# Shadow Brook Homeowners’ Association

# Notice of Nominating Procedure

This is the official notice for the Nominating Procedure and Call for Candidates. The candidate qualifications are as follows:

1. A Candidate shall be disqualified for not being a Member of the Association at the time of the nomination [as validated by Shadow Brook system of Record – QuickBooks], subject to the following:
   1. A developer is not restricted from making a nomination of a nonmember candidate consistent with the voting power of the developer as set forth in the regulations of the Department of Real Estate (DRE) and the Association’s governing documents.
   2. If title to a separate interest parcel is held by a legal entity that is not a natural person, the governing authority of that legal entity shall have the power to appoint a natural person to be a Member. The natural person appointed as Member must be a trustee, director, shareholder, or partner of the legal entity that holds title to the separate interest parcel.
2. A Candidate shall be disqualified if any of the following apply:
   1. The Candidate is not current in the payment of regular or special assessments, subject to validation, except if:
      1. The Candidate has paid the regular or special assessment under protest.
      2. The Candidate has entered into a payment plan for the delinquent regular or special assessments.
   2. The Candidate, if elected, would be serving on the Board at the same time as another person who holds a joint ownership interest in the same separate interest parcel as the Candidate, and the other person is either properly nominated for the current election or an incumbent Director.
   3. The Candidate discloses, or the Association is aware or becomes aware of, a past criminal conviction that would, if the person was elected, either prevent the Association from purchasing the fidelity bond coverage required by California Civil Code § 5806 or result in the termination of the Association’s existing fidelity bond coverage.
3. A Candidate shall not be disqualified under the following circumstances:
   1. For nonpayment of fines, fines are renamed as assessments, collection charges, late charges, or costs levied by a third party.
   2. If the Nominee has not been provided the opportunity to engage in internal dispute resolution pursuant to California Civil Code §§ 5900-5920.

Please complete the form on the reverse side to self-nominate. All nominations must be postmarked by November 25, 2024, and mailed to the following address:

Shadow Brook HOA and Swim Club

P.O. Box 20271

San Jose, CA 95160

**Shadow Brook Homeowners’ Association 2024**

**Candidate Nomination Form**

Full name of Candidate:

Phone number of Candidate: ( )

Email address of Candidate:

Property address within Shadow Brook HOA (HOA Property of Record):

Preferred mailing address (if different from above):

Candidate introduction/bio to be provided with election Ballots:

● Bios can be emailed to [elections@shadowbrook.org](mailto:elections@shadowbrook.org?subject=Candidate Bio)

● Please limit bios to 200 words, due to space constraints