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Election Questions

Hillary Mesa <hmesa@sjlawgroup.com>

Tue, Oct 3, 2023
at 5:09 PM

To: John and Deb Hart <hartnstone0910@gmail.com>

Cc: Kim at VOV HOA <kim@vovhoa.com>, Joseph Ciaramitaro <joe@vovhoa.com>

Hi,

I believe we discussed that it appears there are three present vacancies instead of just two vacancies. My interpretation is that if there is an election, the election will fill Board vacancies. I would like for you to get Leland's thoughts on this. They are boots on the ground with elections and should be able to also provide you with guidance.

As I see it, you have three present vacancies with one (2024 end term) being vacant **not** due to expiration of term but from a resignation. If the documents that have already been provided to the community cannot be

changed due to timing and the date of the election, then the remaining vacancy (2024) either should be filled by the present Board as indicated in the by-laws or the new board appoints a member after becoming elected. Again, the latter approach could be used if there is no ability to revise the documents that have already been provided to the community because of timing and the relation to the governing documents and statute.

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