

# **MISSION LAKES COUNTRY CLUB CONDOMINIUMS, INC.**

## **ELECTION AND VOTING RULES AND REGULATIONS**

**[ADOPTED JULY 16, 2025]**

### **INTRODUCTION**

The Board of Directors (“Board”) of Mission Lakes Country Club Condominiums, Inc. (“Association”) has adopted these Election and Voting Rules and Regulations (“Election Rules”), in accordance with California Civil Code § 5105 et seq., to establish certain procedural rules for the successful management of meetings of the Association’s members (“Members”) and the implementation of the relevant provisions of the Association’s Bylaws concerning elections and voting. These Election Rules are not intended to replace or supersede the provisions of the Association’s Bylaws. Notwithstanding the foregoing, these Election Rules were revised and adopted by the Board to comply with the various changes to the California Civil Code which took effect on January 1, 2020, pursuant to California Senate Bill 323, and subsequent changes to allow for election by acclamation pursuant to Civil Code § 5103 which took effect on January 1, 2022 and electronic voting pursuant to Assembly Bill 2159 which took effect on January 1, 2025, pursuant to California Assembly Bill 2159. Any inconsistencies between these Election Rules and the Bylaws shall be governed in accordance with the California Civil Code.

These Election Rules shall not be amended less than ninety (90) days prior to an election.

All capitalized terms not defined herein shall have the same meaning as set forth in the Davis-Stirling Common Interest Development Act.

### **RULES AND REGULATIONS**

#### **1. Qualifications of Candidates and Directors**

a. Candidates for election to the Board shall be Members of the Association, and the Board shall be composed of five (5) persons (“Directors”) who shall, at all times, be Members of the Association. The Association shall disqualify a person from nomination as a candidate for not being a Member of the Association at the time of nomination.

b. In order to be eligible as a candidate for election to the Board, such Member, as of the date the candidate list is posted/distributed: (a) must be current in the payment of regular and special assessments; (b) must not have a joint ownership interest, either directly or indirectly, in the same separate interest as a properly nominated candidate for the current election or incumbent Director; (c) must have been a Member of the Association for not less than one (1) year; and (d) must not have a past criminal conviction that, if elected, would either prevent the Association from purchasing the insurance coverage required by California Civil Code § 5806, or

terminate the Association's existing insurance coverage required by California Civil Code § 5806 as to that person should the person be elected.

c. If title to a separate interest is held by a legal entity that is not a natural person, the governing authority of that legal entity shall have the power to appoint a natural person to be a Member for purposes of running for and serving on the Board.

d. Notwithstanding the foregoing, candidates shall not be disqualified for election for Director for failure to be current in payment of regular and special assessments if either of the following circumstances is true: (i) the candidate has paid the regular or special assessment under protest pursuant to California Civil Code § 5658; or (ii) the candidate has entered into and is compliant with a payment plan pursuant to California Civil Code § 5665.

Furthermore, the Association shall not disqualify the candidate pursuant to Section 1(b) of these Election Rules if he or she has not been provided the opportunity to engage in Internal Dispute Resolution pursuant to California Civil Code §§ 5900 through 5920.

e. In order to remain qualified to serve on the Board, at all times during such Member's term as a Director, the Member must: (a) remain current in the payment of regular and special assessments; (b) not enter into a joint ownership interest, either directly or indirectly, in the same separate interest as another Director; (c) must remain a Member of the Association; (d) must not be convicted of a crime that would either prevent the Association from purchasing the insurance coverage required by California Civil Code § 5806 or terminate the Association's existing insurance coverage; and (e) not miss more than three (3) meetings in a twelve (12) month period. Notwithstanding the foregoing, the Director shall not be disqualified for failure to be current in payment of regular and special assessments if either of the following circumstances is true: (i) The Director has paid the regular or special assessment under protest pursuant to California Civil Code § 5658; or (ii) The Director has entered into and is compliant with a payment plan pursuant to California Civil Code § 5665.

f. The Board may declare vacant the seat of any Director who ceases to meet the qualifications which were in place to be a director at the time said Director was elected to the Board. The Director's seat shall then be deemed vacant in accordance with the Association's Bylaws and/or the Corporations Code.

g. Directors are expected to comply with all legal requirements of the position, including, but not limited to, cooperating in providing information necessary to meet reporting requirements imposed by any federal or state governmental agency, if applicable. Any director who refuses to comply mandatory reporting requirements shall be solely responsible for any fines or penalties assessed because of noncompliance and shall indemnify the Association against the same.

## **2. Nomination Procedures**

a. The Association shall provide to all Members by general delivery a request-for-candidates form, seeking nominations for candidates for the Board and providing general notice of the procedure and deadline for submitting a nomination for election to the Board at least thirty (30) days before any deadline for submitting a nomination. Individual notice shall be delivered pursuant to California Civil Code § 4040 if individual notice is requested by a Member. The requirements of this subsection shall only apply to elections of Directors and to recall elections.

b. Nominations will be valid so long as the nominee has either nominated himself or herself, or provides notice of acceptance of the nomination prior to the close of nominations.

c. If a person or entity nominated is not qualified to serve on the Board, or becomes unqualified to serve on the Board after the candidate list is posted but before ballots are distributed, pursuant to Section 1(b) of these Election Rules, and the candidate has been provided the opportunity to engage in Internal Dispute Resolution pursuant to California Civil Code §§ 5900 through 5920, that candidate's name shall not appear on the candidate list and/or ballot and that person or entity will not be permitted to serve if elected.

## **3. Voting Qualifications of Members**

a. All Members shall be entitled to vote in any membership vote.

b. These Election Rules expressly:

(i) Prohibit the denial of a ballot to a Member for any reason other than not being a Member at the time when ballots are distributed;

(ii) Prohibit the denial of a ballot to a person with general power of attorney for a Member;

(iii) Require the ballot of a person with general power of attorney for a Member to be counted if returned in a timely manner; and,

(iv) Require the Inspector(s) of Elections to deliver, or cause to be delivered, at least thirty (30) days before an election, to each Member both of the following documents:

(A) The ballot or ballots;

(B) A copy of these Election Rules. Delivery of these Election Rules may be

accomplished by either of the following methods:

(i) Posting these Election Rules to an internet website and including the corresponding internet website address on the ballot together with the phrase, in at least 12-point font: “The rules governing this election may be found here:”; or

(ii) Individual delivery.

c. Each Member shall be entitled to cast one (1) ballot per separate interest owned. In no event shall more than one (1) ballot be cast with respect to any separate interest. When more than one (1) person owns any separate interest, all such persons shall be deemed Members, provided however, that the vote for such separate interest shall be exercised collectively, in accordance with the provisions of the Association’s governing documents. If two (2) or more ballots are received for any one separate interest, the first ballot received shall be counted and the additional ballot(s) discarded.

#### **4. Inspector(s) of Election**

a. At an open meeting, the Board shall appoint one (1) or three (3) persons to serve as independent Inspector(s) of Elections (“Inspector(s)”).

b. The Inspector(s) must be an independent third party who is not:

(i) Currently a member of the Board or a candidate for the Board;

(ii) Related to a member of the Board or a candidate for the Board; or

(iii) A person, business entity, or subdivision of a business entity who is currently employed or under contract to the Association for any compensable services other than serving as an Inspector(s).

c. The Board may select as the Inspector(s), Association Member(s), a volunteer poll worker with the County registrar of voters, a licensee of the California Board of Accountancy, a notary public, or any other independent third-party authorized to serve as Inspector(s) under these Election Rules.

d. The Board, in its discretion, may remove and replace the Inspector(s) at any time prior to the date of any election.

e. The Board may pay reasonable compensation to a non-Member third-party Inspector(s). If the Board determines that it will appoint and pay non-Member third-party

Inspector(s), the following terms must be fulfilled:

- (i) A formal written contract for the Inspector(s), stating that the Inspector(s) is an independent contractor;
- (ii) The Inspector(s) will maintain CGL and/or D&O/E&O insurance in an amount deemed necessary by the Board and as determined or consistent with the Association's governing documents or operating policies (naming the Association and its management company as additional insureds on all policies); and
- (iii) The contract shall require the Inspector(s) to indemnify the Association for gross negligence and willful and/or malicious misconduct.

f. If an Inspector(s) is unwilling, unable, or does not perform his/her duties as stated in these Election Rules or becomes ineligible to be an Inspector(s) at any time after appointment, the Board may remove that Inspector(s) without notice and may appoint another Inspector(s) in his or her place.

g. The Inspector(s) shall perform his/her duties impartially, in good faith, to the best of his or her ability, and as expeditiously as is practical.

h. The Inspector(s) shall have the duty to:

- (i) Determine the number of Members entitled to vote and the voting power of each;
- (ii) Determine the authenticity, validity, and effect of proxies, if any;
- (iii) Receive ballots;
- (iv) In elections conducted by electronic voting in accordance with California Civil Code § 5105(i) and these Election Rules, the Inspector(s) shall be required to authenticate Member identity, maintain ballot integrity and secrecy, and provide a method for Members to confirm, at least thirty (30) days before the voting deadline, that their electronic devices are compatible with the online voting system, all as further described in Section 12 of these Election Rules;
- (v) Determine the existence of a quorum, if required by statute or the governing documents. For the purposes of determining a quorum, each ballot received by the Inspector(s) shall be treated as a Member present,

except in the case of duplicate ballots or multiple ballots from the same separate interest;

- (vi) Hear and determine all challenges and questions in any way arising out of or in connection with the right to vote;
- (vii) Count and tabulate all votes;
- (viii) Determine when the polls shall close, consistent with the governing documents;
- (ix) Determine the tabulated results of the election;
- (x) Report the tabulated results of the election or balloting promptly to the Board of Directors to ensure that the Board can publicize the results to the homeowners within fifteen (15) days of the election; and
- (xi) Perform any acts as may be proper to conduct the election with fairness to all Members in accordance with California Civil Code § 5110, the Corporations Code, and all applicable rules of the Association.

i. The Inspector(s) may meet and discuss election issues amongst themselves and/or with Association counsel.

j. If there are three (3) Inspectors, the decision or act of two (2) or more Inspectors shall be effective in all respects as the decision or act of all.

k. The Inspector(s) may appoint and oversee additional persons to count and tabulate votes as the Inspector(s) deems appropriate, provided that the persons are independent third parties who meet the requirements of Section 4(b) above.

l. The Inspector(s)' report of the election, once signed to certify the election, is prima facie evidence of the facts stated in the report.

m. The Inspector(s) shall retain, as Association election materials, both a candidate registration list and a voter list. The voter list shall include the name, voting power, and either the physical address of the Member's separate interest, the parcel number, or both. The mailing address for the ballot shall be listed on the voter list if it differs from the physical address of the Member's separate interest or if only the parcel number is used. If electronic voting is permitted in accordance with California Civil Code § 5105(i) and Section 12 of these Election Rules, the voter list shall also identify each Member's voting method (electronic or paper). The Association shall permit Members to verify the accuracy of their individual information on both lists at least thirty

(30) days before the ballots are distributed. The Association or Member shall report any errors or omissions to either list to the Inspector(s) who shall make the corrections within two (2) business days.

n. Following the election, the Inspector(s) shall retain all Association election materials for a period of one (1) year. At such time after one (1) year has elapsed, the Inspector(s) shall return the Association election materials to the Association or destroy the materials at the Association's direction.

## **5. Access to Association Media**

a. No candidate or Member shall be provided access to Association media, newsletters, or internet web sites during the campaign except with the express consent of the Board, and solely for purposes that are reasonably related to that election. The Board's consent may be withheld at its sole discretion and for any reason.

b. In the event access to Association media, newsletter, or internet web sites is granted to any candidate or Member advocating a point of view, during any campaign for purposes that are reasonably related to that election, then all candidates and Members advocating a point of view, including those not endorsed by the Board, shall be provided equal access for purposes reasonably related to that election.

c. In the event access to Association media, newsletter, or internet websites is granted, the Association shall not censor, edit, or redact any content from the communications of the candidates and Members advocating a point of view, but may include a statement specifying that the candidate or Member, and not the Association, is responsible for the content of the message. The following statement may be published by the Association:

*"The views expressed are those of its author and do not reflect the view of the Association, its directors, managers, employees, or agents. The author is solely responsible for its content. The Association was required by law to publish the communication as written, regardless of content."*

d. The Association may, but is not required to, distribute candidate statements along with ballots for an election of Directors. Candidate statements shall be limited to information about the candidate only and shall not be used to advocate or campaign for a specific point of view. Candidate statements, if distributed, shall not constitute access to Association media, newsletter, or internet web sites for purposes of triggering equal access pursuant to this Section.

## **6. Access to Common Area Meeting Space**

If any Common Area meeting space exists within the Association, access to such meeting space shall be made available at no cost to all candidates, including those who are not incumbents, and to all Members advocating a point of view, including those not endorsed by the Board, for purposes reasonably related to the election or vote, upon reasonable request.

## **7. Association Funds**

Association funds shall not be used for campaign purposes in connection with any election except to the extent necessary to comply with the duties of the Association imposed by law.

## **8. Proxies**

Voting by proxy shall not be allowed.

## **9. Voting Period**

a. The Board shall generally determine the dates upon which polls will open and close, consistent with the governing documents and applicable law.

b. For elections of Directors and for recall elections, the Association shall provide general notice of all of the following at least thirty (30) days before the ballots are distributed:

(i) The date and time by which, and the physical address where, the ballots are to be returned by mail or handed to the Inspector(s);

(ii) If the Association allows for voting in an election by electronic secret ballot as provided for in Section 12 of these Election Rules, the date and time by which electronic secret ballots are to be transmitted to the internet-based voting system and preliminary instructions on how to vote by electronic secret ballot upon commencement of the voting period;

(iii) The date, time, and location of the meeting at which a quorum will be determined, if the Association's governing documents require a quorum, and at which ballots will be counted;

(iv) The list of all candidates' names that will appear on the ballot;

(v) Individual notice of the above shall be delivered pursuant to California Civil Code § 4040 if individual notice is requested by a Member.

c. All candidates shall have a reasonable opportunity to communicate their qualifications to Members and to solicit votes.

#### **10. Balloting Procedures; Generally**

a. The Association shall utilize a secret ballot process pursuant to California Civil Code § 5115 for any membership vote which the law requires to be conducted via the secret ballot process. Secret ballots may be written or electronic. The Association shall utilize written secret ballots for (i) a vote of the membership regarding assessments per California Civil Code § 5605; and (ii) Members who, in any election, have not opted in to the electronic voting process per Section 12 of these Rules. The Association may, at the discretion of the Board, utilize electronic secret ballots pursuant to California Civil Code § 5105(i) for the following votes: (i) election of members of the Board; (ii) amendments to the governing documents; (iii) grant of Exclusive Use Common Area pursuant to California Civil Code § 4600; (iv) removal of Directors; and (v) any other membership vote which the law allows to be conducted via electronic secret ballot. Electronic secret ballots may not be utilized in an election regarding regular or special assessments, unless permitted by law.

b. Cumulative voting shall not be permitted.

c. Write-in candidates and nominations from the floor shall not be permitted.

d. The same list of items being voted on will be provided on both the written and electronic ballot in any election where both written secret balloting and electronic secret ballots are utilized.

e. Once a written or electronic secret ballot has been cast, it cannot be revoked.

f. For purposes of determining a quorum, a Member voting electronically or by secret written ballot shall be counted as a Member in attendance at the meeting.

g. The Association shall maintain a voting list, identifying which Members will vote by electronic secret ballot and which members will vote by written ballot, and shall include instructions in its Annual Policy Statement on how Members can change their preferred method of voting. Members who have opted in to voting by electronic secret ballot and provided the Association with an email address will not receive a written ballot, but rather, will receive an electronic secret ballot in any election in which electronic ballots are utilized.

#### **11. Written Secret Balloting Procedures**

The following procedures shall apply: (i) in all elections held exclusively by written secret ballot, and (ii) in any election, to all Members who have not opted in to electronic secret balloting

in accordance with Section 12 of these Election Rules:

a. A ballot and two pre-addressed envelopes (Envelopes # 1 and # 2) with instructions on how to return the ballot shall be mailed by first-class mail or delivered by the Association to every Member at least thirty (30) days prior to the deadline for voting.

b. The ballot shall contain the names of all candidates known to the Association at the time the ballot is mailed. If no candidates are known or if there are fewer qualified candidates than the number of Directors to be elected, the Association will either: (i) send out a ballot listing the known candidates, or (ii) if the requirements of Section 16 of these Election Rules are satisfied and the Board elects to proceed by acclamation, forego distribution of ballots and seat the qualified candidates by acclamation.

c. A voter may not be identified by name, unit or lot number, or address on the ballot.

d. The ballot itself is not signed by the Member voting, but rather, is to be inserted into Envelope # 1 that is sealed by the Member. Envelope # 1 is then inserted into Envelope # 2, which is then sealed by the Member.

e. Envelope # 2 is addressed to the Inspector(s). In the upper left-hand corner of Envelope # 2, the voter shall sign his or her name, print his or her name, and indicate the address or separate interest identifier that entitles him or her to vote.

f. Envelope # 2 may be mailed or delivered by hand to a location specified by the Inspector(s). The Member may request a receipt for delivery.

g. Only the Association's ballots and envelopes which are sent out to the membership by the Association or are provided by the Association at the membership meeting will be accepted by the Inspector(s).

## **12. Electronic Secret Balloting Procedures**

a. The Association has adopted an opt-in policy for electronic voting. Members may opt in to electronic voting in one of two ways: (1) indicating their desire to opt in to electronic voting when responding to the annual solicitation for Member contact information and providing a valid email address to the Association; or (2) submitting a written request to opt in to electronic voting to the Association and providing a valid email address. A Member's request to opt in to electronic voting, whether made in response to the annual solicitation or via separate request, shall remain effective until revoked, in writing, by the Member. A Member who opts in to electronic voting and thereafter fails to return the annual solicitation for Member contact information will remain enrolled in electronic voting. The Association will use the email address

previously provided for any Association election for which the Board chooses to utilize electronic voting. Members may change their voting preference by submitting a written request to opt in or opt out of electronic voting. Such a request must be received no later than ninety (90) days before an election. All Members who are enrolled in electronic voting on the date ninety (90) days before each election shall receive a digital version of the ballot that enables Members to cast their votes electronically while ensuring confidentiality for any election in which electronic voting will be utilized.

b. Members who opt in to electronic voting are required to provide the Association with a valid email address and to update their email address with the Association as necessary. It is the responsibility of each Member to ensure that the Association has their current working email address. The Association shall not be liable for electronic secret ballots which are not received, nor required to resend electronic or written secret ballots to any Member as a result of nonreceipt, where the Association has utilized the email address last provided, in writing, by the Member.

c. Members who are enrolled in electronic voting shall receive notice of the election and an electronic secret ballot at least thirty (30) days prior to the deadline for voting, which includes instructions on how to obtain access to the internet-based voting system and how to vote by electronic secret ballot. This notice may be delivered electronically and shall include the date and time by which electronic secret ballots are to be transmitted to the internet-based voting system. If the Association does not have a Member's email address by the time at which ballots are to be distributed, the Association shall send the Member a written secret ballot.

d. A vote cast by electronic secret ballot, or a notice sent to a Member voting by electronic secret ballot is effective when it is electronically transmitted to an address, location, or system designated by the Inspector(s). Electronic secret ballots cannot be revoked once cast.

f. Members enrolled in electronic voting shall be provided with a method to confirm, at least thirty (30) days before the voting deadline, that their electronic devices are compatible with the online voting system utilized by the Inspector(s) to conduct the vote. It shall be the responsibility of the Member to troubleshoot any issues and/or to utilize a device compatible with the system.

- g. The electronic voting system utilized by the Inspector(s) shall have the ability to:
- (i) Authenticate the Member's identity;
  - (ii) Authenticate the validity of each electronic secret ballot to ensure the electronic secret ballot is not altered in transit;
  - (iii) Transmit a receipt from the internet-based voting system to each Member

who casts an electronic secret ballot;

(iv) Permanently separate any authentication or identifying information from the electronic secret ballot, rendering it impossible to connect an electronic secret ballot to a specific Member;

(v) Store and keep electronic secret ballots accessible to election officials or their authorized representatives for recount, inspection, and review purposes.

### **13. Vote Tabulation**

a. All votes shall be counted and tabulated by the Inspector(s), or the duly authorized persons appointed by the Inspector(s), in public at a properly noticed membership meeting.

b. A person, including a member of the Association or an employee of the management company, shall not open or otherwise review any ballot before the time and place at which the ballots are counted and tabulated. For mailed ballots, the Inspector(s), or the designee of the Inspector(s), may verify the Member's information and the presence of a signature on the outer envelope prior to the meeting at which ballots are counted and tabulated. For electronic ballots, the Inspector(s) or the designee of the Inspector(s) may similarly verify the Member's information prior to the election but shall not review or count the electronic votes until the time of tabulation.

c. A person, including a member of the Association or an employee of the management company, shall not open or otherwise review any tally sheet of votes cast by electronic secret ballots before the time and place at which the ballots are counted and tabulated.

d. Any Member may witness the counting and tabulation of the votes. Members are prohibited from speaking to the Inspector(s) or their designee(s) during the tabulation process or from interrupting the tabulation process in any way.

### **14. Election Results**

a. The Inspector(s) shall promptly report the results of the election to the Board. The Board shall record the results of the election in the minutes of the next Board meeting and make them available to the Members for review.

b. Within fifteen (15) days of the election, the Board shall publicize the results of the election in a communication directed to all Members.

## **15. Custody, Storage and Retention of Ballots**

a. The sealed ballots, signed voter envelopes, voter list, proxies, and candidate registration list, and tally sheet of votes cast by electronic secret ballot (collectively referred to as “election materials”) shall, at all times be in the custody of the Inspector(s), or at a location designated by the Inspector(s), until after the tabulation of the vote, and until the time allowed by California Civil Code § 5145 for challenging the election has expired, at which time custody shall be transferred to the Association. Pursuant to California Civil Code § 5125, the Association’s managing agent may be designated by the Inspector(s) as the location which ballots are to be returned and where the election materials may be stored prior to the election and following the tabulation of the vote.

b. If there is a recount or other challenge to the election process, the Inspector(s) shall, upon written request, make the ballots and the tally sheet of votes cast by electronic secret ballot available for inspection and review by an Association Member or the Member’s authorized representative. Any recount shall be conducted in a manner that preserves the confidentiality of the vote. Signed vote envelopes may be inspected but may not be copied.

c. Following the election, the Inspector(s) shall retain all Association election materials for a period of one (1) year. At such time one (1) year has elapsed, the Inspector(s) shall return the Association election materials to the Association or destroy the materials at the Association’s direction.

## **16. Uncontested Elections**

When, as of the deadline for submitting nominations, the number of qualified candidates is not more than the number of vacancies to be elected, as determined by the Inspector(s), the Association may, but is not required to, consider the qualified candidates elected by acclamation if all of the following conditions have been met:

a. The Association has held a regular election for the Directors in the last three (3) years. The three-year time period shall be calculated from the date ballots were due in the last full election to the start of voting for the proposed election.

b. The Association provided individual notice of the election and the procedure for nominating candidates as follows:

(i) An initial notice sent at least ninety (90) days before the deadline for submitting nominations. The initial notice shall include all of the following:

(A) The number of Board positions that will be filled at the election;

(B) The deadline for submitting nominations;

(C) The manner in which nominations can be submitted; and

(D) A statement informing Members that if, at the close of the time period for making nominations, there are the same number or fewer qualified candidates as there are Board positions to be filled, then the Board of Directors may, after voting to do so, seat the qualified candidates by acclamation without balloting.

(ii) A reminder notice sent between seven (7) and thirty (30) days before the deadline for submitting nominations. The reminder notice shall include all of the following:

(A) The number of Board positions that will be filled at the election;

(B) The deadline for submitting nominations;

(C) The manner in which nominations can be submitted;

(D) A list of the names of all of the qualified candidates to fill the Board positions as of the date of the reminder notice; and

(E) A statement reminding Members that if, at the close of the time period for making nominations, there are the same number or fewer qualified candidates as there are Board positions to be filled, then the Board may, after voting to do so, seat the qualified candidates by acclamation without balloting.

c. The Association provides, within seven (7) business days of receiving a nomination, a written or electronic communication acknowledging the nomination to the Member who submitted the nomination. The Association may combine the written or electronic communication described in (d) below into a single written or electronic communication if the nominee and the nominator are the same person.

d. The Association provides, within seven (7) business days of receiving a nomination, a written or electronic communication to the nominee, indicating either of the following:

(A) The nominee is a qualified candidate for the Board; or

(B) The nominee is not a qualified candidate for the Board, the basis for the

disqualification, and the procedure by which the nominee may appeal the disqualification.

e. The Association must permit all candidates to run if nominated, except for nominees disqualified for running as provided for elsewhere in these Election Rules.

f. The Association may disqualify a nominee if the person has served the maximum number of terms or sequential terms allowed in the governing documents.

g. If the Association disqualifies a nominee, the Association shall also require all Directors to comply with the same requirements.

h. The Association's Board votes to consider the qualified candidates elected by acclamation at a meeting for which the agenda item reflects the name of each qualified candidate that will be seated by acclamation if the item is approved.

i. Whether to follow the above procedures and pursue an election by acclamation shall be within the sole discretion of the Board of Directors. Nothing herein shall obligate the Association to follow the election by acclamation procedures with respect to any Board election.