

THE TRAILS HOMEOWNERS' ASSOCIATION

ENTITY OWNER REPRESENTATIVE AND BOARD CANDIDATE ELIGIBILITY POLICY

1. Purpose

The purpose of this Policy is to establish a fair, uniform, and documented procedure for determining the authority of an individual who seeks to exercise membership rights on behalf of a parcel owned by a legal entity, including seeking election or appointment to the Board of Directors.

This Policy is intended to promote orderly Association elections, protect the voting and membership rights associated with entity-owned parcels, provide consistent treatment of all entity owners, and reduce uncertainty or disputes concerning an individual's authority to act on behalf of an entity owner.

2. Authority

This Policy shall be administered in accordance with Chapter 720, Florida Statutes, the Association's Declaration, Articles of Incorporation, Bylaws, and other applicable laws.

Florida Statutes § 720.306(9) provides that elections of directors shall be conducted in accordance with the procedures set forth in the Association's governing documents and establishes statutory requirements concerning eligibility to seek election and serve on the Board.

Article III of the Association's recorded Articles of Incorporation governs the qualification of members and includes provisions for designated authority establishing entitlement to exercise membership privileges when a corporation, partnership, or other business entity becomes a member.

Nothing in this Policy is intended to create a qualification for Board membership that is prohibited by Florida law or inconsistent with the Association's governing documents. Rather, this Policy establishes a procedure for verifying that an individual claiming to act for an entity-owned parcel has authority to exercise the membership rights associated with that parcel.

3. Entity-Owned Parcels

For purposes of this Policy, an "**Entity Owner**" means a record owner of a parcel that is not a natural person, including, without limitation:

- Limited liability companies (LLCs);
- Corporations;
- Partnerships;
- Trusts;
- Limited partnerships;
- Other business or legal entities; and

The Association will not require disclosure of confidential provisions of an entity's governing documents that are unrelated to establishing the individual's authority. Where appropriate, a certification, resolution, excerpt, or other evidence of authority may be accepted instead of the entity's complete governing documents.

6. Board Candidates Associated with Entity-Owned Parcels

When title to a parcel is held by a corporation, partnership, limited liability company, trust, or other legal entity, the entity shall be recognized as the owner and member to the extent provided by the Association's governing documents and applicable Florida law.

An individual seeking to exercise membership rights associated with an Entity-Owned Parcel, including rights relating to nomination, candidacy, election, appointment, or service on the Board of Directors, shall provide documentation reasonably sufficient to establish that the individual is authorized to exercise the applicable membership rights of the Entity Owner.

For corporations and partnerships, such determination shall be made consistent with Article III of the Association's Articles of Incorporation, including the provision stating that when a corporation or partnership is an owner or tenant of a lot or dwelling unit, only the president of the corporation or the president's designee, or the senior partner, as applicable, is entitled to exercise membership privileges.

For limited liability companies, trusts, and other forms of entity ownership not expressly addressed by that provision of the Articles of Incorporation, the Association may require documentation reasonably sufficient to identify the natural person authorized under the entity's governing documents and applicable law to exercise the Entity Owner's membership rights.

Acceptable documentation may include, as applicable, a corporate resolution, written designation by the corporation's president, officer's certificate, operating agreement or relevant excerpt thereof, manager or member certificate, partnership authorization, trust certification, or other legally sufficient written evidence of authority.

Verification of an individual's authority to exercise an Entity Owner's membership rights shall not, standing alone, constitute a determination that the individual is eligible to seek election, be appointed, or serve as a Director. Director eligibility shall be determined separately under Chapter 720, Florida Statutes, the Association's Declaration, Articles of Incorporation and Bylaws, and other applicable laws.

The Association shall not use this Section to impose an additional substantive qualification for Board service that is not authorized by applicable law or the governing documents.

7. Submission Deadline

When the Association's election procedures provide for advance nominations or candidate submissions, documentation required under this Policy should be submitted with the individual's notice of candidacy or within a reasonable deadline established and communicated by the Association.

11. Records

Documentation submitted under this Policy shall be maintained by the Association in accordance with applicable record-retention and official-record requirements.

The Association shall manage documents containing confidential, proprietary, or personal information in accordance with applicable Florida law.

12. Effective Date and Adoption

This Policy shall become effective upon adoption by the Board of Directors and shall apply prospectively to elections, appointments, voting designations, and other exercises of membership rights occurring after its effective date.

ADOPTED by the Board of Directors of The Trails Homeowners Association on 9/10, 2026

THE TRAILS HOMEOWNERS' ASSOCIATION

By: Kathleen J. Graham, President
President

Attest: [Signature], Secretary
Secretary