

**HAMILTON COVE HOMEOWNERS ASSOCIATION  
PO BOX 1573  
AVALON, CA 90704  
hamiltoncoveassoc@sbcglobal.net**

**NOMINATION FORM FOR BOARD OF DIRECTORS**

**The undersigned certifies that he or she has read the CC&R and Rule provisions set out below and that he or she is an Owner/Member of the Hamilton Cove Homeowners Association. The undersigned hereby nominates**

\_\_\_\_\_

**an Owner/Member of the Hamilton Cove Homeowners Association, who meets the qualifications set out below, as a candidate for the Board of Directors.**

**Executed the \_\_\_\_\_ day of \_\_\_\_\_, 2023.**

\_\_\_\_\_  
**Name**

\_\_\_\_\_  
**Preferred Address**

\_\_\_\_\_  
**Email Address**

\_\_\_\_\_  
**Preferred Phone Number**

**Mail or email the completed form to the Association at the address above.**

## CC&R PROVISIONS

**Section 1.48. Member, Membership.** "Member" shall mean every Person holding a membership in the Association, pursuant to Section 2.03 hereof. "Membership" shall mean the property, voting, and other rights and privileges of Members as provided herein, together with the correlative duties and obligations contained in the Restrictions.

**Section 2.03. Membership.** Every Owner, upon becoming the Owner of a Condominium or Single Family Residential Lot, shall automatically become a Member of the Association and shall remain a Member thereof until such time as his ownership ceases for any reason, at which time his Membership in the Association shall automatically cease. Ownership of a Condominium or Single Family Residence shall be the sole qualification for Membership in the Association. All Memberships shall be appurtenant to the Condominium or Single Family Residential Lot conveyed, and a Person shall be deemed an Owner of a Condominium or Single Family Residential Lot only upon recordation of an assignment of the Condominium Sublease or a grant deed, or memorandum thereof, conveying the Condominium to such Person or upon the recordation of a grant deed conveying a Single Family Residential Lot to such Person. Except as may otherwise be provided herein, the rights, duties, privileges and obligations of all Members of the Association shall be provided in the Restrictions.

**Section 1.56. Owner.** "Owner" shall mean the record Owner, whether one or more Persons, of a Condominium or Single Family Residential Lot.

## RULES

**5.1. Candidate Qualifications.** Members seeking candidacy for a position on the Board must satisfy all of the following Candidate Qualifications at the time of nomination:

**5.1.1. Record Owner.** The person must be the record owner of a Single Family Residential Lot ("Lot") or Unit within the Association's development.

**5.1.2. 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.

**5.1.3. 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.

**5.1.4. Membership for at Least One (1) Year.** The person must be a Member of the Association for at least one (1) year.

**5.1.5. 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.

**5.1.2. Title in Name of Company.** If title to a Lot or Unit is held by a legal entity other than a natural person (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.

**5.2 Application to Directors.** The candidate qualifications identified in Section 5.1 above shall also apply to directors.

**7.1.2. Nomination Submission.** Provided that Members seeking candidacy for a position on the Board satisfy the Candidate Qualifications at the time of nomination, such Members may be nominated or nominate themselves by submitting in writing, via the Nomination Form, to the Association at any time prior to the Nomination Deadline. Failure to submit a Nomination Form to the Association prior to the Nomination Deadline will result in the candidate's name being omitted from the ballot.

**7.1.3. Qualification of Nominees.** After collecting all properly submitted nominations, the Board or the President at the Board's direction, shall: (1) confirm each nominated person's eligibility under these 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.