

# The Villages Association



## Election Rules

### ARTICLE 3 CANDIDATES FOR THE BOARD AND NOMINATION PROCEDURES

3.1 Qualification of Candidates. Candidates for the Board must be Members at the time of their nomination and must meet all other qualifications or restrictions set forth in these Election Rules. In the case of a Member that is not a natural person (such as a corporation or other entity), the entity Member shall have the power to appoint a natural person as the "Member" for purposes of director elections. The Association shall disqualify a nominee for the Board for any of the following reasons:

- 3.1.1 The nominee is not a Member.
- 3.1.2 The nominee, if elected, would be serving on the Board at the same time as another owner of the same separate interest and the other person is either properly nominated for the current election or is an incumbent director.
- 3.1.3 If the nominee, at the time of nomination, is delinquent in the payment of regular and/or special assessments. A nominee shall not be considered "delinquent" if the delinquency relates to the payment of fines, fines renamed as assessments, collection charges, late charges, or costs levied by a third party and/or if the nominee: (a) has paid the regular or special assessment under protest; (b) has entered into a payment plan for repayment of the delinquent assessments and is not delinquent in payments due under the plan; or (c) has requested and has not been provided an opportunity to engage in internal dispute resolution.
- 3.1.4 If the nominee has been a member of the Association for less than one year.
- 3.1.5 If the nominee discloses, or if the Association is aware or becomes aware of, a past criminal conviction that would, if the Member was elected, either prevent the Association from purchasing the fidelity bond coverage required by *Civil Code* section 5806 or terminate the Association's existing insurance coverage required by *Civil Code* section 5806 as to that person should the person be elected.
- 3.1.6 If the nominee has served the maximum number of terms or sequential terms allowed by the Association's governing documents.

### 3.2 Nominations.

- 3.2.1 Solicitation of Candidates. At least thirty (30) days before the deadline for submitting a nomination, the Association shall provide general notice (per *Civil Code* section 4045) of the procedure and deadline for submitting a nomination for the Board. Any Member who satisfies the qualifications and is not otherwise prohibited from running for the Board may place their name in nomination for the Board by submitting the nomination before the published deadline for receiving nominations. In addition, the Board may recruit qualified candidates and/or may appoint a nominating committee to nominate qualified candidates. Notwithstanding the foregoing, if Election by Acclamation is going to be

considered, the Association must follow the procedures in Section 2.5 (“Election by Acclamation”), above.

3.2.2 No Write-Ins. No “write-in” candidates shall be permitted on the ballots in the election of directors.

3.2.3 No Nominations from the Floor. Nominations of candidates from the floor of membership meetings shall be prohibited in the ballots in the election of directors.

3.3 Candidate Registration List. The “Candidate Registration List” shall mean the list of candidates who will appear on the ballot and shall include the names and addresses of individuals nominated as a candidate for election to the Board. Upon request, the Association shall permit candidates to verify the accuracy of their individual information on the Candidate Registration List at least thirty (30) days before the ballots are mailed. The candidate shall report any errors to the Inspector of Elections who shall make the correction within two business days. The Association may, at its discretion, report any known errors to the Inspector of Elections. The Candidate Registration List shall be retained as “association election materials” as required by law.

3.4 Notice of Known Candidates. The names of all persons on the Candidate Registration List shall be set forth on the ballot.

3.5 Candidacy Statements. Any candidate who wishes to submit a candidacy statement may only do so using the Association’s authorized form. The content of any candidate statement shall be limited to a statement of the candidate’s qualifications to serve as a director.

3.6 Qualification of Directors. A director must comply with the same requirements set forth in Section 3.1 (“Qualification of Candidates”), above, pertaining to the qualifications for a candidate for the Board. The Board by a majority vote of the directors who meet the qualifications for directors, may declare vacant the office of any director who fails or ceases to meet any required qualification for directors that, pursuant to the Bylaws or the Election Rules, was in effect at the beginning of that director’s current term of office. In addition, the Board, by a majority of a quorum, may declare vacant the office of any director who fails to make available any and all information the director and/or the Association is legally obligated to provide to a governmental agency for Association compliance with federal or state law requirements, including, without limitation, the requirements of the federal Corporate Transparency Act.

3.7 Candidate Registration List. The “Candidate Registration List” shall mean the list of candidates who will appear on the ballot and shall include the names and addresses of individuals nominated as a candidate for election to the Board. Upon request, the Association shall permit candidates to verify the accuracy of their individual information on the Candidate Registration List at least thirty (30) days before the ballots are mailed. The candidate shall report any errors to the Inspector of Elections who shall make the correction within two business days. The Association may, at its discretion, report any known errors to the Inspector of Elections. The Candidate Registration List shall be retained as “association election materials” as required by law.

3.8 Notice of Known Candidates. The names of all persons on the Candidate Registration List shall be set forth on the ballot.

3.9 Candidacy Statements. Any candidate who wishes to submit a candidacy statement may only do so using the Association’s authorized form. The content of any candidate statement shall be limited to a statement of the candidate’s qualifications to serve as a director.

3.10 Qualification of Directors. A director must comply with the same requirements set forth in Section 3.1 (“Qualification of Candidates”), above, pertaining to the qualifications for a candidate for the Board. The Board by a majority vote of the directors who meet the qualifications for directors, may declare vacant the office of any director who fails or ceases to meet any required qualification for directors that, pursuant to the Bylaws or the Election Rules, was in effect at the beginning of that director’s current term of office. In addition, the Board, by a majority of a quorum, may declare vacant the office of any director who fails to make available any and all information the director and/or the Association is legally obligated to provide to a governmental agency for Association compliance with federal or state law requirements, including, without limitation, the requirements of the federal Corporate Transparency Act.

Following is the link to the entire The Villages Association Election Rules:

<https://member.thevillagesgcc.com/static/wp-content/uploads/2024/12/Updated-Election-Rules.pdf>.