

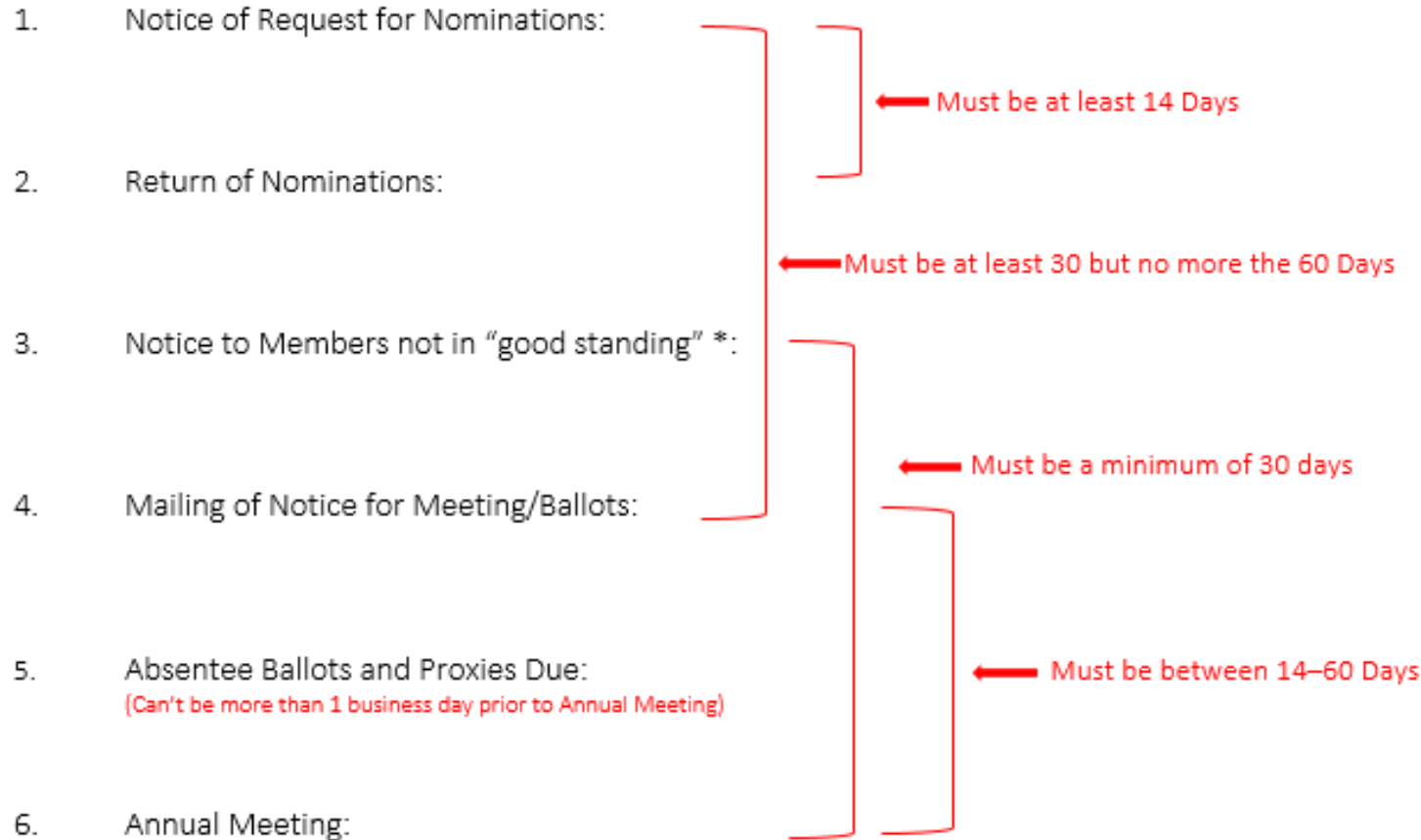
RULES NOT IN RADBURN LAW

- Developer Issues
 - Rental units – No automatic board seat
- Affordable housing issues
 - Can't prohibit affordable unit owners from participating in elections.
 - Same rights as market unit owners.
 - Reserve seat for affordable units if they represent a minority of units
- In mixed-use project commercial units may not control board
- Owner Entity representatives may not hold more than one board seat

RULES NOT IN RADBURN LAW

- Call for nominations – Mailed no more than 60 days before notice of meeting
- Person not nominated by deadline may be a write-in candidate
- Notice to delinquent owners 30 days before Election
 - Right to ADR
 - Can become qualified to vote 5 business days prior to election
- All ballots must be tallied “publicly”
- Ballots open for inspection by any member for 90 days
- Requires electronic balloting be authorized by bylaws

RADBURN TIMELINE



* Members who are not in "good standing" must be notified a by the association a minimum of 30 days prior to the election, that they are not in good standing. Such notice shall state the reason why the resident is not in good standing. The notice shall state that residents have the right to contest the board's determination by requesting Alternative Dispute Resolution. Residents shall be allowed to rectify their standing up until five business days prior to the election date. The ADR notice should state that they have 10 days to request ADR or it is waived.

RULES NOT IN RADBURN LAW

- Notice of meeting must contain copy of “ballot”
- Ballot can not indicate a candidate is incumbent
- Each candidate’s name is same font, size and color
- Blank write-in lines = to number of positions up for election on the ballot
- All ballots cast anonymously
- May not prevent holder of proxy or power of attorney from voting
- Ballot depository must be “secured”

Lawsuit v. New Rules

- In July CAI-NJ filed suit in appellate division
- Suit sought to overturn totality of regulations
- Attorney General's office filed motion to dismiss
- Based on failure to exhaust administrative remedies
- Without an opinion motion was granted "without prejudice"
- Two-prong response:
 - Seeking certification from New Jersey Supreme Court
 - Preparing petition to DCA