

**LAKE OF THE PINES ASSOCIATION
POLICIES & PROCEDURES**



Electronic Communications Policy

This Electronic Communications Policy ("Policy") has been adopted by the Board of Directors of Lake of the Pines Association ("Association"), in accordance with applicable statutory requirements. The purpose and intended effect of this Policy is to provide procedures to comply with applicable legal requirements related to the delivery and receipt of electronic notices. This Policy shall be effective upon adoption.

1. Notices to the Association. If a provision of the Davis-Stirling Common Interest Development Act ("Act") requires that a document be delivered to the Association, the document shall be delivered to the person designated in the annual policy statement, prepared pursuant to Section 5310 of the Act, to receive documents on behalf of the Association, in the manner described in Section 4035(b) of the Act. If no person has been designated to receive documents, the document shall be delivered to the president or secretary of the Association. A document delivered pursuant to this provision may be delivered by email or other electronic means if the Association has expressly assented to that method of delivery by providing notice to the members of such assent. The Association may withdraw assent by providing notice to the members of the withdrawal of assent.
2. Notices from the Association. The Association may, but is not required to, deliver legal notices required to be sent by "individual delivery" or "individual notice" pursuant to Section 4040 of the Act, by email or other electronic means, only if the recipient has consented in writing or by email, to that method of delivery.
3. Form of Consent. The Association may provide and encourage the use of a specific form for members to request to receive formal notices as described in Section 2 of this Policy. However, the use of a form is not required; any member may provide consent by filling out a form provided by the Association, by sending a letter to the Association, or by sending an email to administration@lop.org. If the Association chooses not to maintain a list for purposes of electronic communications described in Section 2 of this Policy, the Association may delete email addresses provided for such purposes and reject member requests received.
4. Withdrawal of Consent. Any member who previously provided consent may withdraw such consent by filling out a form provided by the Association, by sending a letter to the Association, or by sending an email for withdrawing or revoking consent. The email address of any member who withdraws or revokes consent shall be removed from the membership list maintained by the Association pursuant to Section 5200(a)(9) of the Act.

5. Inclusion of Email Address on Membership List. Email addresses provided to the Association and maintained for purposes of "individual delivery" or "individual notice" pursuant to Section 4040 of the Act are required to be included in the membership list maintained by the Association pursuant to Section 5200(a)(9) of the Act. The Association will make reasonable efforts to notify members before or soon after signing up to receive such notices that the member's email address will be included on the membership list and providing the member the opportunity to opt out pursuant to Section 5520 of the Act.
6. Informal Communications from the Association. The Association may communicate with members by electronic means, including website posting, e-blasts, and email. Such communications may be communicated to a group of members who consented to receive communications related to matters of general community interest or directly to individual members. Such communications shall not take the place of "individual delivery" or "individual notice" pursuant to Section 4040 of the Act or "general delivery" pursuant to Section 4045 of the Act. Email addresses obtained for purposes of informal communications with members or otherwise obtained by the Association for purposes other than as described in Section 2 of this Policy shall not be included on the membership list maintained by the Association.
7. Membership List Requests. Any member may opt out of sharing their name, property address, mailing address, and email address, by notifying the Association in writing. The opt out shall remain in effect until changed by the member. A member requesting the membership list shall state the purpose for the request, which purpose shall be reasonably related to the requester's interest as a member. If the board reasonably believes that the information in the list will be used for another purpose, it may deny the member access to the list.
8. Use of the Membership List. Any person who misuses a membership list is liable for any damage caused by the misuse, including punitive damages for a fraudulent or malicious misuse. Such misuse shall also be a violation of this Policy subject to fine and other disciplinary action. Members are prohibited from providing a copy of the membership list or the content of the membership list, including email addresses, to any other person. This means, with respect to emails obtained from the membership list, that members are prohibited from including more than one email address in a visible fashion when utilizing such email addresses.

Approved: February 12, 2020 – R-20-019 (Effective March 15, 2020)