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Please Respond To: *Oceanside Office*

March 14, 2022

Board of Directors
Stone Canyon Homeowners Association
c/o Walters Management
Mr. Dee Waite, CCAM
3207 Grey Hawk Court, Suite 140
Carlsbad, CA 92011

Via Email: drowe@waltersmanagement.com

Re: **Stone Canyon Homeowners Association (“Association”)**
Proposed New Election Rules
Review of Bylaws re: Proposed Future Revisions to Comply with Election Law Changes
Our File No. 4565

Dear Members of the Board:

As you may be aware, Senate Bill 323 was passed by the California legislature, making various significant changes to the law (California *Civil Code* Sections 5000-5145 “Election Laws”) governing elections for homeowners associations. The new Election Laws from Senate Bill 323 took effect on January 1, 2020, which required all homeowners associations to adopt new Election Rules that comply with *Civil Code* §5100, et seq. We recently sent a newsletter to our HOA clients outlining *additional* changes to the Election Laws, effective January 1, 2022, that (1) permit “election by acclamation” (now available to all residential community associations, subject to *Civil Code* requirements), (2) provide additional qualifications to permissible candidate qualifications, and (3) increase the previous statutory deadline to conduct recall elections from 90 days to 150 days so recalls may be conducted *concurrently* with director elections, among other changes to the Election Laws. For your convenience, I have enclosed a separate copy of CLA’s newsletter outlining the newest changes to the Election Laws.

We have prepared proposed new Election Rules for your Association that incorporate the changes in the Election Laws, as outlined above. The Association is required to provide Members with a minimum twenty-eight (28) day “review and comment period,” which includes the right to comment on proposed changes at an open Board meeting, before the Board votes to adopt the new Election Rules. Enclosed is a proposed cover letter to the membership for placement on Association letterhead explaining the purpose and effect of the proposed new Election Rules. We note in the cover letter that while some of the Election Rules are dictated by California law, several of the rules are discretionary and subject to comment. Those several rules that are discretionary have been underlined in the enclosed Amended Election Rules.

Please note that changes / amendments to the Election Rules must be adopted not less than ninety (90) days prior to the date of the Association’s annual meeting/election. If there is insufficient time prior to the Association’s next election to enact these changes, please contact us to discuss options for proceeding.

Enclosed please find the following documents:

- (1) Proposed new Election Rules (required by *Civil Code* Section 5105)
- (2) Cover letter to Members regarding Election Rule changes (required by *Civil Code* Section 4360)
- (3) Notice of Nominating Procedures (Must be delivered to Members more than 90 days before election date)
- (4) Candidate Introduction Letter (Must be delivered to Members more than 30 days before delivery of election notice with Ballots and more than 60 days before election date)
- (5) The following sample letters to candidates required by *Civil Code* Section 5103 to utilize Election by Acclamation:
 - (a) Sample 90-Day Notice to Members
 - (b) Sample 7-Day Notice to Members
 - (c) Sample Reminder Notice Confirming Nomination

Once you have had an opportunity to review the enclosed, please contact us with any proposed modifications and let us know if we can assist in finalizing these documents. Again, after the documents are finalized, the Board will need to adopt the Amended Election Rules at an upcoming Board meeting at the end of the minimum 28-day Member review and comment period. After adoption by the Board, we appreciate you providing an electronic copy of the new Election Rules that includes the date of adoption in the space provided on the title page.

We would be happy to further discuss these matters with you and answer any questions you may have.

Thank you for giving us the opportunity to serve Stone Canyon Homeowners Association.

COMMUNITY LEGAL ADVISORS INC.



Mark Allen Wilson, Esq.

MAW/s

Enclosures:

STONE CANYON HOMEOWNERS ASSOCIATION

ELECTION RULES

Adopted _____, 2022

These Election Rules (also known as Election Operating Rules) are intended to comply with *Civil Code* Sections 5100-5145. These rules may be further amended due to future changes in the law. Provisions in the Governing Documents in conflict with the law shall be null and void.

CANDIDATE QUALIFICATIONS

A candidate for the Board of Directors (“Board”) and sitting Directors shall meet the following qualifications at the time of nomination:

1. The candidate must be a Member of the Association (i.e., record owner). If title to the property is held by a legal entity that is not a natural person (such as an LLC, corporation, trust, etc.), the entity shall have the right to appoint a natural person as the “Member” for these purposes.
2. The candidate must have been a Member of the Association for at least one (1) year.
3. The candidate must be current in payment of the principal sum of regular assessments, and any special assessments. The Member shall be considered “current” if payments have been made under protest per *Civil Code* Section 5658, or the Member has entered into *and is in compliance with a payment plan pursuant to Civil Code* Section 5665.
4. The candidate must not have a joint ownership interest in the same Unit as a person who is already serving on the Board or who is re-rerunning for a Board position.
5. The candidate must not have a past criminal conviction that would, if elected, prevent the Association from obtaining, or would result in cancelation of, the Association’s fidelity bond coverage (crime/dishonesty insurance coverage).
6. The candidate will be provided the opportunity to engage in Internal Dispute Resolution (“IDR”) (*Civil Code* Section 5900, et. seq.) with respect to any disqualification.

Directors Are Subject to Same Qualifications. Upon directors being elected or appointed to the Board, they shall also meet the above-stated qualifications in order to remain a director. Upon a director failing to meet any such qualification, the Board shall first provide notice to the director and an opportunity to be heard. If the director fails to come into compliance with such qualification(s) within a reasonable timeframe established by the Board, the Board shall declare such director’s position vacant. No prior notice/hearing is required to declare a vacancy due to the director no longer being a member of the Association. Vacancies (other than by recall) may be filled by the remaining Directors pursuant to the provisions of the Association’s Bylaws and California law.

NOMINATIONS

The requirements of this Section only apply to “elections” of directors and recall of directors:

NOMINATING PROCEDURES

The procedures for nominating a candidate for the Board are as follows:

1. A three (3) person nominating committee consisting of a chairperson (who must be a director) and two Members may nominate qualified candidates for director seats.
2. Members may nominate themselves as a candidate if they meet the candidate qualifications.
3. A Member may nominate any other Member as a candidate, provided such nominee agrees to be nominated and meets the candidate qualifications.
4. Nominations of qualified candidates may be made from the floor at the annual meeting.

CALL FOR CANDIDATES/NOTICE OF PROCEDURE AND DEADLINE FOR NOMINATION IN DIRECTOR ELECTIONS AND RECALL ELECTIONS

The Association shall provide general notice to the membership (and shall provide individual notice at a Member's request) of the procedure and deadline for submitting a nomination at least thirty (30) days before any deadline for submitting a nomination. The notice will include candidate qualifications and state that the candidate has the right to participate in IDR if the candidate is subject to disqualification.

ELECTION BY ACCLAMATION

Notwithstanding the secret balloting requirement in *Civil Code* Section 5100, or any contrary provision in the governing documents, when, as of the deadline for submitting nominations provided for in subdivision (a) of Section 5115, the number of qualified candidates is not more than the number of vacancies to be elected, as determined by the inspector or inspectors of the elections, the association may, but is not required to, consider the qualified candidates elected by acclamation if all of the following conditions have been met:

1. The association has held a regular election for the directors in the last three years. The three-year period shall be calculated from the date ballots were due in the last full election to the start of voting for the proposed election.
2. The association shall provide individual notice of the election and the procedure for nominating candidates as follows:
 - A. Initial notice at least 90 days before the deadline for submitting nominations provided for in subdivision (a) of Section 5115. The initial notice shall include all of the following:
 - (i) The number of board positions that will be filled at the election.
 - (ii) The deadline for submitting nominations.
 - (iii) The manner in which nominations can be submitted.
 - (iv) A statement informing members that if, at the close of the period for making nominations, there are less than or the same number of qualified candidates as there are board positions to be filled, then the board of directors may, after voting to do so, seat the qualified candidates by acclamation without balloting.
 - B. A reminder notice between 7 and 30 days before the deadline for submitting nominations (*Civil Code* Section 5115 (a)). The reminder notice shall include all of the following:
 - (i) The number of board positions that will be filled at the election.
 - (ii) The deadline for submitting nominations.
 - (iii) The manner in which nominations can be submitted.
 - (iv) A list of the names of all of the qualified candidates to fill the board positions as of the date of the reminder notice.
 - (v) A statement reminding members that if, at the close of the period for making

nominations, there are the same number or fewer qualified candidates as there are board positions to be filled, then the board of directors may, after voting to do so, seat the qualified candidates by acclamation without balloting. This statement is not required if, at the time the reminder notice will be delivered, the number of qualified candidates already exceeds the number of board positions to be filled.

C. Within 7 business days of receiving a nomination, the Association shall provide a written or electronic communication* to both the member who submitted the nomination and the nominee indicating *either* of the following:

- (i) The nominee is a qualified candidate for the board of directors.
- (ii) The nominee is not a qualified candidate for the board of directors, the basis for the disqualification, and that internal dispute resolution ("IDR"), as outlined in *Civil Code* Section 5900, et seq., is the procedure by which the candidate may appeal the disqualification.

*If the member submitting the nomination and the nominee are the same person, the Association may combine the written or electronic communication described in (C) into a single written or electronic communication

The Association shall permit all candidates to run if nominated, except for those nominees disqualified from running for not meeting the Candidate Qualifications outlined in these Election Rules.

Board Meeting Required to Confirm Qualified Candidates: The Board of Directors shall hold a noticed board meeting to consider the qualified candidates elected by acclamation, and the agenda item shall list the name of each qualified candidate that will be seated by acclamation if the item is approved.

NOTICE OF MEETING, LIST OF CANDIDATES, BALLOT DEADLINE AND RIGHT TO VERIFY ACCURACY OF MEMBER INFORMATION

The Association shall provide general notice to the membership (and shall provide individual notice at a Member's request) of the following at least thirty (30) days before the ballots are distributed (which shall also serve as the record date):

1. The date and time by which ballots are to be returned, and physical address to which ballots are to be returned by mail or hand delivery to the Inspector.
2. The date, time and location of the meeting at which ballots will be counted.
3. The list of all candidates' names that will appear on the ballot (those nominated by the deadline for nomination and who meet the candidate qualifications) ("Candidate Registration List").
4. Members' right to verify accuracy of their individual information on the Candidate Registration List and the Voter List. The Voter List shall consist of a list of Members' names, voting power, and either the physical address of the voter's separate interest (Unit), the parcel number (i.e., APN), or both, and mailing address for the Member only if it differs from the physical address of the Member's separate interest or if only the parcel number is used. The Association or Members shall report errors/omissions on either list to the Inspector, which shall be corrected within two (2) business days.

VOTING RIGHTS

Voting Power: Each Unit shall have one (1) vote, except for the election of Directors where each Unit shall have one (1) vote for each vacant Director position to be elected. If there are joint

Owners of a Unit who are unable to agree among themselves as to how their vote shall be cast, they shall lose their right to vote on the matter in question. If one (1) Owner casts a vote representing a Unit, it will be conclusively presumed for all purposes that such Owner was acting with the authority and consent of all other Owners of the same Unit. If more than one (1) Owner casts the vote representing a certain Unit in any matter requiring a membership vote, the votes cast by such Owners shall not be counted and shall be considered void.

Cumulative Voting: Cumulative voting shall be used for elections in which more than two (2) directors are to be elected.

Qualifications for Voting: Members who are Owners (as defined in the Governing Documents) shall be entitled to receive a ballot. No Members' right to vote in elections shall be suspended. Persons with a written general power of attorney for a Member shall be entitled to request a ballot on behalf of such Member. Only non-Members (i.e., tenants, non-record owners, etc.) may be denied a ballot.

Proxies: To the extent proxies are desired to be used by a Member, proxies may be used in lieu of a ballot.

Quorum: A quorum of at least twenty-five percent (25%) of the voting power of the Association is required for the transaction of business at membership meetings. If the originally noticed membership meeting is adjourned due to lack of quorum, the quorum for the resumed meeting shall remain at twenty-five percent (25%) of the total voting power of the Association. Each ballot received by the Inspector or its designee shall be treated as a Member for purposes of establishing a quorum.

Write-In Candidates Are Not Allowed: Candidates other than those listed on the official Association ballot may not be written in or added onto the ballot.

Nominations from the Floor: Nominations from the floor are allowed.

INSPECTOR(S) OF ELECTION

Inspector(s): There may be one (1) or three (3) inspectors of election ("Inspector" or "Inspectors"). The Board shall have the authority to decide on the number of Inspectors and to appoint persons to fill those positions. An Inspector shall be an independent third party which may include a volunteer poll worker with the county registrar of voters, a licensee of the California Board of Accountancy, a notary public, and a Member of the Association who is not a member of the Board or a candidate for the Board or related to a member of the Board or to a candidate for the Board. An independent third party may not be a person, business entity, or subdivision of a business entity who is currently employed by or under contract with the Association for compensation, other than persons/entities in the business of performing Inspector duties.

Duties of Inspectors: Inspectors may delegate the duties to be performed under California law, including but not limited to preparation and delivery of the notices and election material, correction of addresses on the Voter List, verification of Members' information and signatures on the sealed/signed voter envelopes, counting/tabulation of ballots and other duties pursuant to California law, to the property management company or another designee. However, the Inspector shall perform the following duties:

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

2. Determine the authenticity, validity, and effect of proxies pursuant to the Association's proxy rules.
3. Receive ballots.
4. Hear and determine all challenges and questions in any way arising out of or in connection with the right to vote.
5. Count and tabulate all votes
6. Determine when the polls shall close consistent with the governing documents.
7. Determine the tabulated results of the election.
8. Perform any acts as may be proper to conduct the election with fairness to all Members in accordance with the Civil Code, Corporations Code, and these Election Rules that are not in conflict with *Civil Code* Sections 5100 - 5145.
9. The Inspector shall perform all duties impartially, in good faith, to the best of the Inspector's ability, and as expeditiously as is practical. If there are three (3) Inspectors, the decision or act of a majority shall be effective in all respects as the decision or act of all. Any report made by the Inspector is prima facie evidence of the facts stated in the report.
10. The inspector or inspectors may appoint and oversee additional persons to verify signatures and to count and tabulate votes as the inspector or inspectors deem appropriate, provided that the persons are independent third parties who meet the inspector requirements outlined herein and in subdivision (b) of Section 5110.

VOTING PROCEDURES

Distribution of Material at Least 30 Days Before Election: Not less than thirty (30) days prior to the election/deadline for voting, the following shall be mailed by first-class mail or delivered to each Member:

1. A ballot.
2. Two pre-addressed envelopes with instructions on how to return the ballot.
3. A copy of these Election Rules. If the Association has a website, notice of the Election Rules may be provided by posting the Election Rules to the 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."

Voting By Secret Ballot: In order to preserve confidentiality, a voter will not be identified by name or address, or Unit/parcel number on the ballot. The ballot itself is not signed by the voter but is to be inserted into an envelope that is sealed. This envelope is then inserted into a second envelope addressed to the Inspector. The voter then seals the outer envelope and in the upper left-hand corner prints and signs his/her name and address which entitles him/her to vote.

Voting Period: Ballots may be mailed or hand-delivered to the location/address specified by the instructions sent by the Inspector or its designee. The location for return of ballots shall be the property management company unless a different location is specified. The ballot must be received by the Inspectors before the end of the voting period or it will be disregarded. A Member may request a receipt upon delivery of a ballot. Once a secret ballot is received by the Inspector, it shall be irrevocable.

Tabulation of Ballots: The Inspector or its designee will count and tabulate all votes in public at a properly noticed meeting of the Members or open meeting of the Board. Any candidate or other Member of the Association may witness the counting and tabulation of the votes in a manner so as to not violate the intent of preserving the confidentiality of Members' votes. 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. The Inspector or its designee may verify the Member's information and signature on the outer envelope prior to the meeting at which ballots are tabulated.

Reporting Results: The Inspector will promptly report the results of the election to the Board. The Board will record the results in the minutes of the next meeting of the Board and make the results available for review by any Member at any time after the results are received from the Inspector. Within fifteen (15) days of the election, the Board shall give general notice pursuant to *Civil Code* Section 4045 of the tabulated results of the election.

RETENTION AND CUSTODY OF ELECTION RECORDS

Before Election: The sealed ballots, signed voter envelopes, Voter List, proxies if any, and Candidate List shall at all times remain in the custody of the Inspector or at a location designated by the Inspector until after the tabulation of the vote. The Candidate List shall include the name and address of individuals nominated as a candidate for election to the board of directors. The Voter List shall include the name, voting power, and either the physical address of the voter's separate interest, the parcel number, or both. The association shall permit members to verify the accuracy of their individual information on both lists at least 30 days before the ballots are distributed. The association or member shall report any errors or omissions to either list to the inspector or inspectors who shall make the corrections within two business days.

After Election: The following Association records shall also be retained by the Inspector after the election/tabulation until the time allowed by *Civil Code* Section 5145 for challenging the election has expired, at which time custody will be transferred to the Association: returned/cast ballots, signed voter envelopes, Voter List, proxies if any, and the Candidate List.

Recount/Challenge: If there is a recount or other challenge to the election process, the Inspector shall, upon written request, make such records available for inspection and review by a Member or Member's authorized representative. Signed voter envelopes are subject to inspection but not copying. Any recount shall be conducted in a manner that preserves the confidentiality of the vote.

ACCESS IN CONNECTION WITH ELECTIONS

Access to Association Media: If any candidate or Member advocating a point of view is provided access to Association media, newsletters, or internet websites during a campaign, for purposes that are reasonably related to that election, equal access shall be provided to all candidates and Members advocating a point of view, including those not endorsed by the Board, for purposes that are reasonably related to the election. The Association shall not edit or redact any content from these communications but may include a statement specifying that the candidate or Member and not the Association, is responsible for that content.

Access to Association Meeting Space: The Association will provide access to the common area meeting space during a campaign 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. Access shall be provided at no cost to the Members and candidates.

Campaign Fund Restrictions: Association funds shall not be used for campaign purposes in connection with any Association Board election. Funds of the Association will not be used for campaign purposes in connection with any other Association election except to the extent necessary to comply with duties of the Association imposed by law. Campaign purposes include, but are not limited to, the following: (a) expressly advocating the election or defeat of any

candidate that is on the Association's election ballot; and (b) including the photograph or prominently featuring the name of any candidate on a communication from the Association or its Board, excepting the ballot and ballot materials, or a communication that is legally required in connection with an election. This restriction does not prevent distribution of campaign materials as otherwise specifically allowed under the equal access provisions of these rules.

MODIFICATION OF RULES

These rules shall be construed in accordance with and are subject to further change pursuant to California law. **No changes to these rules shall be made within ninety (90) days of an election.**

(Sample Rule Change Cover Letter to be placed on Association Letterhead)

_____, 2022

To: All Members of Stone Canyon Homeowners Association

RE: (1) NOTICE OF PROPOSED CHANGES TO ELECTION RULES (Per *Civil Code* Section 4340 et. seq.)

(2) NOTICE OF RIGHT TO COMMENT ON PROPOSED CHANGES AT BOARD MEETING:

Meeting Date: _____, 2022

Time: _____

Location: _____

Dear Members:

The California legislature made changes to the laws governing elections for homeowners associations, effective January 1, 2020 and, most recently, January 1, 2022. Due to such changes in the law, the Association has approved drafting new Election Rules (also known as Election Operating Rules) to comply with the new laws.

Enclosed please find the proposed new Election Rules for your review. The purpose is to comply with *Civil Code* Section 5100, et seq., including new *Civil Code* Section 5103 (which allows elections by “acclamation”), additional requirements for candidate lists, and changes to discretionary candidate qualifications, among others. We anticipate the effect of such changes will be a Membership better informed about the rules pertaining to Director elections, including, but not limited to, candidate qualifications, nomination procedures, election by acclamation, voting rights, notices and other aspects of the Association’s election of Directors.

Most of the rules are now required by California law; however, those changes which are in the Board’s discretion are shown in underlined print in the attached proposed new Election Rules. If you would like to offer any comment or objection to the proposed (underlined) new Election Rules, please submit same in writing to management prior to the above-referenced meeting, or please attend the Board meeting to verbally inform the Board of your comments/objections. After considering any comments and discussion, the Board may adopt the new Election Rules at such meeting.

Thank you for your interest in this matter.

Sincerely,

Board of Directors

Stone Canyon Homeowners Association

**NOTICE OF PROCEDURE AND DEADLINE
FOR SUBMITTING NOMINATION OF CANDIDATES
FOR ELECTION OF BOARD OF DIRECTORS**

To All Members of Stone Canyon Homeowners Association:

The Board of Directors of your Association is made up of volunteer owners who make important decisions on behalf of the Association, pursuant to the duties set forth under California law, the CC&Rs, Bylaws and other Association Governing Documents. If any Member who meets the qualifications stated in the Election Rules desires to be a candidate for election to the Board of Directors, the purpose of this notice is to inform you of the procedure and deadline for submitting a nomination, pursuant to *Civil Code* Section 5115(a):

I. Procedure for Nomination:

The candidate qualifications are attached. You may nominate yourself by notifying the management company designated below. (See attached form)

Nominations may be made from the floor. Please note, however, that the Association encourages qualified candidates to submit their nomination at this time in order to be included on the official ballot.

II. Deadline for Submitting Nomination:

Nominations must be received no later than _____, 2022 at 4:00 p.m. via email or fax or regular mail to management as follows:

Stone Canyon Homeowners Association
c/o Walters Management
Attn: Dee Rowe, CCAM
3207 Grey Hawk Court, Suite 140
Carlsbad, CA 92011
Email: drowe@waltersmanagement.com
Fax: 760-431-2512
Phone number in case of questions: 760-930-7837

The Association shall not disqualify a person from nomination without first providing the Member with the opportunity to engage in Internal Dispute Resolution (IDR) pursuant to *Civil Code* Section 5900, et. seq. You may request a copy of the Election Rules by contacting management. Election Rules will also be sent out with the list of candidates.

Thank you for your interest and participation in the Association's election of Directors.

Sincerely,

The Board of Directors

Stone Canyon Homeowners Association

CIVIL CODE SECTION 5115(b)

“CANDIDATE INTRODUCTION LETTER”

- 1) Notice of Election/Annual Meeting**
- 2) Notice of Date, Time, and Location for Return of Ballots**
- 3) List of Candidates to Appear on Ballot (Candidate Registration List)**
- 4) Right of Members to Verify Member Information on Candidate Registration List and Voter (Membership) List**

Attention All Members:

The Stone Canyon Homeowners Association hereby gives notice of the following with respect to the election of the Board of Directors, pursuant to *Civil Code* Section 5115(b). Please note that ballots will be mailed to the membership at least thirty (30) days prior to the election:

A. Notice of Election/Annual Meeting:

Date: _____, 2020

Time: _____

Location: _____

B. Notice of Date, Time and Location For Return of Ballots:

Ballots must be returned no later than _____, 2020 at _____ p.m. The physical address to which ballots are to be returned either by mail or by hand delivery is: _____, CA _____

C. List of Candidates Who Will Appear on Ballot (“Candidate Registration List”):

1. _____
2. _____
3. _____
4. _____
5. _____

D. Right to Verify Accuracy of Member Information on Candidate Registration List and Voter List:

Members are permitted to verify the accuracy of their personal information on the Candidate Registration List above and the Voter List (name, unit address, mailing address (if different from unit address), etc. at least thirty (30) days before ballots are distributed. The last/most recent address on file with the Association will be used for mailing of ballots unless you designate otherwise. Please call or email management if you wish to verify your Member information and/or bring any errors to its attention. Errors or omissions will be corrected within two (2) business days.

Management can be contacted at: Attn: Dee Rowe, CCAM, 3207 Grey Hawk Court, Suite 140, Carlsbad, CA 92011; Email: drowe@waltersmanagement.com; Fax: 760-431-2512.

(To be sent to nominee within 7 business days of receipt of nomination)

**CONFIRMATION OF RECEIPT OF NOMINATION
AND NOTICE OF RESPONSE**

(Owner Name)
(Owner Address)

Dear _____:

This letter shall confirm that Stone Canyon Homeowners Association (“Association”) has received your nomination as a candidate for the election of the Director positions to be filled and wishes to inform you of the following pursuant to *Civil Code* Section 5103:

___ You meet the qualifications to become a candidate as stated under California law and the Association’s Election Rules. Your name will therefore be included on the candidate list and the ballot.

___ You do not appear to meet the qualifications for becoming a candidate for election based on the following reasons: _____. The Association will not disqualify you until you have been provided the opportunity to participate in Internal Dispute Resolution pursuant to *Civil Code* Section 5900 *et seq.* The Association has scheduled an IDR session at which time you and at least one director will have the chance to meet and confer as to this issue:

Date: _____, 20__

Time: _____

Location: (in person or by videoconference as follows):

Please confirm whether or not you intend to attend the IDR session, or whether you wish to withdraw your nomination at this time, by emailing: _____.

Sincerely,

Board of Directors

Stone Canyon Homeowners Association

(To be sent via individual notice at least 90 days prior to deadline for nomination)

**NOTICE OF NUMBER, PROCEDURE AND DEADLINE
FOR SUBMITTING NOMINATION OF CANDIDATES
FOR ELECTION OF BOARD OF DIRECTORS
(Civil Code Sec. 5103 and 5115a)**

To All Members of Stone Canyon Homeowners Association:

The Association will soon hold its election of the Board of Directors. The Board is made up of volunteer owners who make important decisions on behalf of the Association. If you are a Member who meets the qualifications stated in the Election Rules and you wish to be a candidate for election to the Board of Directors, please note the following:

- I. **Number.** The number of Director positions to be filled at the upcoming election is _____.
- II. **Deadline.** The deadline for submitting nominations for candidates for the Board is 4:00 p.m. on _____, 2022.
- III. **How to Submit Nominations.** You may nominate yourself by notifying the management company in writing by mail or email by the above deadline:

Company Name: _____

Manager Name: _____

Mailing Address: _____

Email: _____

Phone Number if questions: _____

- IV. **Statement re: Election by Acclamation.** If at the close of the time period for making nominations there are the same number or fewer candidates as there are board positions to be filled, then the Board of Directors may, after voting to do so, seat the qualified candidates by acclamation without balloting.

Thank you for your interest and participation in the Association's election of Directors.

Sincerely,

Board of Directors

Stone Canyon Homeowners Association

(To be given by individual notice between 7 and 30 days prior to deadline for nomination)

**REMINDER NOTICE RE: NOMINATION OF CANDIDATES
FOR ELECTION OF BOARD OF DIRECTORS
(Civil Code Sec. 5103 and 5115a)**

To All Members of Stone Canyon Homeowners Association:

This a reminder notice as to the number of director positions to be filled at the upcoming election of the Board of Directors, and the procedure and deadline for nominations, as required by California law:

- I. **Number.** The number of Director positions to be filled at the upcoming election is _____.
- II. **Deadline.** The deadline for submitting nominations of candidates for the Board is 4:00 p.m. on _____, 20__.
- III. **How to Submit Nominations.** You may nominate yourself by notifying the management company in writing by mail or email by the above deadline:

Company Name: _____

Manager Name: _____

Mailing Address: _____

Email: _____

Phone Number if questions: _____

- IV. **Preliminary List of Candidates as of date of this notice:**
 1. Name: _____
 2. Name: _____
 3. Name: _____

- V. **Statement re: Election by Acclamation.** If at the close of the time period for making nominations there are the same number or fewer candidates as there are board positions to be filled, then the Board of Directors may, after voting to do so, seat the qualified candidates by acclamation without balloting. (**NOTE: THIS STATEMENT IN SECTION V IS NOT REQUIRED IF, AS OF THE DATE OF THIS NOTICE, THE NUMBER OF QUALIFIED CANDIDATES EXCEEDS THE NUMBER OF POSITIONS TO BE FILLED**)

Thank you for your interest and participation in the Association's election of Directors.

Sincerely,

Board of Directors

Stone Canyon Homeowners Association