

# **Chadwick Terrace Homeowners' Association Election Rules**

## CAMPAIGN EQUAL ACCESS

Candidates are to be provided equal access to association media, newsletters, internet websites, or any other form of communicating with the membership of the association for the purposes of advocating a point of view.

## CAMPAIGN STATEMENTS

Current Board members may not edit content submitted by Candidates; however Boards may be able to include a statement specifying that the author, and not the association, is responsible for the content.

## MEETING SPACE

Boards must ensure access to common area meeting space, if any exists, during a campaign, at no cost, to all Candidates and to all members advocating a point of view for purposes reasonably related to the election.

## QUALIFICATIONS

Only Members of the Association in good standing (as defined in the Bylaws) shall be eligible to be an officer of the Board.

## NOMINATIONS

Any member of the association may nominate themselves for the Board, or be nominated for the Board, that meet the associations qualifications. A call for candidates notice will be distributed to all owners before the January Board Meeting. Nominations will be taken from the floor at the January Board Meeting.

## VOTING RULES

The election of the Board shall be in the form of secret ballot. Homeowners have to be in good standing to vote. Each member has a total of five (5) votes for the purpose of electing the Board of Directors; each member may cast one (1) vote per candidate in order to elect a total of five (5) Board Members.

## INSPECTORS OF ELECTION

One or three individuals will be selected as an independent third party to review votes. The inspector(s) shall be selected by one of the following methods:

1. The Board may appoint the inspector(s).
2. The members of the association may elect the inspector(s).
3. Another method for selecting an inspector that corresponds to existing HOA rules and provisions, and is in accordance with governing law, may be employed for inspector(s) selection.

Inspector Candidates include:

1. A member of the association who is not a member of the Board of Directors or a Candidate for the Board of Directors or related to a member of the Board of Directors or a Candidate for the Board of Director;
2. A notary public;
3. A licensee of the California Board of Accountancy, or
4. A person who is currently employed or under contract to the association

Inspector Responsibilities:

Inspector or inspectors will perform the following duties:

1. Determine the voting power of members and the number of members who are qualified to vote.
2. Hear disputes regarding voting rights and decide upon individual voting rights on behalf of the association.
3. If needed, determine a proxy's authenticity, validity or effect.
4. Collect or receive ballots.
5. Count votes.
6. Decide upon a time when polls will be closed.
7. Determine election results.
8. Perform any additional acts that help to ensure the fairness of the voting process, as it relates to the above listed responsibilities and with regard to association rules, governing documents and laws.

### SECRET BALLOTS

Secret ballots are required for:

1. Special assessments over 5% or regular assessments over 20%
2. Election of Directors
3. Amendments to governing document
4. Grant of exclusive use common area property

Secret Ballot Procedure:

1. To make sure ballots are secret, votes must not and cannot identify themselves by name, address, account number, lot number, etc, anywhere on the ballot itself.
2. Voters must enclose their **unsigned** ballot into one of the provided envelopes and seal the ballot within this envelope. The sealed envelope must be mailed to the Inspector of Election prior to the Annual Meeting.

### REPORTING RESULTS

Election results must be reported to the association within fifteen days of the annual meeting and recorded in the minutes of the next Board Meeting.

### STORING BALLOTS

Sealed ballots must be in the custody of the inspector of election, or at a location designated by the inspector until all votes are tabulated.

### ELECTION CHALLENGE

Following the election, ballots must be made available to any member of the association for inspection and review upon written request. However, election ballot review must not compromise voter confidentiality