

**RANCHO SANTA TERESA
SWIM AND RACQUET CLUB
ELECTION RULES**

Section 1.01. **Purpose.** The purpose of these Election Rules is to establish Election Rules in conformance with the legal requirements of §5105 of the Davis-Stirling Common Interest Development Act (the “Act”).

Section 1.02. **Access to Association Media.** A member of the Association shall have the reasonable right to have materials included in Association produced media, newsletters, or internet web sites during the period of the campaign, by submitting timely a written request to the Association, along with the text to be included in electronic format, for purposes that are reasonably related to any election described in §5100 of the Act. The Association may exercise reasonable controls over the materials including the right to designate the maximum number of words to be included, based on the number of written requests made and the space available. The Association shall not edit or take out any content from these communications, but may include a statement specifying that the candidate or member, and not the Association, is responsible for the content.

Section 1.03. **Access to Association Common Area Meeting Places.** Any member of the Association shall have reasonable access to the Association’s common area meeting space, if any, at no cost, for purposes reasonably related to an election. This access shall be subject to approval of the Association and subject to availability, which approval shall not be unreasonably withheld.

Section 1.04. **Qualifications for Candidates of the Board of Directors.** Any member of the Association in good standing may nominate themselves or may be nominated by another member as a candidate for a director’s position, subject to the requirements for eligibility contained in the Bylaws.

Section 1.05. **General Voting Issues.** The qualifications for voting and the voting power of each membership shall be as provided in the Bylaws. The authenticity, validity, and effect of proxies shall be as provided in the Bylaws, subject to all other applicable legal requirements. The voting period for elections shall be as set forth in any notice sent to the Members, subject to the requirements of the Bylaws. If secret ballots are required to be used under §5100 of the Act, the polls shall open and close at the time and in the manner described in the notice sent to the members for that purpose and as determined by the election inspector(s).

Section 1.06. **Election Inspectors.** For all votes regarding: **(i)** the election of directors; **(ii)** assessments; **(iii)** amendments to the governing documents, not including rules; and **(iv)** the granting of exclusive use common area, the Association shall use inspectors of election to perform the duties described in §4765 of the Act. For member voting with respect to all other issues, the board of directors may determine to use election inspectors, but is not required to do so. The election inspector(s) may be assisted by one or more persons in the

counting and tabulating of votes. The board of directors shall determine whether to use Members of the Association or a third (3rd) party as election inspectors, as follows:

A. **Members Inspectors.** If the board of directors uses members of the Association as election inspectors, the number of inspectors shall be three (3).

B. **Third Party Inspector.** If the board of directors uses a qualified independent neutral third (3rd) party as election inspector, the number of inspectors shall be one (1). For purposes of this Section, a qualified independent neutral third (3rd) party may include, without limitation, a person employed by the Association's attorney, manager, or accountant.

Section 1.07. **Qualification of Inspectors.** No person shall serve as an election inspector or assist the election inspector in performing duties if such person is a member of the board of directors, a candidate for the Board of Directors, or related in the third degree to a member of the Board of Directors or a candidate for the Board of Directors. In the event an inspector or any person assisting the inspector becomes disqualified after selection, the inspector(s) shall relinquish their position and the board of directors shall select a replacement inspector. For purposes of this Section, "**Related**" means a spouse, parent, child, grandparent, grandchild, sibling, first cousin, aunt, uncle, or any of the above in relation to the inspector's spouse or by adoption.