the following procedures for the nomination of Candidates, as well as any other duties properly delegated by the Board. If the Board does not appoint a Committee, for the purposes of these Election Rules, the Board shall be deemed to be the Committee.
- B. The Association, through the Committee, shall provide general notice under the Act, to all Members or individual notice under the Act, if required, that the Association is seeking Candidates for the Board (the "**Candidacy Notice**") at least thirty (30) days before any deadline for submitting a nomination. The Candidacy Notice shall provide a space for any Member interested in being a Candidate to indicate his or her name, separate interest address within the Association's development, mailing address (if different), other contact information and signature, and include a deadline for return of the completed Candidacy Notice to the Association, which deadline shall be prior to the first date ballots are to be mailed to Members. Any Member submitting a completed Candidacy Notice will be required to certify on the Candidacy Notice that he/she: (1) has not been

convicted of a felony; (2) has not been declared of unsound mind by a final order of court; and (3) meets the remaining qualifications for Candidates and Directors set forth in the Governing Documents including, but not limited to, these Election Rules and the Bylaws. Any Member, meeting the qualifications to be a Director, submitting a complete Candidacy Notice by the stated deadline shall have his or her name included on the Secret Ballot or other voting materials for that Election. Any Member submitting an incomplete Candidacy Notice, failing to submit a completed Candidacy Notice by the stated deadline or otherwise not qualified to be a Candidate shall not have his or her name included in the Secret Ballot or other voting materials for that election.

- C. The Candidacy Notice shall include a space for each Candidate to submit a written statement (the "**Candidacy Statement**") reasonably related to the election, including advocating a point of view. The Committee may reasonably limit the length of the Candidacy Statement. A Candidacy Statement will be included with the Association's mailing of the voting materials for the election if the Candidacy Statement is provided to the Association with a completed Candidacy Notice by the stated deadline.
- D. The general duties of the Committee shall include, without limitation, the following:
1. Overseeing the preparation and timely distribution of the Candidacy Notice to all Members.
 2. Receiving and validating completed Candidacy Notices and placing qualified Candidates in nomination for election to the Board.
 3. Nominating any number of other Members, who have both accepted the nomination for election to the Board of Directors, are qualified as a Candidate, and submitted a complete Candidacy Notice, as the Committee shall in its discretion determine, provided that the Committee shall exercise its best efforts to nomination of Members in a number not less than the number of Director vacancies that are to be filled.
 4. Ensure each Candidate or Member be given equal access, as defined above, for the Campaign.
 5. On or about the time the Committee qualifies Candidates for election to the Board, the Committee shall prepare a Candidate Registration list of the qualified Candidates. The Association or Member/Candidate shall report any errors or omissions on the Candidate Registration list to the Inspector(s) who shall make the corrections within two (2) business days.
- E. Candidates may be nominated from the floor at the Member meeting for election of Directors. Member votes may be cast only for Director(s) previously qualified as Candidate(s).

V. Qualifications for Voting

- A. The record date for determining Members entitled to receive notice of a meeting, and for determining Members entitled to vote at a meeting (the "Record Date"), shall be established in accordance with the Bylaws, Section 7611 of the California Corporations Code and these Election Rules
- B. Notwithstanding more restrictive provisions contained in the Governing Documents, the Record Date for determining the Members entitled to vote, shall not be more than sixty (60) days before the ballots are mailed to the Members.
- C. If no Record Date is established by the Board for determining the Members entitled to vote, the Record Date shall be the business day preceding the date notice of the membership meeting, Secret Ballots and election materials are mailed to Members.
- D. Notwithstanding any other law, these Election Rules hereby prohibit the denial of a ballot to a Member, or a person with a general or special (specifying voting rights) power-of-attorney for a Member, for any reason other than not being a Member on the Record Date, as described above.
- E. A person listed as a Member on the Record Date in the Association's books shall be a Member entitled to vote, subject to Association review of ownership qualifying the person as a Member on the Record Date.

VI. Voting Power of Each Member

- A. Members shall have one (1) vote per separate interest owned, pursuant to the Governing Documents, except when voting for Directors, each Member may cast one (1) vote per candidate in the maximum number of votes allowed for the Election. Cumulative voting will be allowed.
- B. The vote by person with a general power-of-attorney for a Member shall be counted as a vote from that Member if returned in a timely manner.
- C. No fractional votes are allowed in the election of Directors, or otherwise.

VII. Power of Attorney and Proxies

Any Member, or person with a general or special (specifying voting rights) power-of-attorney for a Member may vote by Secret Ballot only. General or special proxies will be accepted by the Association to allow a person to vote on behalf of a Member.

VIII. Procedures for Elections and Members Vote by Secret Ballot

- A. The Association shall utilize a Secret Ballot process for elections or on any topic requiring a Member vote in the Governing Documents or the Act, including, but not limited to, the following matters:
 - 1. Regular or Special assessments in an amount legally requiring a vote of the Members.

2. Election or removal of Directors.
 3. Amendments to the Governing Documents requiring a vote of the Members.
 4. The grant of exclusive use of Association common area.
- B. On or about the Record Date the Association shall prepare or update the voter list of Members, which shall include name, voting power, and either the physical address of the voter's separate interest, the parcel/lot number or both. The mailing address for the ballot shall be listed on the voter list of Members if it differs from the physical address of the voter/Member's separate interest or if only the parcel/lot number is used. The Association shall permit Members to verify the accuracy of their individual information on the voter list of Members at least thirty (30) days before the ballots are distributed. The Association or Member shall report any error or omission in the voter list of Members to the Inspector(s) who shall make the correction(s) within two (2) business days.
- C. Concurrently with the mailing of the Secret Ballots by the Association to Members, the Inspector(s) shall notice a location where the sealed Secret Ballots may be returned by mail or hand delivery, which location can include the office of the managing agent, management company or manager for the Association, as may be applicable.
- D. Secret Ballots and two (2) preaddressed envelopes with instructions on how to return the Secret Ballots shall be mailed by first-class mail or delivered by the Association to every Member at the Member's address last shown on the books of the Association, not less than thirty (30) days or more than sixty (60) days prior to the deadline for voting. The deadline for voting and the times at which the polls will open and close shall be noticed with the Secret Ballot.
- E. Concurrently with mailing of the Secret Ballots by the Association for a Director election, the Association shall deliver a copy of these Election Rules in the manner provided herein or as provided for in the Act.
- F. In order to preserve confidentiality, a voter may not be identified by name, address, or separate interest on the Secret Ballot. The Association shall use as a model those procedures used by California counties for ensuring confidentiality of vote by Secret Ballots, including all of the following:
1. The Secret Ballot itself is not signed by the voter, but is inserted into an envelope that is sealed. This envelope is inserted into a second envelope that is sealed. In the upper left-hand corner of the second envelope, the voter shall sign the voter's name, indicate the voter's name, and indicate the address of the separate interest that entitles the voter to vote.
 2. The second envelope is addressed to the Inspector(s), who will be tallying the votes. The envelope may be mailed or delivered by hand to the location specified by the Inspector(s). The Inspector(s) may specify the address of the Association's management agent as the location to mail or deliver the envelopes prior the Member meeting. The Member may request a receipt for delivery.

- G. A quorum of the Members shall be required only if so stated in the Governing Documents or as may be required by law. If a quorum or reduce quorum is required, each Secret Ballot received by the Inspector(s) shall be treated as a Member present at a meeting for purposes of establishing a quorum.
- H. In a Member election to approve an amendment of the Governing Documents, the text of the proposed amendment shall be delivered by first class mail to the Members with the Secret Ballot.
- I. In a Member election to approve a grant to exclusive use common area, a description of the common area in questions, the reason for the grant and the separate interest or other property to be benefited by the grant shall be delivered by first class mail to the Members with the Secret Ballot
- J. In a Member election to increase regular or special assessments as required by the Act, the Association's most recent Annual Budget Report, as defined in the Act, shall be delivered by first class mail to the Members with the Secret Ballot.
- K. A Member who owns multiple separate interests must submit separate sealed Secret Ballots for each separate interest owned.
- L. Once a Secret Ballot is received by the Inspector(s), it shall be irrevocable. If more than one valid Secret Ballot is received for any Member's separate interest, the first Secret Ballot received will be the one counted; if it cannot be determined which Secret Ballot was the first received, the Secret Ballots will not be counted, except for the purpose of establishing quorum or a reduced quorum.
- M. The Inspector(s) shall only accept official Secret Ballots and envelopes that have been approved by the Board of Directors in the form mailed to the Members. Balloting materials that have been duplicated, copied or modified will not be accepted, unless previously approved by the Board of Directors. It shall be improper to solicit ballots, offer bribes to vote in a specified manner, to mark other Members' ballots or communicate with a Member concerning how votes should be cast when the Member is completing a ballot.
- N. All votes shall be counted and tabulated by the Inspector(s), or the designee of the Inspector(s), in public at a properly noticed open meeting of the Board or Members. Any Candidate or other Member of the Association may witness the counting and tabulation of the votes. No person, including a Member of the Association or an employee of the Association's management company, shall open or otherwise review any Secret Ballot prior to the time and place at which the Secret Ballots are counted and tabulated; provided, however, the Inspector, or the designee of the Inspector, may verify the Member's information and signature on the outer envelope prior to the meeting at which Secret Ballots are tabulated.
- O. Except for the meeting to count the votes required above, a Member election or any other topic requiring a Member vote may be conducted entirely by mail.
- P. The sealed Secret Ballots at all times shall be in the custody of the Inspector(s) or at a location designated by the Inspector(s) until after the tabulation of the vote, and

for one (1) year or until the time allowed by the California Civil Code for challenging the election or vote has expired, whichever is longer, at which time custody of the Secret Ballots and signed envelopes shall be transferred to the Association.

- Q. In the event of a tie vote among any number of Candidates, the Association will notice a special meeting of Members and send Secret Ballots to all Members for a runoff vote to break the tie. Such runoff vote shall be conducted in accordance with the Secret Ballot procedures set forth herein. No previously cast Secret Ballots or proxies from the prior election will apply or be counted in the runoff vote.
- R. If the number of Candidates is less than the number of Director vacancies to be filled, any vacancy not filled by the election shall be filled by:
 - 1. Director(s) whose term(s) just expired, in order of priority based, on the number of votes received when previously elected and who accepts a continued term; or
 - 2. If no or insufficient Director(s) whose term(s) expired fail to accept continued term(s) to fill all vacancies, the Director position(s) shall be deemed a vacant under the Governing Documents and filled as provided therein.
- S. All Secret Ballots must be legible and clearly marked. If a Secret Ballot is marked to cast more votes than the maximum number of votes allowed for the Election, the Secret Ballot will be used for quorum purposes only and shall not count towards the vote.

IX. Inspectors of Elections

- A. At an open session Board meeting prior to the date Secret Ballots for an election or vote are to be distributed to the Members, the Board shall select an independent third party or parties as an Inspector(s) for any election or Member voting by Secret Ballot; the number of Inspector(s) shall be one (1) or three (3).
- B. For purposes of these Election Rules, an independent third party includes, but is 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. An independent third party may be a Member, but may not be a Director, a Candidate, or be related to a Director or to a Candidate by blood, marriage, adoption, or domestic partnership. An independent third party may not be a person, business entity, or subdivision of a business entity who is currently employed or under contract to the Association for any compensable services, except other than serving as an Inspector of Elections.
- C. The Inspector(s) shall do all of the following:
 - 1. Obtain a voters list from the Association and determine the number of memberships entitled to vote and the voting power of each.
 - 2. Mail or deliver or cause the Association or its managing agent to mail or deliver, at least thirty (30) before the ballot or ballots and these Election

Rules. Election Rules may be delivered to Members by: (1) posting the election operating rules to an 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 (2) individual delivery under the Act, including, but not limited to first class mail.

3. Determine the authenticity, validity, and effect of a general or special power-of-attorney entitling a person to vote on behalf of a Member, if any
 4. Obtain a Candidate Registration list from the Association and receive Secret Ballots, and determine the validity of those Secret Ballots and their compliance with the Secret Ballot requirements of these Election Rules and the Governing Documents.
 5. Hear and determine all challenges and questions in any way arising out of or in connection with the right to vote.
 6. Count and tabulate all votes.
 7. Determine when the polls shall close, consistent with the Governing Documents.
 8. Determine the tabulated results of the election.
 9. Maintain ballots and signed Member envelopes for a period of sixty (60) days and then release the ballots, signed envelopes, voter list, proxies and candidate list the Association.
 10. Perform any acts as may be proper to conduct the election with fairness to all Members in accordance with provisions of the Act, Corporations Code and these Election Rules.
- D. An Inspector(s) shall perform all duties impartially, in good faith, to the best of the Inspector(s)' ability, as expeditiously as is practical and in a manner that protects the interest of all Members.
- E. The Inspector(s) may appoint and oversee additional persons to verify signatures and to count and tabulate votes as the Inspector(s) deem appropriate, provided that such persons are independent third parties, as defined herein.
- F. An Inspector(s) has the authority to confer with the Association's legal counsel in advance of or at the meeting where Secret Ballots are to be counted. By the adoption of these Election Rules, the Association's legal counsel has been authorized by the Board of Directors to provide advice, as determined necessary or prudent by the Association's legal counsel, for the limited purpose of informing and advising the Inspector(s) regarding issues related to the Inspector(s) performing his or her duties for the Association, and the Association waives the attorney-client privilege for that limited purpose.

- G. If there are three (3) Inspectors, the decision or act of a majority of the Inspectors shall be effective in all respects as the decision or act of all. Any report made by the Inspector(s) is prima facie evidence of the facts stated in the report.
- H. The Board may, in its discretion, pay compensation to the Inspector(s).
- I. Prior to the election, the Association shall provide the Inspector(s) with a current list of all Members as of the Record Date. The Inspector(s) will take appropriate steps, including making notations or otherwise marking the membership list and/or sealed Secret Ballot envelopes, to prevent Members not in good standing from voting at the meeting.
- J. Prior to the election, the Association shall provide the Inspector(s) with the Candidate Registration list. The Inspector(s) count Membership votes for Candidates name on the Candidate Registration list.
- K. If any election meeting is adjourned due to lack of quorum, the Inspector(s) shall retain custody of such Secret Ballots and bring them to the adjourned meeting; new Secret Ballots will not be required for an adjournal meeting from any Member who has previously cast a valid Secret Ballot vote in accordance with these Election Rules.
- L. Inspector(s) may request that the meeting be recessed to allow the Inspector(s) to complete the counting and tabulation of the Secret Ballots to another time. Notice of the recessed meeting will be given to all Members at the meeting where the counting and tabulation occurs and will identify the location, date and time when the counting and tabulation will resume. The Inspector(s) will continue to maintain custody of all Secret Ballots until the counting and tabulation is complete.

X. Registration of Members in Person

- A. A Member, as of the Record Date, or person with a general power-of-attorney for a Member who chooses to vote in person by Secret Ballot at a meeting of the Members or Board must present himself or herself at the registration table area at the meeting to submit his or her Secret Ballot. A Member who chooses to vote in person must be on the current list of all Members as of the Record Date or provide to the Inspector(s) a copy of a deed to a separate interest/Unit within the Association recorded on or before the Record Date.
- B. If a Member, as of the Record Date, has lost or misplaced his or her voting materials, the Member can request replacement voting materials at the registration table area at the meeting of the Members or Board. The Inspector(s) may request photo identification from the Member to confirm the Member's identity. Likewise, the Inspector(s) may use Association records or other documents to confirm the validity of balloting materials submitted in the election, including without limitation, state or federal identification, verification of signatures, address information, recorded deeds and/or other ownership information, etc.
- C. When voting in person at a Member or Board meeting, in order for a Member's vote to count, the Member must comply with all of the procedures and requirements contained in these Election Rules.

XI. Election Results

- A. The tabulated results of the election or vote shall be promptly reported to the Board, shall be recorded in the minutes of the next meeting of the Board, and shall be available for review by Members of the Association.
- B. Within fifteen (15) days of the election or vote, the Board shall give general notice of the tabulated results of the election or vote, in accordance with the Act.

XII. Recount or Challenge to the Election Process

- A. The time period in which a Member may challenge an election or vote shall be subject to the limitations set forth in the California Civil Code and the California Corporations Code.
- B. If there is a recount or other challenge to the election or vote process, the Inspector(s) shall, upon written request, make the signed voter envelopes, voter list, Candidate Registration list, proxies and ballots available for inspection and review by a Member or his or her authorized representative. The Member shall be responsible for all costs and expenses related to such recount. Should the Board request a recount, all costs and expenses related to such recount shall be paid by the Association.
- C. Within sixty (60) days after an election, the Inspector(s) may, upon request of any Board Member or Member, investigate the authenticity of any signature or ballot and retabulate and/or recount votes.
- D. Any recount shall be conducted in a manner that preserves the confidentiality of the vote.

XIII. Use of Association Funds for Campaign Purposes

- A. Association funds may not be used for campaign purposes in connection with any Association election except to the extent necessary to comply with the duties of the Association imposed by law. "Campaign purposes" include, but are not limited to, the following:
 - 1. Expressly advocating the election or defeat of any Candidate.
 - 2. Including the photograph or prominently featuring the name of any Candidate on a communication from the Association or the Board, excepting the ballot, ballot materials, or a communication that is legally required, within thirty (30) days of an election; provided, however, this is not a campaign purpose if the communication is one for which the California Civil Code requires that equal access be provided to another Candidate or advocate.
- B. Unless otherwise provided by the California Civil Code, the foregoing restrictions on the use of Association funds for campaign purposes shall apply only to the election and removal of Directors.

XIV. Conflicts

Pursuant to the Act at Civil Code section 4350(c), these Election Rules are intended to be consistent with the Association's Governing Documents and the Act. Nothing contained in these Election Rules shall be construed as an amendment of the Association's Governing Documents. In the event of a conflict between these Election Rules and the Governing Documents, the Governing Documents will control and prevail over these Election Rules pursuant to Civil Code section 4205, unless preempted by the Act.

IN WITNESS WHEREOF, these Election and Voting Rules have been adopted in accordance with California Civil Code Sections 4340, et seq.

PARK MEDITERRANIA
OWNERS ASSOCIATION

Date: 10/8/20

By: Adopted via Online Go To Meeting
(President's Signature)

Dan Burnett
(Print Name)

Date: 10/8/20

By: Adopted via Online Go To Meeting
(Secretary's Signature)

Lizbeth Dootoff
(Print Name)

SAMPLE FORM

PARK MEDITERRANIA CANDIDACY NOTICE (QUALIFYING FORM)

This Candidacy Notice for Park Mediterrania Owners Association (the "Association") must be fully completed, signed and returned to, and received by, _____ (inspector name) care of Vintage Management Consultants 1235 E. Francis St., Suite E, Ontario, CA 91761 not later than _____ (date for return).

Section 1: CANDIDATE INFORMATION

Candidate Name: _____
(Print Name – as it appears on Association title)

Domicile Address: _____

Association Property Address (If different): _____

Mailing Address (if different): _____

Section 2: CERTIFICATION (Check as appropriate – Nos. 1-14 must be completed)

I HEREBY CERTIFY THAT:

- 1) I will be a candidate for the next Association Members' Election of Directors.
- 2) I am an owner of one or more residential properties within the Association for more than one (1) year.
- 3) I have _____ have not _____ been convicted of a felony.
- 4) I have _____ have not _____ been convicted of criminal conduct that would either prevent the Association from purchasing fidelity bond coverage or terminate the Association's existing fidelity bond coverage.
- 5) I have _____ have not _____ been declared of unsound mind by a final court order.
- 6) I am _____ am not _____ delinquent more than forty-five days in the payment of regular or special Association assessments (excluding fines, collection charges, late charges or other collection charges).
- 7) If I am delinquent more than forty-five days in the payment of regular or special assessments, I have _____ have not _____ entered into and paid pursuant to an Association approved payment plan or been provided the opportunity to engage in internal dispute resolution.
- 8) I am _____ am not _____ in violation of the Associations governing documents.
- 9) I am _____ am not _____ a party to an active alternative dispute resolution preceding or civil action by or against the Association.
- 10) I am _____ am not _____ a co-owner of a residence in the Association (either directly or indirectly), as an existing director or candidate to become a director of the Association.
- 11) I do _____ do not _____ reside within the same residence in the Association as an existing director or candidate to become a director of the Association.
- 12) I do _____ do not _____ owe money to the Association pursuant to any court-ordered judgment obtained by the Association.
- 13) All the statements contained herein are true and correct.
- 14) I have _____ have not _____ attached a separate Candidacy Statement of my qualifications and reasons for candidacy.

Section 3: SIGNATURES

I hereby certify that the information contained in this Candidacy Notice is true, correct and complete to the best of my knowledge or belief.

Date: _____

Signature: _____

Print Name: _____

PARK MEDITERRANIA SUGGESTED TIMELINE FOR DIRECTOR ELECTIONS:

The Association has adopted election and voting rules to comply with the Davis Stirling Common Interest Development Act (the “Act”) at Civil Code §§ 5105 et seq. The new statutory procedures are both complex and mandatory. This timeline outline will aid the Board of Directors in compliance.

No. of Days Before/After the Annual Meeting	Description
1. 100 days or more – Before Meeting	Place on directors meeting agenda; <ul style="list-style-type: none"> • Nomination of election committee or board resolution to act as nominating committee • Engagement of inspector(s) of election
2. 90 days or more – Before Meeting	At board meeting; <ul style="list-style-type: none"> • Motion and vote for nominating committee; or • Motion and vote for board to act as nominating committee; • Motion and vote to engage inspector of election; or • Appoint independent association member as inspector of election
3. 80 days or more – Before Meeting	Board, committee or inspector to prepare and provide candidacy notice to membership (note candidacy notice shall set the deadline for return and provide information set forth in election rules at IV. B - C)
4. 30 to 60 days or more – Before Meeting	Board or nominating committee to review nominations and make further nominations, as necessary to fill vacancies. Qualify candidates for placement on ballot
5. 30 to 60 days or more – Before Meeting	Prepare voter list. Prepare and mail meeting notice and secret ballots to members/voters. Ensure election rules are generally noticed ¹ to membership. Provide individual notice ² (to members requesting individual delivery)
6. 0 Days	Hold membership meeting, determine quorum and count votes. If no quorum continue meeting and solicit return of more ballots
7. 15 days or less – After Meeting	Provide general notice to membership of election results
8. 60 days or more – After Meeting	Inspector to return ballots and signed envelopes to Association or Associations managing agent
9. 360 days or more – After Meeting	Association to retain voting materials

OTHER ELECTIONS:

For membership voting for other than director elections, including amendments to governing documents; increase in regular assessments or special assessments (when required by the Act) or grant of exclusive use of common area; regular voting procedures by secret ballot may be undertaken. Supporting information for the vote and secret ballots should be sent not less than 30 days nor more than 60 days before the membership meeting for ballot counting.

The above timeline and procedures are for general use. Directors, committee members and the inspector(s) of election should review and comply with the specific requirements of the Act and the Associations adopted Election and Voting Rules.

¹ General notice may be accomplished by individual notice (see footnote 2); inclusion in a billing statement or a newsletter; posting in a prominent location in the Association (see Civil Code § 4045).

² Individual notice is by individual delivery including first-class mail; email; and delivery to a secondary address.