

# NOTICE OF NOMINATION PROCEDURE & CALL FOR CANDIDATES

## HAMILTON COVE HOMEOWNERS ASSOCIATION

*(Cal. Civ. Code § 5115)*

August 31, 2024

Dear Members:

The 2024 Annual Director Election of the Hamilton Cove Homeowners Association (“**Association**”) has been scheduled for **12:00 p.m.** on **December 7, 2024**, at the Clubhouse located at 23 Camino De Flores, Avalon, California 90704. The purpose of the election will be to elect two (2) Members to the Association’s Board of Directors (“**Board**”). This Notice is being provided to all Members in satisfaction of Civil Code section 5115(a).

### NOMINATION DEADLINE

The deadline for submitting a nomination is **October 3, 2024**. This date shall not be less than thirty (30) days before ballots are distributed.

### CANDIDATE QUALIFICATIONS

To be eligible to run for the Board, the person must, at the time of nomination, satisfy all Candidate Qualifications contained in the Association’s Election Rules. The Candidate Qualifications include:

- **Record Owner.** The person must be the record owner of a Lot or Unit within the Association.
- **Current in Assessments.** The person must be current in the payment of regular and special assessments owed to the Association. This requirement does not apply in situations where the person wishing to be a candidate for the Board has (a) paid the regular or special assessment under protest, or (b) entered into a payment plan with the Association pursuant to California Civil Code section 5665.
- **Joint Ownership Interest.** The person, if elected, must not be serving on the Board at the same time as another person who holds a joint ownership interest in the same Lot or Unit as the person, and the other person is either a candidate for the current election or is an incumbent director.
- **Membership for at Least One (1) Year.** The person must be a Member of the Association for at least one (1) year.
- **Past Criminal Convictions.** The person must not have had a past criminal conviction that would, if the person is elected, either prevent the Association from purchasing fidelity bond coverage required by California Civil Code section 5806 or terminate the Association’s existing fidelity bond coverage. Persons running for the Board shall disclose, at the time of nomination, the existence of any past criminal convictions.
- **Title in Name of Company.** If title to a Lot is held by a legal entity (e.g., Corporation, Limited Liability Company, Limited Partnership, etc.), the governing authority of that legal entity shall have the power to appoint a natural person to be a Member for purposes of being a candidate for the Board.

**If you intend to be a candidate and believe that you may be subject to disqualification by failing to satisfy the Candidate Qualifications at the time of nomination, the Association**

hereby offers you the opportunity to engage in Internal Dispute Resolution (IDR) in accordance with the Association's established IDR procedures. If you would like to engage in IDR, please contact the Association's community manager as soon as possible.

### NOMINATION PROCEDURES

Provided that Members seeking candidacy for a position on the Board satisfy all the Candidate Qualifications at the time of nomination, such Members may be nominated or nominate themselves by the following procedures:

Candidate nominations must be submitted in writing, via the Nomination Form, to the Association, **Hamilton Cove Homeowners Association, P.O. Box 1573, Avalon, CA 90704; [hamiltoncoveassoc@sbcglobal.net](mailto:hamiltoncoveassoc@sbcglobal.net)** at any time prior to the Nomination Deadline but no later than 5:00 p.m. on October 3, 2024. **Failure to submit a Nomination Form to the Inspector of Elections prior to the Nomination Deadline will result in the candidate's name being omitted from the ballot.** After collecting all properly submitted nominations, the Board, the Inspector, at the Board's direction, or a Nominating Committee established by the Board, shall: (1) confirm each nominated person's eligibility to serve under the Election Rules; (2) confirm or cause to be confirmed each eligible nominee's acceptance of nomination (if nominated by someone other than the nominee); and (3) prepare or cause the preparation of correspondence to any nominee who was disqualified to run for the Board and the reason(s) for that decision.

### NOTICE OF MEETING & CANDIDATE LIST

After the Nomination Deadline and not less than thirty (30) days prior to the distribution of ballots, the Association shall provide general notice of the following: (1) the list of all candidates that will appear on the ballot, (2) the date, time and address of where ballots are to be returned by mail or handed to the Inspector of Elections, (3) the date, time and address of the meeting at which ballots will be counted, (4) a statement of each Member's right to verify the accuracy of their individual information on both the Candidate List and the Voter List, and (5) a statement of each Member's right to request individual delivery of the foregoing items.

In quorum is not achieved at the election, the meeting may be adjourned to a date at least 20 days after the adjourned election, at which time the quorum required for the election of directors shall be reduced to twenty percent (20%) of the Association's voting members present in person, by proxy, or by secret written ballot received.

**If you have any questions regarding the foregoing, please contact the Association:**

**Hamilton Cove Homeowners Association**  
[hamiltoncoveassoc@sbcglobal.net](mailto:hamiltoncoveassoc@sbcglobal.net)