

OROVILLE HERITAGE ESTATES HOMEOWNERS ASSOCIATION

ELECTION RULES

(Adopted by the Board of Directors on _____, 20__)

If this document contains any restriction based on race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, familial status, marital status, disability, veteran or military status, victims of abuse status, genetic information, national origin, source of income as defined in subdivision (p) of Section 12955, or ancestry, that restriction violates state and federal fair housing laws and is void, and may be removed pursuant to Section 12956.2 of the Government Code. Lawful restrictions under state and federal law on the age of occupants in senior housing or housing for older persons shall not be construed as restrictions based on familial status.

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FOR
OROVILLE HERITAGE ESTATES HOMEOWNERS ASSOCIATION**

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**OROVILLE HERITAGE ESTATES HOMEOWNERS ASSOCIATION
ELECTION RULES**

ARTICLE 1 GENERAL

- 1.1 Intent. These Rules have been adopted with the intent to comply with California Civil Code sections 5100 through 5130, as adopted by the California Legislature as part of Senate Bill 323, effective January 1, 2020.
- 1.2 Application. These Rules shall apply to Member voting: (a) to elect or remove Members of the Board of Directors; (b) regarding annual and special assessments; (c) regarding amendments to the governing documents; (d) regarding the granting of exclusive use of common area property; and (e) at the discretion of the Board of Directors, regarding any other matter that may be the subject of a vote of Members.
- 1.3 Effective Date. These rules shall become effective upon the date of adoption by the Board of Directors.
- 1.4 Definitions.
- (a) For purposes of these Rules, the following terms have the following meanings:
 - (i) “Association” means Oroville Heritage Estates Homeowners Association.
 - (ii) “Election Campaign” means the 90 day period of time prior to a noticed election to which these Rules apply.
 - (iii) “General Notice” means delivery of a document by any method of delivery authorized by California Civil Code Sections 4040 or 4045. For the purposes of these Rules, “General Notice” shall mean notice provided by:
 - (a) Individual notice pursuant to California Civil Code section 4040;
 - (b) Inclusion with newsletters, billing statements, or other routine correspondence;
 - (c) Posting in a prominent location, presuming such location has been previously disclosed as the Association’s annual policy statement.
 - (iv) “Individual Delivery” means delivery of a document by any method of delivery authorized by California Civil Code Sections 4040. For purposes of these Rules, “Individual Delivery” shall mean notice or delivery provided by:
 - (a) First-class mail, postage prepaid, registered or certified mail, express mail, or overnight delivery by an express service carrier. The document shall be addressed to the recipient at the address last shown on the books of the Association.
 - (b) Email, facsimile, or other electronic means, if the recipient has consented, in writing or by email, to that method of delivery. The consent may be revoked, in writing or by email, by the recipient.

- (b) Unless separately defined within these rules, capitalized words have the same meaning as defined within the Declaration of Conditions, Covenants, and Restrictions for the Association.

ARTICLE 2 GENERAL ELECTION AND VOTING PROCEDURES

- 2.1 Qualifications for Voting. Only Members are entitled to vote in any election subject to these Election Rules. The Association shall not deny a ballot to a Member for any reason other than not being a Member at the time when ballots are distributed. The Association shall not deny a ballot to a person with general power of attorney for a Member. The ballot of a person with general power of attorney for a Member shall be counted if received in a timely manner. The provisions of this Section 2.1 shall control over any provision of the Association's governing documents in conflict with this provision, including any provision which limits or restricts Association voting rights to only "Members in Good Standing."
- 2.2 Voting Power of Memberships. The Association has two classes of voting membership, Class A and Class B, as more particularly described in Section 3.2 of the Association's Bylaws. A Class A Member get one (1) vote and a Class B Member gets three (3) votes, as set forth in Section 3.3 of the Association's Bylaws. The Class B Membership shall cease and be converted to Class A Membership, as set forth in Section 3.3(c) of the Association's Bylaws.
- 2.3 Proxies. Pursuant to the Association's Bylaws, proxies are not allowed when Members' votes are solicited by written ballot as required by California Civil Code Section 5100 et seq. and these Rules.
- 2.4 Election Lists.
 - (a) Maintained Lists. The Association shall maintain a "Candidate Registration List" and a "Voter List".
 - (i) Candidate Registration List. The Candidate Registration List shall consist of the name of each Member whose has been nominated pursuant to and in accordance with Section 5.2 or 5.3, below.
 - (ii) Voter List. The Voter List shall include the name, voting power, and either the physical address of the voter's Unit or Unit number, or both. The mailing address for the ballot 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.
 - (b) Maintained Lists. 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 the Member shall report any errors or omissions to either list to the Inspector of Election who shall make the corrections within two business days.
- 2.5 Voting Period for Elections. The initial balloting period shall begin on the date the ballots are distributed to the Members and shall close at such time(s) and on such date(s) established by the Board, which shall be not less than 30 days from the date the ballot packets are mailed to the Members. Ballots received by the Inspector of Election after that time (or, if applicable, after the time established for any extension of the balloting period) will not be accepted or counted.

ARTICLE 3 INSPECTOR OF ELECTIONS

- 3.1 Selection. The Board shall appoint one or three Inspector(s) of Elections who shall perform all of the functions required by California Civil Code section 5105 and 5110, including:
- (a) Voting Rolls. Determine the number of Members entitled to vote and the voting power of each Member;
 - (b) Proxies, If Applicable. Determine the authenticity, validity, and effect of proxies, if any.
 - (c) Delivery of Ballots and Material. Deliver, or cause to be delivered to each Member, at least 30 days before an election, both of the following documents:
 - (i) The ballot or ballots.
 - (ii) A copy of the election operating rules, by either of the following methods:
 - (a) Posting 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: https://_____” [the current website that the Association is using for this purpose, if any]
 - (b) Individual delivery.
 - (d) Ballot Custodian. Receive and be the custodian of ballots, and direct the location to which ballots shall be sent until tabulated by the Inspector(s) of Election;
 - (e) Correct Errors. Correct errors or omissions on the candidate registration list (if any) and/or voting list within two business days of the errors or omissions being reported, with receipt of satisfactory documentary evidence;
 - (f) Review Challenges. Hear and determine all challenges and questions in any way arising out of or in connection with the right to vote;
 - (g) Vote Tally. Count and tabulate all votes, provided that a quorum for the Member vote is achieved;
 - (h) Poll Deadline. Determine when the polls shall close, with the discretion to extend the deadline for voting as necessary;
 - (i) Results. Determine the tabulated results of the election and report the results of the election to the Board of Directors.
- 3.2 Eligibility. Eligibility to Serve as an Inspector of Elections:
- (a) All Non-Candidate; Non-Serving Members. Any Members who are not Members of or candidates for the Board of Directors nor relatives of Members or candidates for the Board of Directors; and

- (b) Independent Third-Party. An individual third party who is not currently employed or under contract to the Association for any compensable services other than serving as an Inspector of Elections.
- 3.3 Assistants. The Inspector(s) of Elections may appoint and oversee additional persons to verify signatures and to count and tabulate votes as the Inspector(s) deem appropriate, provided that the appointed persons would themselves be eligible to serve as Inspector(s) of Elections.
- 3.4 Compensation. The Association may, at the discretion of the Board of Directors, provide reasonable compensation to the Inspector(s) of Elections.
- 3.5 Member Challenge. If a Member is selected to serve as the Inspector of Election, that appointment may be challenged by any Member by petition to the Board prior to the mailing of ballots. The effect of such a challenge shall be the requirement for the Board to secure a qualified non-Member for the position.
- 3.6 Indemnification. The Association shall indemnify, defend, and hold harmless any Inspector of Elections, and any agents or employees of an Inspector of Elections, and any volunteers assisting an Inspector of Elections regarding any Association election, unless the claim is due to gross negligence or willful misconduct.
- 3.7 Use of Association Legal Counsel. An Election Inspector shall have the right to directly consult with the Association's legal counsel regarding any matter related to an Association election, membership meeting, or vote by the Members.
- 3.8 Role of Managing Agent. To the extent permitted by California Civil Code Sections 5100 through 5145, these Rules are intended to permit the Association's managing agent to perform all of the administrative aspects of an election which are not otherwise expressly required to be performed by the Inspector(s) of Election. Such administrative aspects may include, but are not limited to, the acts of providing General Notice as required by these Rules, the mailing of ballots to the Association's members and the receiving and holding ballots cast by members until tabulation by the Inspector(s) of Election.

ARTICLE 4 OBLIGATIONS OF THE ASSOCIATION AND INSPECTOR(S)

- 4.1 Pre-Election Notice of Director Nomination Procedures. If the election is a Board of Director election, then not less than 30 days before the Association provides the Pre-Election Notification required by Section 4.2, below, the Association shall provide General Notice to all Members of their right to self nominate to become a candidate for election to the Board of Directors. The procedures shall be presented to the Association's members in a manner that is substantially consistent with the sample attached as Exhibit "B".
- 4.2 Pre-Election Inspector of Election Duties. Prior to the election, the Inspector(s) of Elections shall do the following:
 - (a) Review Voter List. Review and verify the Voter List which identifies each Member eligible to vote, their mailing address, Unit identification, and the voting power of each Member. The list may be created by the Association.
 - (b) Candidate List. Review and verify the Candidate Registration List which identifies all eligible candidate for inclusion on the ballot.

- (c) Ballot Inspection. Review and verify the ballot prior to mailing and ensure compliance with ballot contents described in Section 6.8, below.
- (d) Pre-Election Ballot Notice. Ensure the Association's members are provided a pre-election ballot notice that is substantially consistent with the sample attached as Exhibit "C".

4.3 During Voting Period.

- (a) Receive Ballots. Inspector(s) of Elections shall monitor the receipt of submitted ballots in a manner that ensures they are not tampered with following their receipt. Inspector(s) may direct administrative staff to maintain a log of all received ballots noting whether the envelope was signed or not. If a ballot envelope is returned without the Member's signature, the Inspector may contact Member and seek the Member's signature for the envelope.
- (b) Effect of Receipt. Regardless of signature, a ballot is irrevocable once received by the Inspector(s) of Elections.

4.4 Examination of the Ballots. At the appointed time, following the close of the polls for the election, the Inspector(s) of Elections shall:

- (a) Open Meeting and Opening of Ballots. The tabulation of the vote shall occur at a properly noticed open meeting. No envelopes containing any ballot materials shall be opened prior to the time at which the ballots are to be counted and tabulated at a property noticed meeting.
- (b) Quorum. If a quorum is necessary for the matter being voted upon, each received ballot shall be treated as a member present at the meeting. Envelopes shall only be opened and ballots tabulated if a sufficient number of ballots are received by the Inspector of Elections to meet the quorum requirements under the Association's governing documents.
- (c) Signature Verification. The Inspector of Elections, or their designees, may verify the signatures upon the outer envelope prior to the time of tabulation. At the time of tabulating the vote, the Inspector of Election may announce and permit a member to sign, any envelope they failed to sign at time of mailing.
- (d) Witnesses. Any Member may witness the counting and tabulation of the ballot, however, no Member may communicate with an Inspector of Elections during the process and must remain at least five (5) feet away from the ballots. The Inspector of Elections shall have the power to remove any observer who interferes with the tabulation process.
- (e) Announcement of Results. The Inspector of Elections shall announce to all present the results of the election and deliver that information to the Board Members present at the open meeting for recordation in the minutes of the meeting.

4.5 Retention Of Materials. The Inspector of Elections shall maintain all election documentation in the possession of the Inspector of Elections, including signed outer envelopes and votes until one year following the tabulation of votes. Unless requested by the Association, the Inspector of Elections may dispose of the materials at that time.

4.6 Custody, Storage and Retention of Election Materials.

- (a) Possession by Inspector of Elections. After the Inspector of Election reports the tabulated results of the election to the Board, all election documentation in the possession of the Inspector of Elections, including signed outer envelopes, voter lists, and ballots shall be in the custody of the Inspector of Election or at a location designated by the Inspector of Election until the time allowed by California Civil Code Section 5145 for challenging the election has expired, at which time the Inspector of Election shall transfer custody of all of the election documentation to the Association.
- (b) Availability for Review. In the event of a recount or other challenge to the election process, the Inspector of Election shall, upon written request, make the ballots available for inspection and review by Members or their authorized representatives. Any recount shall be conducted in a manner that preserves the confidentiality of the vote.
- (c) Storage by Association. After the transfer of custody of the election documentation to the Association, the Election Materials shall be stored in a secure place for at least one year after the date of the meeting at which the ballots were counted and tabulated.

4.7 Effect of a Tie.

- (a) Election For A Director Position. A tie between two or more candidates shall be resolved by the Inspector of Elections, who shall conduct a random drawing or other method of chance as determined by the Inspector of Election to break a tie in the number of votes cast for election of candidates to the Board.
- (b) Election Involving A Rule Change. A tie results in the defeat of the proposal.

ARTICLE 5 CANDIDATE NOMINATIONS

- 5.1 Notice Of Nomination Period. At least 30 days prior to the deadline for nomination, the Association shall provide General Notice of the procedure and deadline for nomination as a candidate for the Board. The procedures shall be presented to the Association's members in a manner that is substantially consistent with the sample attached as Exhibit "B".
- 5.2 Procedure For Nomination – Self-Nomination. A Member may nominate themselves as a candidate for the Board or other open position as applicable by notifying the Association's managing agent or Board in writing.
- 5.3 Procedure For Nomination – By Board. The Board may directly nominate candidates for the Board, subject to the same deadlines and disclosure obligations for self-nominated Members.
- 5.4 Qualifications for Board Candidate.
 - (a) Grounds for Disqualification. A person is disqualified from being nominated to serve as a member of the Board of Directors, if any of the following are true:
 - (i) Membership. The nominee is not a Member at the time of the nomination.

- (ii) Assessments. The nominee is not current in the payment of regular and special assessments, which are consumer debts subject to validation, unless the nominee has entered into a payment plan to pay those assessments pursuant to California Civil Code Section 5665.
 - (iii) Joint Ownership. The nominee, if elected, would be serving on the Board at the same time as another properly nominated person, or an incumbent director, who holds a joint ownership interest in the same Unit as the nominee.
 - (iv) Specific Criminal Conviction Disqualification. The nominee discloses, or the Association is aware or becomes aware of, a past criminal conviction of the nominee that would, if the person was elected, either prevent the association from purchasing the fidelity bond coverage required by Section 5806 or terminate the association's existing fidelity bond coverage.
- (b) Due Process Prior to Disqualification. Before a person may be disqualified from nomination pursuant to subdivision (a), the person must be provided the opportunity to engage in internal dispute resolution pursuant to Article 2 (commencing with Section 5900) of Chapter 10 of the California Civil Code.
 - (c) Class A Member Pursuant to Section 5.3(b) of the Bylaws, at least one Director shall be elected solely by the Class A Members, excluding Declarant.
- 5.5 Procedure For Withdrawing a Nomination By a Candidate. After the deadline for nominations has passed, the Association shall provide all nominated candidates with the Candidate Registration List. Any nominated candidate shall have two (2) business days to withdraw their name from the Candidate Registration List by providing written notice to the Association or the Inspector of Elections.
- 5.6 Uncontested Elections. Unless prohibited by California law, and notwithstanding anything contained in the Association's governing documents to the contrary, if, at the end of the published deadline for nominees, the total number of candidates for election to the Board is equal to or less than the number of seats to be filled at the election, then those candidates are deemed elected to terms that shall commence upon the expiration of the predecessors' terms and the Association can dispense with distributing ballots and conducting the election. If the number of Directors so elected is less than the number of seats to be filled at the election, the incoming Board of Directors shall fill the vacancy(ies) as provided for in the Association's Bylaws. In addition, in the event of any vacancy on the Board of Directors, whether or not during an election, such vacancy shall be addressed in accordance with the procedures outlined in the Association's Bylaws.

ARTICLE 6 BALLOTS

- 6.1 All Candidates. The Association shall include all candidates for the Board of Directors positions being voted on in the election.
- 6.2 Alphabetical Order. The ballot shall list each candidate by name, in alphabetical order based on last name.
- 6.3 No Write-In Candidates. The ballot shall not permit write-in candidates.

- 6.4 Cumulative Voting for Director Elections. Cumulative voting is permitted for Director elections, and thus each Member is entitled to cast the number of votes equal to the number of Directors to be elected, to be cast as desired (i.e., the Member may cast all votes for one candidate or may divide those votes among any combination of candidates, but is not allowed more votes than the number of Directors to be elected).
- 6.5 Any Other Matter. The ballot shall contain any other matter that is the subject of a member vote.
- 6.6 Notice of Ballots. At least 30 days prior to the distribution of ballots, the Association shall provide General Notice of the Pre-Ballot Election Notice, in a manner substantially consistent with the sample attached as Exhibit “C”, which includes the following information:
- (a) The date and time by which ballots must be received to be counted;
 - (b) The location to which physical ballots must be received to be counted;
 - (c) The name of the Inspector(s) of Elections;
- 6.7 Member Eligibility To Vote. Except with respect to cumulative voting, each Association Member shall be entitled to a single vote with regard to each matter subject to a vote on the ballot. For the purposes of voting, all record owners of a single Unit shall collectively constitute one Member. A Member shall not be denied a ballot unless they were not a Member at the time the ballots were distributed. A party holding a general power of attorney may exercise the voting rights of the Member.
- 6.8 Verification Of Member Information. A Member may verify or correct, through satisfactory documentation, any individual information on the Association’s voting list by presenting such documentation to the Inspector(s) of Elections.
- 6.9 Ballot Contents. The ballot shall include:
- (a) Two Sealable Envelopes. One envelope shall have no markings to identify the voter and shall be identified as the voting envelope. One envelope shall be marked as the mailing envelope and shall be pre-addressed to the address chosen by the Inspector(s) of Election. The mailing envelope shall identify the Member, address, and Unit number. It shall include a space for the Member to sign their ballot.
 - (b) Instructions. Information to aid the Member in properly submitting their secret ballot pursuant to the double-envelope ballot procedure.
 - (c) Voting Quorum, Deadline, And Meeting. Notice of the initial date and time the ballot must be received as well as notice for the date and time of the meeting at which the ballots will be opened and tabulated, provided a quorum is established by the receipt of cast ballots. The notice shall also include the quorum requirements and a statement that the balloting period may be extended if sufficient ballots have not been received to establish a quorum.
 - (d) Voting Rules. Either a copy of these voting rules or posting to an internet website with notice to the Member, in at least 12 point font, stating:

“The rules governing this election may be found here: _____”

ARTICLE 7 CANDIDATE ACCESS TO MEMBERS

- 7.1 Advocacy Blackout. No candidate, Member, or the Association and its Board, shall be allowed to access any form of Association media, including but not limited to newsletters, bulletin boards, websites, or social media pages to advocate for a point of view between the time the ballots are mailed and the polls close. Association media shall not include direct mail, personal delivery, or individual emails.
- 7.2 Not Advocacy. The following items shall not be deemed advocacy:
- (a) Get Out The Vote. Efforts to promote and encourage members to cast their votes, “Get Out The Vote”.
 - (b) Descriptions Of The Election Purpose. If a rule change is being proposed, a description of the purpose and effect of the rule change may be provided, however, the description may not advocate for passage of the change.
 - (c) Annotated Text Of The Measure. A factual summary of the changes to the governing documents accompanying the text of the proposed amendments shall be permitted, however, the description must not advocate for passage of the amendment.
- 7.3 Equal Access. Prior to the blackout period described in Section 6.1, above, each candidate or Member advocating a point of view shall be granted equal access to Association communication materials (websites, newsletters, social media pages, etc.) to the extent the Association permits advocacy materials to be posted by any party. If the Board permits advocacy materials for an election, the following candidate and member advocacy statement requirements shall be included with the notice provided pursuant to Section 4.1 (for Director elections) or 5.4 (for all other elections) to ensure all parties have equal access:
- (a) Advocacy Statements. If the Board permits advocacy statements, candidates and Members advocating a point of view may, but are not required to, submit an advocacy statement which (1) when printed, shall not exceed one side of a single 8½" x 11" page and (2) shall be reasonably related to the election. Each Member’s advocacy statement must either be mailed, hand delivered or e-mailed to the Association at the address(es) designated by the Board of Directors for that purpose, and must be received by the Association at such address(es) prior to the nomination or election deadlines established pursuant to Section 4.1 or 5.4, above. It is each Member’s responsibility to confirm that such Member’s advocacy statement was received by the Association prior to the Nomination Deadline.
 - (b) Responsibility for Advocacy Statement’s Contents. By submitting an advocacy statement, the Member accepts full responsibility for the content thereof and agrees to indemnify the Association, the Board of Directors, the Inspector(s) of Election, and all other Association agents and representatives for any and all damage arising from or related to any such content. The Association shall not edit or redact any content from an advocacy statement, but the Association may include a statement specifying that the Member, and not the Association, is responsible for the content of the advocacy statement and that the Association is required by law to publish the Member’s advocacy statement verbatim, regardless of content.
- 7.4 Association Funds Prohibited. The Association may not expend Association funds towards advocacy efforts. The Association may expend funds on Get Out The Vote efforts.

- 7.5 Section 5105(a)(1) Compliance. The above sections specify the manner in which the Association shall comply with California Civil Code section 5105(a)(1).

ARTICLE 8 ADDITIONAL PROCEDURES

- 8.1 Notification of Members. The Board shall cause notice of the results of the election be transmitted to all members within 15 days of the meeting.

Exhibit “A” Elections Checklist

The dates shown below are the minimum necessary dates. The Association can choose to extend the time for each, but doing so may require earlier compliance with a deadline.

105 Days Before Election Day: If a Board of Directors Election, the Association must send out a Call for Candidates notice in a form substantially similar to the Call for Candidates form attached as Exhibit “B” which will notify Members of the deadline for submitting a self-nomination for an open position for election to the Board of Directors. The Board shall decide whether to permit candidate and member advocacy statements to be included with the ballot and all applicable requirements if statements are permitted.

75 Days Before Election Day: Deadline for nominations for candidates for election to Board of Directors.

Tasks:

- Choose an Inspector of Elections. The Board shall select an Inspector of Elections. This can be done earlier and, if the election does not involve candidates for the Board of Directors, this may occur at 60 days prior to Election Day.
- Provide all nominated candidates with the Candidate Registration List. Any nominated candidate shall have two (2) business days to withdraw their name from the Candidate Registration List by providing written notice to the Association or the Inspector of Elections.

60 Days Before Election Day: This is the date Members shall be given General Notice about the election. If election does not involve candidates, this may serve as the first election-related deadline.

Tasks:

- Verify Candidate List.
- Verify Members eligible to vote along with associated information.
- Verify Date, Time, and Location for tabulation meeting.
- Verify Date, Time, and Location for the receipt of returned ballots.
- Ensure Association provides the Pre-Ballot Election Notice to the Association’s members via general notice a manner substantially consistent with the same attached as Exhibit “C”.

30 Days Before Election Day: This is the day the ballots must be sent to the Members.

Tasks:

- Verify the Ballot Packet
- Enclose Election Rules Or Provide Website Notice
- Provide Voting Instructions
- Date, Time, & Address For Mailed Return and Receipt of Ballot.

- Date, Time, & Location for Vote Tabulation meeting.
- Voting Envelope – Identified as where to place the ballot
- Mailing Envelope – Identified as such including spaces for:
 - Identification of voter
 - Place for signature
 - Mailing address of Inspector of Elections
- Ensure Ballots are mailed out at least 30 days before the deadline for the receipt of the returned the ballots.

Election Day: This is the day the ballots will be retrieved, opened, and tabulated.

Tasks:

- Gather mailing envelopes containing ballots cast by Association members.
- If an envelope is missing a signature, you may announce the Member's name to allow them to sign the ballot. Because the ballot was irrevocable once received, the Member cannot substitute an in person vote for the mailed ballot. If not signed, the ballot may be rejected and remain unopened.
- Identify whether sufficient ballots have been received to establish a quorum.
- Open each outer envelope and place the voting envelope in a separate pile.
- Mix the inner envelopes to ensure the secret ballot remains secret.
- Open each inner envelope and tabulate the result.
- Announce the final result before all assembled.
- Provide a written statement of the vote to the Board members present.
- The results should be recorded in the minutes of the meeting.

Within 15 Days Of Election Day: The Board of Directors shall communicate the result of the election to all members within 15 days.

Exhibit "B"

Call for Candidates Notice

Oroville Heritage Estates Homeowners Association ("Association") has ____ positions on its board of directors which are up for election this year. All Association members are welcome to become a candidate for election to the Association's Board of Directors. There are ____ seats up for election this year, currently held by _____ and _____. The ____ candidates who receive the highest number of votes in the election will serve two-year terms.

To become a candidate, you must notify the Association in writing, of your self-nomination request, which must be submitted either by e-mail to _____ or by mail or hand delivery to the following address:

Oroville Heritage Estates Homeowners Association

_____.

Your self-nomination request [*and any advocacy statement as described in Article 7 of the Association's election rules, if the Board of Directors permits candidate and member advocacy statements*] must be received by the Association prior to 5:00 p.m. on _____, 20__ (the "Self-Nomination Deadline"). Each Association member who meets the qualifications set forth in the Association's election rules and whose self-nomination request is received by the Association prior to the Self-Nomination Deadline shall automatically be a candidate. There shall be no nominations from the floor at any Association meeting and votes for write-in candidates shall not be valid. It is each self-nomination candidate's responsibility to confirm their written notice to the Association was received by the Association prior to the Self-Nomination Deadline.

Exhibit "C"
Oroville Heritage Estates Homeowners Association
Pre-Ballot Election Notice

Within the next 30-40 days, Member of Oroville Heritage Estates Homeowners Association will receive a ballot and information regarding an upcoming election. Please note the following important information regarding that election:

- 1. The ballots are to be returned by mail or handed to the Inspector of Election at the following address:**

- 2. The initial balloting period is scheduled to end at [time] on [date]. That means that your ballot must be received by the Inspector of Election by that time/date., unless the Association informs you in writing that the deadline has been extended because an insufficient number of ballots have been received to establish a quorum.**

- 3. The meeting at which the ballots are scheduled to be counted will be held at [time] on [date], at [location].**

If the balloting period is extended because an insufficient ballots were received to establish a quorum, the Board will provide notice of the date, time and location of the rescheduled meeting at which the ballots will be counted.

[If an election for the Board of Directors, the following additional information will be provided.]

- 4. The following candidates' names will appear on the ballot:**

[If an election for the Board of Directors for the Director elected by the Class A Members only, the following additional information will be provided.]

- 5. The following candidates' names will appear on the ballot for election as Director by the Class A Members only:**

