

Rogers Ranch Unit 5 Homeowners Association

Voting, Running and Holding Board Directorship and Officer Policy (Effective May 30, 2019)

Rogers Ranch Unit V Homeowners' Association, Inc. has further clarified the following Policy on elections voting, running for and holding board directorship and officer positions as documented in the Covenants, Conditions and Restrictions (CC&R's) and Association Bylaws. This Policy will be deemed part of the Association Rules and is subject to amendment or modification at any time by majority vote of the Board. This Voting and Board Policy is adopted in accordance with Arizona's Planned Communities Act, Arizona Revised Statutes 33-1801, et seq. and the provisions of the CC&R's more specifically Section 9.11 and Bylaws, more specifically Article VII, section 1(b) as currently in effect.

This policy clarifies further the requirements for homeowners (owners) who would vote for, run and hold Board directorship and officer positions. This new clarification also applies for all those seeking positions on any board committees.

Owner for the definition of this policy is defined in Section 1.22 of the CC&Rs.

Assessments is defined per the CC&Rs and the Bylaws.

Definition of Good Standing – Suspension of Owner Rights:

An Owner is considered in Good Standing when he/she/they/it is current on all amounts owed to the Association under the provisions of the CC&Rs and he/she/they/it is in compliance with, and not in default of any provision or obligation of the CC&Rs and/or rules and regulations. An owner is considered not in good standing if they are late in the payments of any assessment for more than thirty (30) days past the due date.

An owner is not in good standing if they are not in compliance of any rules of the Association, including the provisions of the CC&Rs, (house painting, landscaping, etc.) for which a letter has been sent to the owner and documented on file of the HOA, community manager or administrator and has not been cured during the eligibility period.

Suspension of voting rights and holding of board directorship and/or officer positions (e.g. president, secretary, etc.) is automatic for any owner when a lien or lawsuit for the collection of any HOA assessment has been filed.

Eligibility for Voting or holding office:

The date for establishing eligibility to vote at the annual meeting and to run for the board of directors at the annual meeting is determined as of 10 calendar days prior to the annual meeting. An owner who is not eligible to vote or run for the board of directors may cure their eligibility if they can do so prior to 10 calendar days before the annual meeting.

This policy precludes anyone from holding a board seat and/or officer positions for at least 12 months if they have not been in good standing prior to the eligibility period.

To ensure a smooth transition and thorough understanding of HOA and board processes, any person running for a board position or office must attend at least three (3) unexcused board meetings during the year prior to the annual meeting, before they can be voted into office. A person can request an excused absence for no more than one of the four meetings (assuming meetings are held quarterly) if approved by a majority of the existing board.

Voting:

Homeowners will only be entitled to vote if they are in good standing. They may cure the good standing relationship by catching up on all past due assessments and/or curing any defaults or violations and receiving written confirmation of Good Standing by the Board. Once an Owner has re-established Good Standing, they will be permitted to vote if time permits and the deadline to vote has not yet passed.

Notification of Suspension of Voting Rights and Holding Office

Owners will be notified of their suspension of voting rights and/or rights to serve on the board and/or rights to hold office if they are not in good standing when they have submitted their application/background to run for office or vote in any elections. Notification will be made by letter to the address on record. Owners who can cure their good standing position prior to their eligibility requirements can then vote once again and run for office.

A handwritten signature in black ink, appearing to be "Steve M. A.", written over a horizontal line.