

The Springs at Santa Rita  
Homeowners' Association  
**Ballot Information Sheet**  
June 29, 2005

**Title: Amendment to the Bylaws of The Springs at Santa Rita  
Homeowners Association, Inc.**

**Purpose:** In order to insure that the Board of Directors of the Homeowners Association will be able to conduct business at the Annual and Special Meetings, while assuring that the input of a representative number of the homeowners would be considered, it is deemed necessary to reduce the number of Owners required to constitute a quorum.

**Proposal:** That Article III, Administration, Section 3.05 Quorum and Adjourned Meeting, be amended to define a quorum as being 20% at a first meeting and 10% at a second meeting if a quorum is not achieved at a first meeting.

**Amendment:** Section 3.05. Quorum and Adjourned Meeting. The presence at any meeting, in person or by proxy, of the Owners entitled to vote at least a ~~majority~~ **twenty percent (20%)** of the total votes shall constitute a quorum. If any meeting cannot be held because a quorum is not present, the Owners present, either in person or by proxy, may adjourn the meeting at a time not less than forty-eight (48) hours nor more than thirty (30) days from the time the original meeting was called, at which meeting the quorum requirements shall be the Owners present either in person or by proxy entitled to vote at least ~~twenty five percent (25%)~~ **ten percent (10%)** of the total votes. Except as otherwise provided herein, any action may be taken at any meeting of the Owners upon the affirmative vote of the Owners having a majority of the total votes present at such meeting either in person or by proxy.

## Questions and Answers

**Q:** If we lower the quorum requirement, can fewer people make decisions for the Homeowners Association?

**A:** **NO.** A quorum is used only to make an **Annual or Special Meeting** official. It **DOES NOT** lower the amount of member votes needed to pass a resolution or a motion.

**Q:** Will I be allowed to vote in person at the June 29th Special Meeting?

**A:** **YES**, using this ballot form only. There will be no voice vote on this proposal at an Annual or Special Meeting.

**Q:** Why is this issue important at this time?

**A:** Because:

- a) experience has demonstrated that attaining a quorum under the current requirements for the Annual Meeting has been a "nip and tuck" proposition due to a lack of response from the homeowner membership.
- b) pending legislation. Both houses of the Arizona legislature have passed a bill (HB2154) that would **prohibit proxy voting**. HB 2154 is currently being reconciled before forwarding to Governor Napolitano for her expected signature.
- c) Voting by those unable to attend a meeting would be by individual absentee ballot.

**Q:** What are other Homeowners' Associations and organizations doing with respect to the issue of quorums?

**A:** Other HOA quorum requirements range from:

- d) "those members in good standing present in person or by proxy"
- e) 10%
- f) 25%
- g) 50% +1, with a requirement for 25% following the failure to attain the initial quorum
- h) 60%, with a requirement for 30% following the failure to attain the initial quorum
- i) 60%, with a requirement for 51% following the failure to attain the initial quorum

The Green Valley Recreation Association (GVR) has recently amended their bylaws to establish a quorum as 20% of the membership in good standing present in person or by proxy. All ballots must be received prior to an Annual or Special meeting.