

From: The Inspectors of Election, LLC
Date: Thursday, March 7, 2024
To: Members of Heritage Ranch Owners Association
Subject: Call for Candidates for the Saturday, August 17, 2024 Annual Meeting of Members & Election of Directors

Attachment: 2024 Board of Directors Candidate Application

The Inspectors of Election, LLC (TIE) has been appointed as the independent oversight and authority for the Heritage Ranch Owners Association Election of Board Directors pursuant to California Civil Code Sections §5100-5145.

As a part of our services, we are putting out a "Call for Candidates" to fill the open positions on the Board. This election has three (3) open positions to serve a two-year term.

If you are interested in serving Heritage Ranch Owners Association and filling an open spot on the Board of Directors, please complete the attached 2024 Board of Director Candidate Application and follow the instructions of completing and returning the form along with your biography, statement and photo to The Inspectors of Election. If you would like an electronic version (Word or PDF) of the candidate form, please contact The Inspectors of Election at info@theinspectorsofelection.com.

Alternatively, you may submit your candidate application, biography, statement and photo online.

To complete your online candidate submission, login at www.tieivote.com

Username: **HROA**

Password: **6868**

Candidate applications must be received by The Inspectors of Election by **June 10, 2024 at 5:00 PM** for your name to be placed on the ballot and your biography, statement and photo included in the Election of Directors mailing to the association membership. All members that intend to run for a position on the Board must complete this process by the deadline listed above including incumbent directors whose terms are expiring in this election. ***It is the responsibility of the candidate to confirm with The Inspectors of Election that all of their candidate information has been received by the deadline.***

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. If there are more candidates than open positions, the election will move forward and election packages will be mailed to the membership at least 30-days prior to the Annual Meeting to be held at 10:00 AM on Saturday, August 17, 2024.

Sincerely,
The Inspectors of Election, LLC
info@theinspectorsofelection.com

Candidate and Director Qualifications

Members must meet the qualifications in the subsections hereafter to be eligible for nomination as a candidate for, or to serve as a Director, on the Board.

- a. Candidates Must be Members. The Association must disqualify the nomination of a candidate who is not a Member of the Association at the time of nomination.
- b. Prior Ownership for One Year. To be eligible for nomination and/or to serve on the Board, a candidate for the Board or serving as a Director must be the record Owner of a Separate Interest for a period of at least one year, proof of which must be a recorded deed. Persons holding a fee simple interest in a Separate Interest merely as security for the performance of an obligation are not eligible to either be a candidate for or to serve on the Board.
- c. Member in Good Standing. To be eligible for nomination and/or to serve on the Board, the person or impersonal entity must not be delinquent by more than thirty (30) days in the payment of any regular or special Assessment (following proper notice, hearing, and a finding by the Board), except:
 - i. A person may not be disqualified from nomination for nonpayment of fines, fines characterized as assessments, collection charges, late charges or costs levied by a third party.
 - ii. A person may not be disqualified from nomination because the person has paid the regular or special assessment under protest.
 - iii. A person may not be disqualified from nomination due to delinquent assessments if the person has entered into a payment plan with the Association pursuant to Civil Code §5665 and is fulfilling the terms of the payment plan.
- d. Co-Owners Eligible for Only One Position. To be eligible for nomination and/or to serve on the Board, the person or impersonal entity must not have a record fee simple ownership interest in a Separate Interest which is part of the Development with another person or impersonal entity concurrently serving as a Director. Where two or more co-Owners concurrently seek election to the Board, only the first nomination will be effective.
- e. Criminal Conviction. A person who has disclosed, or concerning whom the Board has become aware, of a past criminal conviction that would, if the person is elected, either prevent the Association from purchasing the fidelity bond coverage required by Civil Code Section 5806, or any successor statute, or which conviction would cause such coverage to be terminated, is ineligible for nomination to the Board. Each nominee, at the time of nomination, shall disclose the existence of any past criminal conviction and the details thereof, with sufficient details in order to allow the Association to determine whether the criminal conviction will prevent the Association from purchasing the required fidelity bond coverage.
- f. Internal Dispute Resolution. Before any candidate for nomination or serving Director may be disqualified, the person or impersonal entity must be provided the opportunity to engage in internal dispute resolution as provided in the Davis-Stirling Act.

3.3 Impersonal Entities. 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 the purpose of candidacy or serving on the Board. The designation by the impersonal legal entity must be in writing, in accordance with the Association's governing documents, with documentation confirming both the designation and its authority to do so.

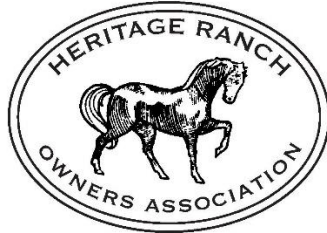
3.4 Trusts. If title is held in the name of one or more trustees, subject to a trust, a sole trustee or one of several trustees are permitted to be a candidate for a position on the Board or to serve on the Board subject to all qualifications and/or requirements of the Association's governing documents and/or the law. The designation of one of several trustees must be in writing, in accordance with the Association's governing documents, with documentation confirming both the designation and the authority of the designator to do so.

3.5 One Directorship Only. No current Director may hold multiple positions on the Board. Any Director, whose term extends beyond a current election and who wishes to become a candidate for that election, must first resign his/her seat on the Board. This rule does not apply to a candidate whose term is expiring and who wishes to run for re-election.

3.6 Employment Conflict of Interest. Candidates for the Board and Directors may not be active and paid employees of the Association. A Member who is an employee of the Association and who desires to serve as a Director may do so in accordance with Section 5.5 of the Election Rules of Heritage Ranch Owners Association.

The rules governing this election may be found here:

https://www.theinspectorsofelection.com/rules/heritage_ranch.pdf



2024 Board of Director Candidate Application

Name: _____

Property Address _____

Lot / Tract _____ Account / Member # _____

Telephone _____ Email Address _____

Application Documents. The Candidate must submit the 2024 Board of Director Candidate Application with a photo and brief biography providing information about candidate's qualifications and personal history as desired. The candidate is also requested to provide a Candidate Information Statement providing details of the candidate's desire and purpose for running for the Board of Directors. The Biography and Statement will be limited to a single sided 8.5" x 11" sheet of paper for distribution to the membership.

Candidate applications, biographies, statements and photos must be received by The Inspectors of Election, LLC no later than **5:00 pm on Monday, June 10, 2024**. Late submissions will not be accepted.

Request to be a candidate for the Heritage Ranch Owners Association Board of Directors:
I request that I be considered for nomination for the 2024 Election of Directors. I understand and meet the Director candidate qualifications and agree to provide information about any prior criminal convictions.

Signature (Required) _____ Date (Required) _____

Print Name _____

The completion of this form signifies that you are eligible to serve as a Board Member. Eligibility requires that you are a current member of Heritage Ranch Owners Association and fulfill the requirements to obtain the position of a Board Member as defined in State, Civil and Corporations Codes and the Heritage Ranch Owners Association Governing Documents and Election Rules.

Return this form and supporting documents to: **The Inspectors of Election (TIE)**

Online Form: www.tieivote.com – Username: **HROA** Password: **6868**

Via Email: info@theinspectorsofelection.com

Via Mail: 2794 Loker Ave W, Suite 104, Carlsbad, CA 92010

Deadline: **Monday, June 10, 2024 at 5:00 PM**