

Meadow View Villas Homeowners Association

C/O All Community Management

**NOTICE OF ADOPTED ELECTION RULES
And
INTERNAL DISPUTE RESOLUTION POLICY
And
*2020 Board of Directors Election
Call for Candidacy Form***

Dear Meadow View Villas Member:

Enclosed are new Election Rules and Internal Dispute Resolution policy that the Board considered and adopted at the open meeting of the Board held on July 28, 2020. These updated Election Rules and IDR policy are to comply with recent changes in California law affecting the way elections in homeowners associations are to be conducted, such as new self-nomination deadlines, address verification tasks and additional mailings, as well as modifications to director qualifications and member voting rights.

The Board has consulted with the Association's legal counsel to develop Election Rules and the IDR policy that complies with the requirements of the new law and which will work in a practical way for our Association. These Election Rules and IDR policy will apply to elections of directors as well as certain other official votes by the membership, as outlined in the Election Rules.

Enclosed with the newly adopted election rules and IDR policy, you will find the official call for candidates form for the upcoming 2020 Board of Directors election. There are currently two positions up for election for the 2020 year. Members may submit their completed candidacy form before 5:00pm on September 18, 2020 via email to denise@allcommunitymgmt.com or via mail to: Meadow View Villas, 2010-A Harbison Drive, #415, Vacaville, CA 95687 to be included on the ballot.

Please feel free to contact Denise Castaneda at denise@allcommunitymgmt.com with any questions.

Sincerely,

Meadow View Villas Board of Directors

Election Rules
of the
Meadow View Villas Association

These Election Rules ("Election Rules") are hereby adopted by the Board of Directors of the Meadow View Villas Association ("Association") as Association Rules effective July 28, 2020.

Definitions

Rule 1. "Bylaws" means the Amended and Restated Bylaws of the Meadow View Villas Association and any duly adopted amendments thereto.

Rule 2. "Declaration" or "Covenants, Conditions, and Restrictions" or "CC&Rs" means the Meadow View Villas Declaration of Restrictions (CC&Rs) and any duly adopted amendments thereto.

Rule 3. "Member Eligible to Vote" means a Member who is a Member as of the record date for voting set pursuant to Section 3.4(i) of the Bylaws and Rule 21.

Rule 4. "Member in Good Standing" means a Member who is not subject to discipline or penalties as a result of any disciplinary proceeding conducted in accordance with the due process and disciplinary hearing procedures imposed by law and the Governing Documents. The Association shall have no power to suspend the voting rights of any Member on account of having lost their Member in Good Standing status or otherwise.

Rule 5. All capitalized words or terms used herein and not otherwise defined herein shall have the same meaning given to those words or terms in the Declaration or the Bylaws.

Amendments

Rule 6. These Election Rules shall not be amended less than ninety (90) days prior to any election.

Campaigns

Rule 7. 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.

Rule 8. The Association shall ensure access to Common Area meeting spaces, if any exist, during a campaign, at no cost, to all candidates, including those who are not incumbents, and to all Members advocating a point of view, including those not endorsed by the Board, for purposes reasonably related to

the election.

Rule 9. Association funds shall not be used for campaign purposes in connection with the election of Directors. Association funds shall 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. For the purposes of this Rule, "campaign purposes" include, but are not limited to expressly advocating the election or defeat of any Director-candidate that is on the election ballot; or including the photograph or prominently featuring the name of any Director-candidate on a communication from the Association or the Board, excepting the ballot, ballot materials, or a communication that is legally required, within thirty (30) days of an election. This is not a campaign purpose if the communication is made as part of the Association's efforts to comply with the equal access provisions of Rule 7 or 8.

Director-Candidate Qualifications

Rule 10. The Association shall disqualify a person from nomination as a Director-candidate pursuant to any of the following:

(a) The Association shall disqualify a person from nomination as a Director-candidate if the person is not a Member at the time of their nomination.

Notwithstanding the foregoing, 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 the purpose of satisfying the requirements of this Rule 10(a).

(b) The Association shall disqualify a person from nomination as a Director-candidate if the person is delinquent in the payment of any Regular Assessment or Special Assessment.

Notwithstanding the foregoing, the provisions of this Rule 10(b) shall not apply to: (1) delinquencies based on the nonpayment of fines, fines renamed as Assessments, collection charges, late charges, or costs levied by a third party; (2) any person who has paid their delinquent Regular Assessment or Special Assessment under protest pursuant to Civil Code section 5658; or (3), any person who has entered into a payment plan with the Association pursuant to Civil Code section 5665.

(c) The Association shall disqualify a person from nomination as a Director-candidate if the person, if elected, would be serving on the Board at the same time as another person who holds a joint Ownership interest in the same Unit as the person and the other person is either a properly nominated Director-candidate for the current election or an incumbent Director.

(d) The Association shall disqualify a person from nomination as a Director-candidate if that person discloses, or if the Association is aware or becomes aware of, a past criminal conviction that would, if the person 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.

Notwithstanding the foregoing, no person shall be disqualified from being a Director-candidate on any grounds if the Association has not offered the person the opportunity to engage in internal dispute resolution ("IDR") pursuant to Article 2 (commencing with Section 5900) of Chapter 10 of the Davis-Stirling Act. The Association's IDR procedure complies with the Davis-Stirling Act and is set forth in the Association's Internal Dispute Resolution ("IDR") Rules ("IDR Rules"). As provided by Section 5.4(b)(iv) of the Bylaws and Rule 14(c), the Association's Call for Candidates Form shall include a blanket

offer for candidacy-related internal dispute resolution (“IDR”).

Director-Candidate Nominations

Rule 11. For each Director election, the Association shall provide General Notice of the procedure and deadline for submitting nominations for Director-candidates (“Call for Candidates Form” or “Form”) at least thirty (30) days prior to the deadline for submission of such Forms. If requested by a Member, the Association shall provide a Call for Candidates Form by Individual Notice.

Rule 12. The deadline for persons to submit a Form shall be at least thirty (30) days after the Association provides the notice specified in Rule 11. All Forms submitted by mail, hand-delivery, or otherwise must be received by the Association by that date.

Rule 13. All persons who wish to be nominated as Director-candidates must complete, sign, date, and return a Form before the deadline stated on the Form. Nominations shall not be made by any other manner, including, but not limited to, from the floor of any Membership meeting or by ballot write-in.

Rule 14. The Form shall include the following information in the following order:

(a) A blank space or line for each of the following:

(i) the person’s name;

(ii) the physical address of the person’s Unit, parcel number, or both;

(iii) the person’s telephone number;

(iv) if title to the Unit is held by a legal entity that is not a natural person, whether the person is duly appointed by the governing authority of that legal entity to be a Member for purposes of satisfying the candidacy requirements of Section 5.4(a)(i) of the Bylaws and Rule 10(a);

(v) the entity-Owner’s name; and

(vi) the entity-Owner’s telephone number.

(b) A list of the Association’s current qualifications for Director-candidates, which may be satisfied by attaching a complete copy of Section 5.4(a) of the Bylaws to the Form.

(c) The following statement, completed as to times, dates, and locations:

Civil Code section 5105(e) provides that “[a]n association shall not disqualify a person from nomination if the person has not been provided the opportunity to engage in internal dispute resolution pursuant to Article 2 (commencing with Section 5900) of Chapter 10” of the Davis-Stirling Act. The Association’s internal dispute resolution (“IDR”) procedure complies with the Davis-Stirling Act and is set forth in the Association’s Internal Dispute Resolution (“IDR”) Rules (“IDR Rules”).

The Association hereby offers to engage in IDR pursuant to the IDR Rules with any person who wishes to run for the Board but believes the Association may disqualify their

candidacy based on the Association's qualifications for Director-candidates as set forth in Section 5.4(a) of the Bylaws and Rule 10 of the Election Rules.

If you wish to accept the Association's offer to engage in IDR, please initial here _____ and complete and return this Call for Candidates Form by the deadline set forth on this Form. Please ensure you complete the below IDR-related sections of this Form.

The Association will conduct candidacy-related IDR sessions starting at _____ AM / PM on _____, 20____ at _____, CA _____ . The sessions will be conducted on a first-come, first-served basis.

If you wish to engage in IDR but will not be able to attend the above-noted sessions, please contact the Association Manager or other person whose contact information is set forth on this Form as soon as possible so that an alternative IDR session may be scheduled for you.

All candidacy-related IDR sessions must be completed by no later than _____, 20____ in order to ensure the the Association can prepare the Candidate Registration List described in Section 3.4(f) of the Bylaws for inclusion with the Pre-Ballot Notice described in Section 3.4(g) of the Bylaws.

(d) A blank space or line for each of the following:

(i) the person's reason or reasons for accepting the Association's IDR offer;

(ii) whether the person intends to be assisted by counsel or another person during the IDR;

and

(iii) if yes, who the person is, e.g., counsel.

(e) Blank spaces or lines for any other information the Board believes may be necessary or advisable to solicit from potential Director-candidates, consistent with California law and the Governing Documents.

(f) The deadline for submitting the Form, as specified in Section 5.4(b)(iii) of the Bylaws and Rule 12, the method of delivery (mail, hand-delivery, or both), and the address for delivery.

(g) Blank spaces or lines for the person to sign and print their name and indicate the date.

Rule 15. The Board may appoint a Nominating Committee whose duties shall include reviewing Call for Candidates Forms to determine if persons meet the qualifications set forth in Section 5.4(a) of the Bylaws and Rule 10. In the event a Nominating Committee is not appointed, the Board shall serve as the Nominating Committee.

Rule 16. The Board or Nominating Committee may solicit persons to run for the Board, but shall require all such persons to complete and submit a Form before the deadline set forth on the Form.

Rule 17. The Board may additionally authorize the Nominating Committee to engage in internal dispute resolution ("IDR") with persons who accept the Association's Form IDR offer. In the event a person timely submits a Form which accepts the Association's offer to engage in IDR, the Board, or Nominating

Committee if so authorized, shall engage in IDR with the person as scheduled on the Form.

Rule 18. Following the deadline for submitting Forms and completion of all candidacy-related IDR, if any, and prior to providing the Pre-Ballot Notice required by Section 3.4(g) of the Bylaws, the Association shall create a written list of all persons who are qualified candidates and whose names shall appear on the ballot (“Candidate Registration List”). Director-candidates shall be listed in alphabetical order by last name on the Candidate Registration List.

If any person has submitted a Form and has been found by the Board or Nominating Committee not to be a qualified candidate, the Board or Nominating Committee shall notify such person in writing of its finding and disqualification and the reasons why such person was disqualified.

Member Voting

Rule 19. The Association shall have one (1) class of voting Membership. Each vote by each Member Eligible to Vote shall have the same weight in each election.

Rule 20. On each matter submitted for an election of the Members, each Member Eligible to Vote shall be entitled to cast one (1) vote for each Condominium owned by such Member. In Director elections, each position to be filled is considered a separate matter to be decided, so that a Member Eligible to Vote may cast for each Condominium owned the number of votes equal to the number of positions on the Board to be filled by the election.

Rule 21. The record date for voting shall be the day on which the first ballot for a given election is distributed. Those Persons identified in the records of the Association as Members on the record date for voting shall be the Members Eligible to Vote on that matter. The Association shall have no power to suspend the voting rights of any Member on account of having lost their Member in Good Standing status or otherwise.

Rule 22. With the exception of the Member vote on the annual IRS resolution, all elections by the Members shall be conducted by means of ballots formatted, distributed, cast, collected, counted, tabulated, and kept pursuant to Civil Code sections 5100–5145, Section 3.4 of the Bylaws, and these Election Rules.

Rule 23. Annual meetings of the Members may be held and special meetings of the Members may be called, but other than votes on the annual IRS resolution no Member vote on any matter may be conducted at such meetings.

Rule 24. Proxies shall not be used or allowed for any election of the Members.

Rule 25. Cumulative voting shall not be used or allowed for any election of the Members.

Rule 26. The voting period for each election, including the times at which polls will open and close, shall be as set forth on the Pre-Ballot Notice as provided by Section 3.4(g) of the Bylaws and on the ballot as provided by Section 3.4(l)(i)(2)(b) of the Bylaws. As provided by Sections 3.4(g)(ii) and 3.4(l)(i)(2)(c) of the Bylaws, the Board reserves the right to extend the voting deadline for additional periods in order to allow for additional solicitation of Members who have not yet cast a ballot.

Rule 27. The Association shall not deny a ballot to a Member for any reason other than not being a Member at the time when the ballots are distributed.

Rule 28. The Association shall not deny a ballot to a Person with general power of attorney for a Member.

Rule 29. The Inspector(s) shall count each ballot cast by a Person with general power of attorney for a Member if cast in a timely manner.

Inspector(s) of Election

Rule 30. For each election by the Members, the Board shall appoint an independent third party or parties as inspector(s) of elections (“Inspector(s)” or “Inspectors”). The number of Inspector(s) shall be one (1) or three (3) person(s).

For purposes of this Rule, an independent third party includes, but is not limited to, a volunteer poll worker with the County registrar of voters, a licensee of the California Board of Accountancy, or a notary public. An independent third party may also be a Member, but may not be a Director or a Director-candidate or be related to a Director or to a Director-candidate. An independent third party may not be a Person, business entity, or subdivision of a business entity who is currently employed or under contract to the Association for any compensable services other than serving as Inspector(s).

Any duly-appointed Inspector may appoint and oversee additional persons to verify signatures and to count and tabulate votes as the Inspector(s) deem appropriate, provided that such persons qualify as independent third parties as defined in this Rule.

Rule 31. The Inspector(s) shall be appointed at least thirty (30) days prior to distribution of the ballots so that the date and time by which, and the physical address where, ballots are to be received by mail or handed to the Inspector(s) may be set forth on the Pre-Ballot Notice, as required by Section 3.4(g)(i) of the Bylaws.

Rule 32. As provided by Section 3.4(l)(ii) of the Bylaws, the Inspector(s) shall cause the Association to deliver a Voting Packet as described in Section 3.4(l)(i) of the Bylaws to each Member Eligible to Vote at least thirty (30) days before the voting deadline specified on the Pre-Ballot Notice and on the ballot.

As provided by Section 3.4(l)(ii) of the Bylaws, the Voting Packets shall contain a ballot and may contain a copy of these Election Rules. If the Association includes a copy of these Election Rules in the Voting Packets, it shall deliver each Voting Packet by first-class mail or other Individual Delivery. If the Association does not include a copy of these Election Rules in the Voting Packets, it shall post a copy of these Election Rules to an internet website. If the Association utilizes this alternate method of delivery, the ballot shall include the following phrase in at least 12-point font: “The rules governing this election may be found here:” with the internet website’s URL (link) stated following the colon.

Rule 33. The duties of the Inspector(s) shall be to cause the Association to distribute the Voting Packets described in Section 3.4(l) of the Bylaws, to determine the number of Members Eligible to Vote and the voting power of each, to receive ballots, to hear and determine all challenges and questions in any way arising out of or in connection with the right to vote, to determine the existence of a quorum for conduct of the election (each ballot received by the Inspector(s) from a Member Eligible to Vote shall be treated as a Member present at a meeting for purposes of establishing a quorum), to count and tabulate all votes, to determine when the polls shall close, consistent with the Governing Documents, to determine the tabulated results of the election, to announce the results of the election to the Board, and to perform any acts as may be proper to conduct the election with fairness to all Members in accordance with Civil Code

sections 5100–5145, the Corporations Code, and all applicable Association Rules regarding the conduct of the election that are not in conflict with Civil Code sections 5100–5145.

Rule 34. The Inspector(s) shall perform all duties impartially, in good faith, to the best of the Inspector(s)' ability, as expeditiously as is practical, and in a manner that protects the interest of all Members. 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(s) is prima facie evidence of the facts stated in the report.

Rule 35. The Inspector(s) may be compensated for their services, as deemed appropriate by the Board.

Association Election Materials

Rule 36. The Association shall permit each Member to verify the accuracy of their individual information on the Voter List and Candidate Registration List (“Lists”) created pursuant to Sections 3.4(e) and (f), respectively, of the Bylaws for a given election starting at least thirty (30) days before the ballots are distributed for that election. In order to ensure sufficient time for the Inspector(s) to correct any errors or omissions on the Lists prior to the distribution of ballots, Member requests to inspect the Lists must be received by the Association by no later than ten (10) days before the ballots are distributed.

Rule 37. Any Member who desires to inspect the Lists shall promptly submit a written request for inspection to the Association, which shall promptly make the Lists available for inspection pursuant to the provisions of Article 11 of the Bylaws.

Rule 38. The Association or the inspecting Member shall promptly report in writing any errors or omissions on the Lists to the Inspector(s), who shall make the corrections within two (2) business days.

Rule 39. Following transfer of custody of the Lists by the Inspector(s) to the Association as provided by Section 3.4(s) of the Bylaws, the Association shall retain the Lists as association election materials, as defined by Civil Code section 5200(c).

Internal Dispute Resolution (“IDR”) Rules

of the

Meadow View Villas Association

These Internal Dispute Resolution (“IDR”) Rules (“IDR Rules”) are hereby adopted by the Board of Directors of the Meadow View Villas Association (“Association”) as Association Rules effective July 28, 2020.

Definitions

Rule 1. “Bylaws” means the Amended and Restated Bylaws of the Meadow View Villas Association and any duly adopted amendments thereto.

Rule 2. “Declaration” or “Covenants, Conditions, and Restrictions” or “CC&Rs” means the Meadow View Villas Declaration of Restrictions (CC&Rs) and any duly adopted amendments thereto.

Rule 3. All capitalized words or terms used herein and not otherwise defined herein shall have the same meaning given to those words or terms in the Declaration or the Bylaws.

IDR Requests

Rule 4. In the event of a dispute between the Association and a Member involving their rights, duties, or liabilities under the Davis-Stirling Act, the Corporations Code, or the Governing Documents, either party may request in writing to meet with the other party to discuss the dispute.

Rule 5. The Association shall comply with a request by a Member by notifying the requesting Member of the date, time, and place for such a meeting within thirty (30) days of receipt of the written request.

Rule 6. If such a request is made by the Association to a Member, the Member may, but is not required to, respond in writing within ten (10) days agreeing to the requested meeting on the terms set forth in the Association's request.

Rule 7. For requests made by the Association to the Members for candidacy-related internal dispute resolution via the Call for Candidates Form delivered pursuant to Sections 3.4(c) and 5.4(b) of the Bylaws, a Member may agree to the Association's request by submitting the Form by the deadline set forth on the Form.

IDR Meetings

Rule 8. The meeting shall be attended by the Board or the Board's designated representative and by the requesting Member.

Rule 9. The Member and the Association shall be permitted to explain their positions during the meeting.

Rule 10. The Member and the Association may each be assisted by an attorney or another person during the meeting in explaining their positions at their own cost.

Rule 11. If the Member attends the meeting but the Board does not, and if the dispute is resolved other than by agreement of the Member, the Member shall have a right of appeal to the Board.

Rule 12. The Association shall not charge the Member a fee to participate in this process.

IDR Agreements

Rule 13. Any agreement between the Association and the Member as a result of such meeting shall be reduced to writing and signed by the Member and by a Director on behalf of the Association. Once signed, such agreement shall become final, binding, and unappealable.

Civil Actions

Rule 14. The Association may not file a civil action regarding a dispute in which the Member has requested dispute resolution unless the Association has engaged in good faith in the internal dispute resolution procedures set forth in these IDR Rules after the Member submits a written request for such procedures.