

Rules & Regulations

Election Guidelines

07/13/2022

Adopted by the Board of Directors



Regency at the Woods of South Barrington Homeowners Association Election Guidelines

1) Introduction

This document provides specific information on the processes and procedures applicable to the Election Procedures for the Regency at the Woods of South Barrington Homeowners Association. The election process, including nominations, campaigning, balloting, and vote tabulation is subject to these guidelines and controls.

To ensure that the governance system of the Regency at the Woods of South Barrington Homeowners Association will function fairly, effectively, and in a manner consistent with the law and the needs of owners, the following election and voting guidelines are established to provide:

- a method for preventing irregularities and perceived irregularities
- a level playing field for nominated candidates; and
- a neutral party to conduct elections.

2) One-Property-One-Owner-Vote System

A one-property-one-owner-ballot system will be used. One owner will represent each property. One owner will be entitled to one vote for each open Board seat and one vote per proposal/issue. Per the Declaration, cumulative voting is not permitted. "Owner" shall mean and refer to any individual on record for a particular property in the Property Manager's "List of Owners." If more than one property is owned, the owner is entitled to vote as described for each property.

3) Annual Election Meeting

The Board of Directors will determine the date of the Annual Election Meeting no less than one hundred twenty (120) days prior to that date. However, failure to establish such a date shall not constitute a violation of these guidelines nor invalidate any subsequent election provided the election, including notice, is conducted in accordance with the Association's Declaration and Bylaws, the Common Interest Community Association Act, as well as any state/federal mandated protocol delaying the planned scheduled dates and procedures applicable to the election process.

4) Nominations

The Board of Directors will proceed with seeking nominees in the following manner:

- a) Solicit nominees from owners at least forty-five (45) to sixty (60) days prior to the commencement of voting.
- b) Encourage owners to provide names of potential candidates to achieve optimal election results. Nominees, should they choose to run, must accept the nomination in writing by completing the Candidate Nomination Form.
- c) A list of candidates' names for placement on the ballot will be prepared and presented to the Association membership no later than 30 days prior to the date set for voting.
- d) A second call for nominations will be emailed to the owners for candidates two (2) weeks before the 30 days prior to the date set for voting.
- e) Nominations are closed 30 days prior to the date set for voting. In the event an insufficient number of candidate applications have been received, the candidate deadline will be extended by ten (10) days.
- f) Nominations from the floor on the day of the election are not permitted.
- g) After nominations are closed and the deadline has passed, the Board of Directors shall verify the number of candidates for the number of positions.

5) Campaigning

Establishment of standards for campaigning and the distribution of campaign material:

- a) Campaigning may not begin until thirty (30) days prior to the actual election.
- b) Campaign signage can be posted within the Clubhouse in the designated area established for campaign information.
- c) Campaign signs are limited to 12" X 18" in size.
- d) A place will be made available in the Clubhouse and on the Regency website for candidates to make available a written description of their platforms and qualifications.
- e) A minimum of one (1) "Meet the Candidate Forum" shall be held at the Regency Clubhouse in the evening and/or on a weekend. The Board of Directors will announce the Candidate Forum via e-mail and post the dates and times on the Regency website at least two (2) weeks prior to the "Meet the Candidate Forum." At the "Meet the Candidate Forum" homeowner questions will be asked of the candidates. No candidate shall be required to attend any forum or panel.
- f) Candidates must incur the costs for all campaign/signage material used during the campaign.
- g) Candidates may send emails to owners but are not permitted to use the Property Manager or Onsite Property Administrator for assistance in obtaining email addresses or in sending email blasts to owners.

6) Voting Procedures for Submitting Votes by Electronic Transmission

- a) The Board of Directors will select a third-party vendor (“Election Vendor”) to conduct the electronic voting aspect of the vote using the Election Vendor’s technology and procedures.
- b) Property Management representatives will determine the order of the candidate names on the ballot by a random drawing. There will be three (3) or two (2) Board positions up for election based upon the election year.
- c) Following the completion of the nomination process, each property will receive a letter (by first-class mail or e-mail if electronic notice has been consented to by the owner of the property), not less than ten (10) and not more than thirty (30) days before the Annual Election meeting, that will include the following information:
 - i. Date and time of the Annual Election Meeting.
 - ii. Copy of the Candidate Nomination forms.
 - iii. Procedures for casting a vote electronically using the Election Vendor’s technology and voting in person at the Annual Election Meeting.
 - iv. Number of property votes needed to meet election quorum requirements.
 - v. Date by which owner must submit vote electronically in order to be counted at the Annual Election Meeting.
 - vi. Instruction notice on how the owner may cast votes for candidates whose names do not appear on the ballot.
 - vii. Notice to the owner that if the owner submits a vote electronically, the owner will have the opportunity to request and cast a ballot in person at the Annual Election Meeting and thereby void the vote previously submitted electronically by the owner.
- d) All owners will be sent letters to their Regency address or e-mail address (if electronic notice consent received) provided by the owner. If the owner does not reside in the Regency, letter will be sent to their home address. It is the owner’s responsibility to submit a request to the Property Manager to have their letter sent to an “out of town” address if they will be out of town during the mailing.
- e) The owner has two (2) options to submit their official ballot:
 - i. Electronically in accordance with the procedures provided by the Election Vendor using the Election Vendor’s technology; or
 - ii. cast their vote on the night of the election using the Election Vendor’s technology.
- f) The receipt of an electronic vote by the Election Vendor will be noted on a log in accordance with the Election Vendor’s procedures.
- g) At the conclusion of the election, all ballots and the Election Vendor’s record of votes cast electronically are to be turned over to Property Management representatives who in turn will file the ballots and the Election Vendor’s record of

votes cast electronically and vote count at the Property Management Headquarters office.

- h) Ballots and the Election Vendor's record of votes cast electronically will be kept secure and available for a period of no less than one (1) year.

7) Annual Election Meeting

- a) Written notice of the Annual Election Meeting shall be mailed giving owners no less than ten (10) and no more than thirty (30) days' notice of the date, time, place, and purpose of the meeting (election of officers and voting on proposals, if appropriate). The agenda should be included in the Notice.
- b) The Property Management company will manage the voting process.
- c) Agenda for Annual Election Meeting is as follows:
 - i. Call to Order
 - ii. Introduction of Current Board of Directors
 - iii. Introduction of Property Management Staff
 - iv. Approval of last year's Annual Election Meeting minutes
 - v. Establish Quorum
 - 1. Quorum is considered 20% of the properties currently subject to the Declaration as of the voting date.
 - 2. The percentage is determined by adding the properties represented by votes cast.
 - vi. Review of Election Procedures
 - vii. The Property Management company certifies results.
 - viii. Adjournment
- d) The official location of the election will be the Regency Clubhouse or other designated voting location.
- e) One room will be designated as the Election Room and all voting will occur in the designated room using the electronic voting system.
- f) No proxies shall be accepted.
- g) The security and confidentiality of the ballots will be protected by the Property Management company at all times.
- h) Owners electing to vote on the day of the Annual Meeting may do so between 6:00 – 6:15 PM. Polls close promptly at 6:15 pm – no exceptions.
- i) All ballots will be counted and tabulated by Property Management representatives at the Annual Election Meeting.
- j) A representative from the Property Management company will announce the results of the election, including the total number of households that voted.
- k) The final results of the election will be officially recorded in the minutes of the Annual Election Meeting.

- l) The Board of Directors will post the names of the new Board members on the Regency website within ten (10) days of the election. The voting for Board members is not specific to the office positions of President, Vice President, Secretary and Treasurer. Once the Board is elected, the members of the Board will then elect the officers to their positions in accordance with the Association's By-laws.
- m) All terms will be two (2) years based upon the election of two (2) or three (3) positions.
- n) Any challenge to the election process must be made in writing no more than 30 days after the vote and submitted to the Property Manager. If there is a challenge, Property Management will make the ballots and the Election Vendor's record of votes cast electronically available to the challenging Association member for inspection and recount at the Property Management Headquarters office. The inspection and review of any documentation will be under the direct control of the Property Management company and must be conducted in a manner that preserves the confidentiality of the vote.
- o) All properly reported challenges are to be resolved to the satisfaction of the Property Management company no later than 45 days after the Annual Election Meeting.