

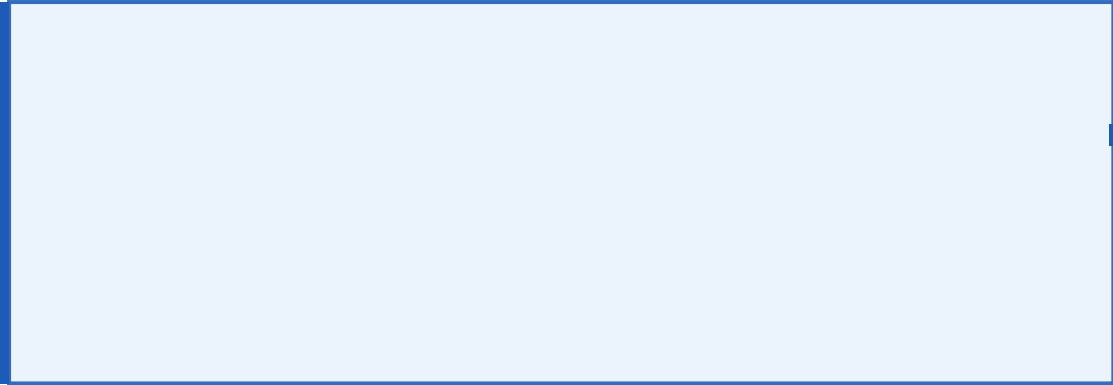
Section BOARD OF DIRECTORS - Sample Provision Excerpt (Public Preview)

BOARD OF DIRECTORS

a. The Board shall consist of nine Directors elected by and from the owner membership. In the event of a vacancy, the President may appoint a Board member, who shall be confirmed by majority vote at the next annual meeting. The Board shall strive to fill any vacancies.

b.

ISSUE #1



MARKUP #1 ->



MARKUP #1 · MISSING MANDATORY STATUTORY PROVISION

BOARD & COUNSEL REVIEW

Sec. BOARD OF DIRECTORS (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...

CURRENT WORDING IN DOCUMENT:

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SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

The term of office shall be two years, or until successors have been elected and installed.