

**RANCHO MONSERATE COUNTRY CLUB HOMEOWNERS ASSOCIATION, INC.
OPERATING RULES FOR ELECTIONS AND VOTING**

SECTION 1. GENERAL

These Operating Rules for Elections and Voting (“**Rules**”) shall apply to all items legally requiring a vote of the membership as required by Civil Code section 5100, and any amendments thereto, including but not limited to, elections of directors, votes to remove one or more directors, votes on assessments that legally require a vote, amendments of the governing documents, grants of exclusive use of common areas, and such other votes as the Board determines should be conducted by secret ballot.

SECTION 2. RIGHT TO VOTE

2.1. As described in these Rules, votes may be cast by members either in person or by mail-in ballot. The Association may not deny a ballot to any person who is a member of the Association at the time the ballots are distributed.

2.2. The Association may not deny a ballot to any person who has the general power of attorney for a member of the Association. Any person with a general power of attorney for a member must notify the Association and provide a copy of a valid general power of attorney to verify the person’s right to vote on behalf of the member. If a ballot from a person with a valid general power of attorney which has been provided to the Association returns a ballot within the timelines established for the return of all ballots, the ballot shall be counted. (Civ. Code § 5105(g).)

2.3. The Association shall retain a voter list which shall include the name, voting power, and either the physical address of the voter’s Unit, parcel number, or both (“Voter List”). The mailing address for the ballot(s) shall be listed on the Voter List if it differs from the physical address of the voter’s Unit or if only the parcel number is used. The Association shall permit members to verify the accuracy of their individual information on the Voter List at least thirty (30) days before the ballots are distributed. The Association or member shall report any errors or omissions on the Voter List to the Inspector(s) of Election, who shall make the corrections within two (2) business days. (Civ. Code § 5105(a)(7).)

SECTION 3. QUALIFICATION OF NOMINEES FOR DIRECTOR ELECTIONS

3.1. Only persons who are members of the Association may be a nominee for election. If title to a Unit is held by a legal entity that is not a natural person, the governing authority of that legal entity shall have the power to appoint a natural person to be a member for purposes of being a nominee for election to the Board.

3.2. No member may be a nominee if the member, if elected, would be serving on the Board at the same time as another member who holds a joint ownership interest in the same Unit and the other member is either properly nominated for the current election or an incumbent director. ***This is an optional qualification for board members- prohibits two individuals who own one unit to serve on the board at the same time (i.e. One member per household at a time)***

3.3. No one who has been a member of the Association for less than one (1) year may be a nominee. ***This is an optional qualification.***

3.4. No member may be a nominee if that member discloses, or if the Association is aware or becomes aware of, a past criminal conviction that would, if the member was elected, either prevent the Association from purchasing the fidelity bond coverage required by Civil Code section 5806 or terminate the Association's existing fidelity bond coverage. The Association shall have no obligation to investigate the background or possible criminal history of any candidate. ***This is an optional qualification.***

3.5. A member who is more than sixty (60) days ***This is an optional qualification – you can have as low as 30 days past due on assessments, but recommend that if you want this qualification, you go with 60 days.*** delinquent in the payment of regular 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 or director. A member shall not be disqualified for failure to be current in payment of regular and special assessments if either of the following circumstances is true:

3.5.1. The member has paid the regular or special assessment under protest pursuant to Civil Code section 5658.

3.5.2. The member has entered into a payment plan pursuant to Civil Code section 5665.

3.6. Prior to disqualifying any member from being a nominee, the Association must offer the member an opportunity to engage in internal dispute resolution pursuant to Civil Code section 5900 et seq.

SECTION 4. NOMINATION OF DIRECTORS

4.1. The Association shall provide general notice of the procedure and deadline for submitting a nomination at least thirty (30) days before any deadline for submitting a nomination. Individual notice shall be delivered pursuant to Civil Code section 4040 if individual notice is requested by a member.

4.2. The Association shall seek nominations for candidates for election by making available a "Nominee Application Form." All members desiring to run for a position on the Board of Directors or members who wish to nominate other members must complete the Nominee Application Form and return the completed Nominee Application Form and any accompanying materials to the Association within the time prescribed on the Nominee Application Form. The completed Nominee Application Form may include or be accompanied by a Candidate Statement of up to one side of an 8 1/2" x 11" sheet of paper setting forth the candidate's qualifications. If nominating another member, that nominee's written consent is required and must be returned with the Nominee Application Form. ***Association may add more details here as to the content or requirements of the Candidate Nomination Form and accompanying materials. For example, limit the length of the Candidate Statement to X number of words.***

4.3. The Association shall retain a candidate registration list and shall permit members to verify the accuracy of their individual information on the candidate registration list at least thirty (30) days before the ballots are distributed. The Association or member shall report any errors or omissions on the candidate registration list to the Inspector(s) of Election, who shall make the corrections within two (2) business days. (Civ. Code § 5105(a)(7)).

4.4. The Nominee Application Form or Candidate Statement (whichever is used by the candidate to set forth his/her qualifications) submitted by each candidate may be posted on the

Association's website and/or published in the Association's newsletter. **Optional: the Association can, but does not have to, post the Candidate Statements on a website, newsletter or bulletin board – please confirm which, if any, you'd like the option of doing.** The Nominee Application Form or Candidate Statement submitted by each candidate may be enclosed with the ballot for the election and mailed at least thirty (30) days prior to the meeting. Nominee Application Forms and/or Annual Meeting Resumes that are received after the time prescribed on the Nominee Application Form may not be enclosed with the ballot for election nor will late Nominee Application Forms or Candidate Statements be posted on the Association's website or published in the Association's newsletter. **Optional** The Association will not edit the content of these documents, but will publish a general statement of non-responsibility for the content of all published documents. Any candidate can request in writing that his/her Nominee Application Form and/or Candidate Statement not be published as provided herein and the Association will honor any such request received prior to the date of publication of such documentation, if publication occurs.

4.5. Except as provided in Paragraph 4.4, no Nominee Application Form or other editorial or campaign material will be published in the Association's newsletter or other Association media.

4.6. Nothing in these Rules and Procedures is intended to disallow a member from nominating his or herself as set forth in Paragraph 4.2 above.

4.7. Nominations for election to the Board of Directors may not be made from the floor during any meeting of the membership or the Board, and write-in votes are not allowed. **As the association does not have an annual meeting of the members for election purposes, I have removed the ability to have write-in candidates or nominations from the floor. The updated statute requires that any candidate that is disqualified be allowed an opportunity to go through IDR and floor or write ins make it impossible to timely disqualify and allow for IDR. However, this is optional if you would like to allow write-in candidates, please let me know.**

SECTION 5. USE OF COMMON AREA FACILITIES FOR CAMPAIGN PURPOSES

5.1. In each election of Directors, the Board may hold a candidate's forum in the _____ **Confirm that Clubhouse is the appropriate are to list here** prior to the election where members will be provided an opportunity to meet and ask questions of the candidates. All candidates known to be standing for election will be invited to attend the forum. Attendance by the candidates is optional. **This provision overall is optional. This says the Board "may" but that does not mean its obligated to. This gives you the option of doing them.**

5.2. All candidates for election and other members may reserve the _____ **Confirm that Clubhouse is the appropriate are to list here** or other Association facility to conduct campaign activities or advocate a point of view on an election or balloting issue pending before the membership. All candidates and members will be provided an equal opportunity to reserve the Association's facilities for these purposes. Reservations can be made by contacting the management company. No fees will be charged to any candidate or member for reservation of any common area facilities to conduct campaign activities or advocate a point of view on an election or balloting issue pending before the membership. All candidates or members reserving the common area facility are asked to leave the facility in a clean and undamaged condition. **This paragraph can be used either instead of paragraph 5.1 or in addition to. Please confirm how you'd like to proceed.**

SECTION 6. VOTING BY SECRET BALLOT

6.1. Pursuant to Civil Code section 5100, elections regarding the following topics must be conducted by double envelope secret ballots pursuant to Civil Code section 5115: assessments legally requiring a vote, election and removal of directors, amendments to the governing documents, the grant of exclusive use of common area, or any other topic expressly identified in the Association's operating rules. The Board has the right to determine whether other topics requiring a membership vote will be conducted using double envelope secret ballots.

6.2. The Association shall provide general notice of all of the following at least thirty (30) days before the ballots are distributed:

6.2.1. The date and time by which, and the physical address where, ballots are to be returned by mail or handed to the Inspector or Inspectors of Elections.

6.2.2. The date, time, and location of the meeting at which ballots will be counted.

6.2.3. The list of all candidates' names that will appear on the ballot.

6.2.4. Individual notice of (1) through (3) above shall be delivered pursuant to Civil Code section 4040 if individual notice is requested by a member. (Civ. Code § 5115(b).)

6.3. Ballots may be submitted at any time from the members' receipt of the ballot until the announced deadline or any extension thereof as set by the Inspector(s) of Elections. Ballots returned by mail are to be returned to the address specified by the Inspector(s) of Elections and so noted in the balloting materials.

6.3.1. The Inspector(s) of Elections shall have the right to verify the member's information and signature on the outer envelope and to review the number of ballots collected prior to the deadline for voting and inform the Board of Directors of the number of ballots received. The Inspector(s) of Elections shall have the right to extend the voting deadline if there is an insufficient or possibly an insufficient number of ballots received. Voting envelopes shall not be opened as part of this review - only a review of unopened envelopes is allowed to verify the member's information and determine the total number of ballots returned.

6.3.2. Once cast, ballots cannot be revoked or changed, even if the member attends the meeting and seeks to change or withdraw his or her vote before the polls close.

6.3.3. The Board of Directors shall set a record date establishing those members entitled to vote on any ballot. Should the Board fail to set a specific record date, the record date shall be the date the ballot was posted in the United States mail unless specified otherwise in the Association's governing documents.

6.3.4. In accordance with the governing documents of the Association, members shall be entitled to one vote per Unit, except in the election of directors where cumulative voting is allowed. Cumulative voting for directors shall be permitted in any secret ballot for the election of directors.

6.4. Ballots and two pre-addressed envelopes with instructions on how to return ballots shall be mailed by first-class mail or delivered, or caused to be mailed or delivered by the Inspector(s) of Elections to every member at least thirty (30) days prior to the deadline for voting. For the election of directors, ballots and voting envelopes will also be distributed at the annual membership

meeting. The Association shall generally use as a model those procedures used by California counties for ensuring confidentiality of voter absentee ballots, including the following:

- 6.4.1.** The ballot itself will not be signed by the voter, but will be inserted into an envelope that is to be sealed by the voter. This envelope is to be inserted into a second (outer) envelope that is sealed by the voter. In the upper left-hand corner of the second envelope, the voter must print and sign his or her name, address (either address within the community or mailing address), and Unit number that entitles him or her to vote. The lack of a signature on the second envelope will not invalidate that ballot if the Inspector(s) of Elections is able to determine the identity of the member who submitted the ballot.
- 6.4.2.** The second (outer) envelope is to be addressed to the Inspector(s) of Elections, who will be tallying the votes. The envelopes are to be mailed or delivered by hand to the address specified by the Inspector(s) of Elections.
- 6.4.3.** Balloting materials not completed in accordance with the instructions on or accompanying the balloting materials may result in the ballot being declared invalid, as determined by the Inspector(s) of Elections. The Inspector(s) of Elections shall have the right to count ballots submitted by members failing to complete all of the above requirements so long as all ballots with similar defects are treated equally and so long as the Inspector(s) are able to verify that only one ballot per voting member has been submitted.
- 6.4.4.** Only the official ballots distributed by the Association will be counted. Unofficial ballots will not be counted.
- 6.4.5.** If a candidate whose name is on the ballot withdraws before the ballots are counted, the election will continue to go forward. However, the votes cast for a withdrawn candidate will not be counted.

6.5. Ballots shall be counted at a membership meeting or open Board meeting. Subject to reasonable restrictions established by the Inspector(s) of Elections to prevent interference with or intimidation of the Inspector(s) during the tabulation of the ballots, any candidate or other member of the Association may witness the counting and tabulation of the votes. No person observing the tabulation of the ballots may communicate with, interfere with, or in any way attempt to intimidate, harass or abuse the Inspector(s) or other person counting the ballots or assisting the Inspector(s).

6.6. Except as provided above, no person, including a member of the Association or an employee of the management company, shall open or otherwise review any ballot prior to the time and place at which the ballots are counted and tabulated.

6.7. The candidate(s) receiving the highest number of votes shall be elected. In the event of a tie vote between candidates for the last position on the Board, the candidates subject to the tie vote shall agree to some other means of determining the winner of the vote, such as a coin toss or high card draw.

6.8. The results of the election shall be promptly reported to the Board of Directors of the Association and shall be recorded in the minutes of the meeting and shall be available for review by members of the Association. Within fifteen (15) days of the election, the Board shall publicize the results of the election in a communication directed to all members or by posting it in the Common Area.

6.9. The Association election materials (returned ballots, signed voter envelopes, Voter List, proxies and the candidate registration list) will be retained by the Inspector(s) of Elections or the Inspector's/Inspectors' designee for one (1) year following the date the Inspector notifies the Board and the membership of the vote result, unless the Inspector is notified of some challenge to the election after the notification of the election result. In this case, the Inspector or its designee shall retain these documents for one year from that later date. Thereafter, the Inspector(s) of Elections shall turn over those election materials to the Association or its designated agent. At the conclusion of the three-year period established by Civil Code section 5210, those election materials may, at the option of the Board of Directors, be destroyed.

6.10. The mailed secret ballots described in these Rules, once received by the Inspector(s) of Elections, will serve to establish a quorum at any meeting of members.

SECTION 7. PROXIES

7.1. Voting by proxy will not be permitted. *Confirm no use of proxies.*

SECTION 8. INSPECTORS OF ELECTIONS

8.1. The Board of Directors will appoint one or three Inspectors of Elections to oversee and certify the results of the voting. Inspector(s) of Elections are to faithfully perform their responsibilities so as to ensure that the announced results of the voting and/or election represent the true and honest votes of the members casting ballots.

8.2. Inspector(s) of Elections may not be Board members or a candidate for election or related to or reside with Board members or the candidates for election.

8.3. The Inspector(s) of Elections may not be a person, business entity, or subdivision of a business entity who is currently employed or under contract to the Association for compensable services other than serving as an Inspector of Elections.

8.4. Unless only outside consultants are engaged to serve as the Inspectors, at least one Inspector of Elections shall be a member of the Association, although all Inspectors of Elections may be members of the Association if so appointed by the Board of Directors. If not members of the Association, Inspectors of Elections may be compensated for their services. Members of the Association shall not be compensated for serving as Inspectors of Elections.

8.5. The Inspector(s) of Elections shall do all of the following:

8.5.1. Deliver, or cause to be delivered, a copy of these Rules at least thirty (30) days before an election. Delivery of these Rules may be accomplished by either of the following methods: (1) posting them 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.

8.5.2. Determine the number of memberships entitled to vote and the voting power of each;

8.5.3. Determine the authenticity, validity and effect of proxies;

8.5.4. Receive the ballots and determine the location to which all ballots are to be returned;

- 8.5.5.** Hear and determine all challenges and questions to the balloting or election;
- 8.5.6.** Count and tabulate all ballots;
- 8.5.7.** Determine when the polls shall close;
- 8.5.8.** Determine the results of the election or balloting;
- 8.5.9.** Report the tabulated results of the election or balloting promptly to the Board of Directors; and
- 8.5.10.** 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 all rules of the Association.

8.6. The Inspector(s) of Elections may appoint additional persons to assist in performing any of the above duties. Any such persons shall meet the qualifications for appointment as an Inspector of Elections.

8.7. The Board of Directors shall have the authority to remove and/or replace an Inspector of Elections at any time if an Inspector resigns or whenever the Board determines that an Inspector will not be able to perform his or her 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 interests of all members of the Association, or if the Inspector ceases to meet the qualifications to serve as described above.

8.8. Inspector(s) of Elections shall have the authority to consult with the Association's legal counsel in the event of uncertainties in the interpretation or application of Civil Code section 5100 et seq., these Rules, the Association's governing documents or as might otherwise be necessary to ensure a fair election that complies with the law and the governing documents. All such consultations shall be protected by the Association's attorney-client privilege and shall be kept confidential from all persons other than the Board of Directors. Note, however, that neither the Inspector(s) of Elections nor the Association's legal counsel shall disclose to others, including the Board, how a particular ballot was cast.

SECTION 9. RECALL ELECTIONS

9.1. To initiate the recall of one or more directors or the entire Board, the Board must receive a petition signed by at least five percent (5%) of the Association's Members calling for a special meeting for the recall election. The recall petition signed by at least five percent (5%) of the Association's Members must also include the members' printed names and the addresses of their Units for verification purposes. Pursuant to Corporations Code 7510(e), a vote for a recall may also be initiated by the Board.

9.2. Upon receipt of a valid recall petition, the Board will promptly appoint an Inspector(s) of Elections.

9.3. Within twenty (20) days of the Board's receipt of a valid recall petition, the Board will notice the Members of and will set the time, date, and location of the special meeting to hold the recall election.

9.4. The special meeting must be held between thirty-five (35) and ninety (90) days of the Board's receipt of the petition.

9.5. Any recall election as well as any election for the replacement directors must be conducted by secret ballot according to Paragraph 6.1. In an effort to avoid recalled directors remaining on the Board until replacement directors are elected, the election for replacement directors will be held at the same time as the recall vote. As such, the members will vote on two issues: (i) the recall of directors, and (ii) the replacement of directors. The Inspector(s) of Elections will tabulate the votes on the replacement of directors immediately following the recall vote, if the recall is successful.

9.6. Generally, when there is a recall election, it is desirable and often necessary to include an election of replacement directors on the same ballot as the recall vote. If the recall election is successful in whole or in part, the Association cannot be left without a functioning Board until a later election can be conducted. Given the statutory notice requirements for an election as outlined in these Rules, if the election to fill any vacancies created by a removal vote is not conducted at the same time as the recall vote, the Association could be left without a Board to conduct the necessary and essential business of the Association, potentially causing great harm to the Association.

9.7. While Corporations Code section 7511(c) requires the Association to fix the date of the recall election not less than thirty-five (35) days, but not more than ninety (90) days after the Association's receipt of the request, the various notification requirements of Civil Code sections 5105(g)(4) and 5115(a)-(b) for the election of any replacement Directors make it difficult, if not impossible, for the Association to schedule the recall election meeting before the ninety (90) day deadline of Corporations Code section 7511(c). In an effort to meet the ninety (90) day deadline of Corporations Code section 7511(c), the Association may shorten the deadline to submit the Nominee Application Forms as needed to comply with the requirements of Corporations Code section 7511(c) for the recall election.

9.8. In order to curb a potential superfluous use of Association funds, a recall election may not be initiated against a Board member(s) if the targeted Board member(s)'s term expires within one-hundred (100) days from the date the Board received the recall petition unless the recall petition is petitioning to recall the entire Board.

9.9. The Association may facilitate the production of and pay for the cost of all recall election materials and the mailing of the same. If, however, a valid recall petition is received by the Board within twelve (12) months from the date of a prior recall election, whether the prior recall election was successful or not, the Association may facilitate the production of all recall election materials and the mailing of same, but the cost of the recall election will be borne by the petitioning party.

SECTION 10. ELECTION CHALLENGES AND BALLOT RECOUNTS

10.1. The Inspector(s) of Elections shall, upon written request, make the Association election materials (returned ballots, signed voter envelopes, Voter List, proxies and the candidate registration list) available for inspection and review by an Association member or the member's authorized representative should a member challenge the election or demand a ballot recount. Signed voter envelopes may be inspected but may not be copied pursuant to Civil Code section 5200(c).

10.2. Any recount will be conducted in a manner that preserves the confidentiality of the vote. To preserve the confidentiality of the vote, members will not be entitled to inspect the Inspector(s) of Elections' tabulation documents or notes submitted to the Association.

10.3. Should a professional Inspector(s) of Elections act as the Association's Inspector(s) of Elections, the member or members challenging the election or demanding a recount of the ballot

will bear the costs charged by the professional Inspector(s) of Election as a result of the election challenge and/or ballot recount. A professional Inspector of Elections is defined as an Inspector of Elections who may be compensated for their services pursuant to Paragraph 8.4.

SECTION 11. MISCELLANEOUS

11.1. Other than the time frames set forth in Civil Code section 5100 et seq., the time frames stated in these Rules are guidelines, generally setting forth fair and reasonable procedures for the conduct of voting and elections. However, the failure of the Board or Inspector(s) to strictly adhere to these time frames will not invalidate any election or vote so long as the procedures used allow all members an equal opportunity to participate in the election or voting process and did not affect the results of the election.

11.2. At the discretion of the Board of Directors, the above Rules may be modified, delayed or repealed by the Board, in whole or in part, if the California State Legislature takes any action to change the content of Civil Code section 5100 et seq., which would affect said Rules.

SELECT PROPOSED VOTING DEADLINE

Select a date for the voting deadline. It should be **at least 105 days** after you plan to mail the nomination procedures and deadline. You may need to adjust the voting deadline date at the end of this process or restart with an earlier nomination procedures mailing date. Most associations have the voting deadline on the same date as the ballot counting meeting/annual meeting, but some count ballots at a later meeting.

NOMINATION PROCEDURES

At least 30 days before deadline for nominations, send general notice (individual notice, if requested) of nomination procedures and deadline. (Civ. Code §5115(a).)

Recommendation: Select a mailing date **at least 105 days** before voting deadline. Select a deadline for submitting nominations at least **30 days** after the mailing date. For mailed nominations, election rules may require actual receipt by the deadline or may require a postmark by the deadline with actual receipt some number of days later.

INSPECTOR OF ELECTIONS

The statutes specify no time frame to select an inspector of elections, except that the inspector must be selected before the preballot notice (next step).

Recommendation: Select an inspector **70 to 75 days** before proposed voting deadline to be safe.

PRE-BALLOT NOTICE

Per Civil Code §5115(b), **at least 30 days** before the ballots are distributed, send general notice (individual if requested) including:

- Date, time and physical address to mail or hand deliver ballots in inspector;
- Date, time and location ballot counting meeting;
- List of candidates to appear on the ballots.

Recommendation: Select a mailing date about **5 days** after the nomination deadline. This allows time to receive mailed nominations (especially if you are requiring postmarks) and update the ballots. Note that some associations have ballot counting meetings after the voting deadline.

MEMBER REVIEW FOR ACCURACY

At least **30 days** before the ballots are distributed, permit members to verify the accuracy of their information on the candidate list and voter list. At an undefined time thereafter, the association or member must report errors or omissions. The **inspector(s)** must then change and correct lists within **two (2) business days** of any error or omission being reported. (Civ. Code §5105(a)(7).)

Recommendation: By statute, the right to verify the lists begins in the same time frame as the “candidate list” must be distributed as part of the preballot notice. So, the verification period should **begin** at least upon the members' receipt of the preballot notice. The Association should also have a voter list available during verification period based on the information available at any given time. Election rules should provide that reports of any errors or omissions be made early enough to allow for changes and corrections to be made before the ballots are distributed. **40 days** before the voting deadline should be adequate.

DISTRIBUTION OF BALLOTS MATERIALS

At least **30 days** before the deadline for voting and at least **30 days** after the preballot notice was sent, the inspector or inspectors of election, or the association, must mail by first-class mail or otherwise deliver the ballots and two preaddressed envelopes with instruction on how to return ballots to each member of the association. **Recheck voting deadline date now to be sure you have enough time. If not, readjust to allow more time.** In the same time frame, the inspector or inspectors of election must deliver or cause to be delivered the election operating rules. Such rules may be delivered (1) by individual delivery (Civ. Code §4040) or (2) by posting the rules on an internet website and including the website address (URL) on the ballot with the phrase, in at least 12-point font: “The rules governing this election may be found

here.” Ballot envelopes received by the inspector must remain in sealed until counting begins, but they may be logged as having been received for purposes of counting a quorum.

Recommendation: Because Civil Code §5105(g)(1) requires the association to provide a ballot to anyone who is a member “at the time when ballots are distributed,” a completely accurate voter list cannot be determined before the date ballots are distributed. Therefore, associations should finalize and maintain a copy of the voter list as of the date ballots were distributed.

ANNUAL MEETING

1. Establish quorum (not necessary if bylaws amended to eliminate quorum requirement).
2. Meeting called to order.
3. Call for any additional casting of ballots and then close balloting (if voting required at the meeting).
4. Inspectors open and count ballots.
5. Results announced; also posted within **15 days**.
6. Board holds an organizational meeting to elect officers.

AFTER THE ELECTION

The **sealed ballots, signed voter envelopes, voter list, proxies, and candidate registration list** shall at all times be in the custody of the inspector or inspectors of elections or at a location designated by the inspector or inspectors until after the tabulation of the vote, and until the time allowed by Section 5145 for challenging the election has expired, at which time custody shall be transferred to the association. If there is a recount or other challenge to the election process, the inspector or inspectors of elections shall, upon written request, make the ballots available for inspection and review by an association member or the member’s authorized representative. Any recount shall be conducted in a manner that preserves the confidentiality of the vote.