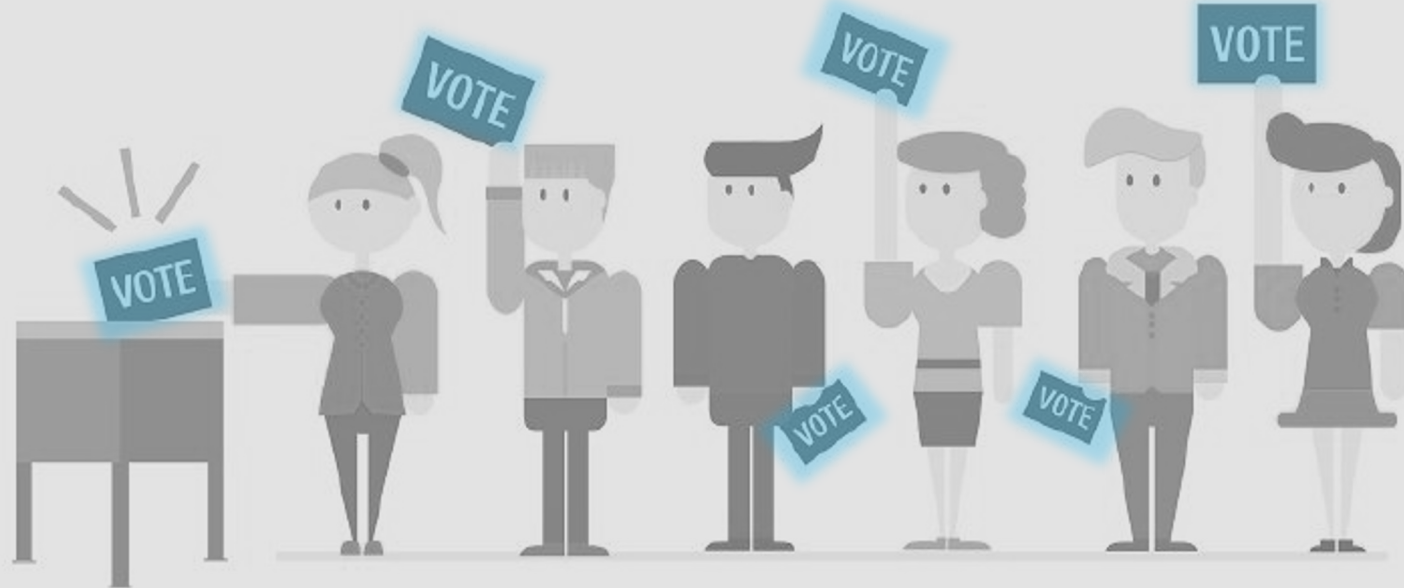


MONTAGE 2023 ELECTION COMMITTEE ANNUAL REPORT



HOMEOWNERS ASSOCIATION



2023 Annual General Meeting – March 18, 2023

ELECTION COMMITTEE

Overview



HOMEOWNERS ASSOCIATION

- **Committee formed November 2021**
- **Comprised of Inspector of Elections and at least one board member**
- **Committee Roles and Responsibilities**
 - Monitoring changes in State Law requiring changes to Election Rules
 - Reviewing the Election Rules annually and make update recommendations
 - Reviewing and annually update all election related communications and supporting materials
- **Committee Webpage Link <https://wp.me/P679s6-25U>**
- **Election Information <http://montageatmissionhills.org/election-info/>**
- **Inspector of Elections Information <https://wp.me/P679s6-25U>**

ELECTION COMMITTEE

Recent Activities



HOMEOWNERS ASSOCIATION

- **Completed Update to 2020 Election Rules to create new 2022 Election Rules version**
 - Completed over 75 revisions to existing Rules
 - Presented rules revisions to membership in May and July
- **Updated election process document library to include 18 documents updated to 2022 Election Rules and new Election by Acclamation Process to support future elections and IoE**
 - Forms, reports, calendars and transmittals.
- **New protocols for IoE to collect ballots and hold all files**
- **Thanks to Thomas Harp, John Geary and Sherry Reese**

ELECTION RULES UPDATE

Overview



HOMEOWNERS ASSOCIATION

- **Two HOA related bills passed the 2021 Legislature and were signed Governor in October**
 - Assembly Bills 1101, 502 and Senate Bills 391, 392 432
- **Bills added clarity to 2020 and 2021 Election Rule Update**
 - More detail, longer lead times, more steps, increased work, greater cost
- **Bills became law on January 1, 2023**
- **New law necessitated updating to Montage Election Rules**
- **Committee and Board have completed their review**
- **Updating Election Rules received Membership review and comment**

ELECTION RULES UPDATE

Highlights



HOMEOWNERS ASSOCIATION

- **Board recruitment changes**
 - Member 1 year; 90 days notification; 7 day acknowledgement
- **Uncontested elections / Election by Acclamation allowed**
 - When number of candidates is less than or equal to number of openings
 - Published rules 90 days in advance; has held election within the last 3 years
- **Individual Notice and General Notice requirements clarified**
- **Candidate and Voter Lists inspection requirements**
- **Recall and election timetable extended to 150 days**
- **Propose removal of write-in candidates**
- **Propose removal of nominations from the floor**

ELECTION RULES UPDATE

A Closer Look



HOMEOWNERS ASSOCIATION

- **Board Recruitment**

- Requires minimum 90 day for nomination process
- All nominations must be acknowledged and accepted or rejected within seven days
- Candidate disqualifiers
 - Being a member less than one year
 - Joint owner is already serving on the Board or is a Board candidate
 - Being delinquent in payment of regular or special assessment
 - Past criminal conviction that would, if the person were elected, prevent the association from purchasing fidelity bond coverage or terminate the association's existing fidelity bond coverage
- Disqualified candidates have right to Internal Dispute Resolution

ELECTION RULES UPDATE

A Closer Look



HOMEOWNERS ASSOCIATION

- **Uncontested Elections / Elections by Acclamation**

- Allows Board appointment of new Board member if number candidates running equal/less than the number of positions open
- Requires ballot election every four years
- Necessitates September start to election process to completed additional steps for March ballot

ELECTION RULES UPDATE

A Closer Look



HOMEOWNERS ASSOCIATION

- **Voters and Candidates Lists**
 - Names and addresses 30 days before ballots distributed
 - Permit member verification and require correction within two days
- **Individual Notice and General Delivery**
 - Individual Notice by email when permission given or mail when no email
 - General Notice by posting in newsletter and/or website
- **Record Retention**
 - One year retention required
 - Records retained by the Inspector or Elections

ELECTION RULES UPDATE

A Closer Look



HOMEOWNERS ASSOCIATION

- **Recall elections**
 - Maximum time for associations to hold the recall and new board member election and vote from 90 to 150 days from date of receipt of recall petition
- **Propose removal of provisions for write-in candidates**
- **Propose removal of provisions for nominations from the floor**

ELECTION RULES UPDATE

Next Steps



HOMEOWNERS ASSOCIATION

- **No modifications expected in 2023.**
- **Comments to Inspector of Elections, Scott Reese until July 1, 2023**
scott.o.reese@gmail.com