## Section 1 - Sample Provision Excerpt (Public Preview)

FERNSIDE
HOME OWNERS
ASSOCIATION
[INCORPORATED]
ARTICLES of
INCORPORATION

ISSUE #1

BY-LAWS
ADOPTED JANUARY 25, 1927
Keepthis document with
your deed.
CERTIFICATE OF
SECRETARY OF STATE
FRANK C. JORDAN, Secretary of State
FRANK H. CORY, Deputy
ROBERT V. JORDAN, Deputy
STATE OF CALIFORNIA
DEPARTMENT OF STATE
I, FRANK C. JORDAN, Secretary of
State of the State of California, do here-
by certify that I have carefully com-
pared the transcript, to which this cer-
tificate is attached,
with the record on
file in my office of...

MARKUP #1 ->



MARKUP #1 · MISSING MANDATORY STATUTORY PROVISION — BOARD & COUNSEL REVIEW

**Sec. 1 (p. 1): Election provisions omit mandatory Davis-Stirling secret ballot procedures and independent Inspector of Elections requirements under California Civil Code §§ 5105 - 5125.**

**Statutory / Legal Reference: Cal. Civ. Code §§ 5105, 5110 & 5115 (SB 323 / AB 2159)**

Statutory Comparison: Under Cal. Civ. Code §§ 5105 and 5110, every association must adopt election operating rules and conduct specified elections through an independent third-party Inspector of Elections using secret double-envelope paper ballots (or compliant electronic secret ballots under AB 2159), with at least 30 days general notice of the nomination deadline and at least 30 days pre-ballot notice before ballots are distributed.

**CURRENT WORDING IN DOCUMENT:**
FERNSIDE HOME OWNERS ASSOCIATION [INCORPORATED] ARTICLES of INCORPORATION AND BY-LAWS ADOPTED JANUARY 25, 1927 Keepthis document with your deed. CERTIFICATE OF SECRETARY OF STATE FRANK C. JORDAN, Secretary of State FRANK H. CORY, Deputy ROBERT V. JORDAN, Deputy STATE OF CALIFORNIA DEPARTMENT OF STATE I, FRANK C. JORDAN, Secretary of State of the State of California, do hereby certify that I have carefully compared the transcript, to which this certificate is attached, with the record on file in my office of...

**SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):**
**ARTICLES of INCORPORATION AND BY-LAWS ADOPTED JANUARY 25, 1927 Keepthis document with your deed. CERTIFICATE OF SECRETARY OF STATE FRANK C. JORDAN, Secretary of State FRANK H. CORY, Deputy ROBERT V. JORDAN, Deputy STATE OF CALIFORNIA DEPARTMENT OF STATE I, FRANK C. JORDAN, Secretary of State of the State of California, do hereby certify that I have carefully compared the transcript, to which this certificate is attached, with the record on file in my office of which it purports to be a copy, and that the same is a full, true and correct copy thereof.**