

LAKE OF THE PINES ASSOCIATION POLICIES & PROCEDURES



Election Rules

The following Election Rules are adopted in accordance with California Civil Code Section 4340 *et seq.* and pursuant to the authority of the Association's governing documents, and are intended to apply to elections, pursuant to California Civil Code Sections 5100–5125, regarding: (1) Assessments, (2) selection of directors, (3) removal of directors, (4) amendments to the governing documents, (5) grants of exclusive use of common area property, and (6) any other matter that may be the subject of a vote of Association Members. Unless the context clearly indicates otherwise, capitalized terms used herein shall have the same meaning as in the Association's governing documents. Pursuant to Civil Code section 5105(h), these Election Rules ("Rules") shall not be amended less than ninety (90) days prior to an election.

Section 1 Elections Regarding Selection of Directors

This Section 1 shall apply to elections regarding selection of directors.

A. Nomination of Candidates. In addition to any nomination procedures set forth in the Association's Bylaws (except as noted below), Members shall become candidates for election to the Board of Directors as follows: No less than 45 days before the Association mails out the ballot packets, the Association shall send a notice to all Members inviting eligible Members to become candidates for election to the Board (the "Candidate Solicitation Notice"). The Candidate Solicitation Notice, which may be presented in the Association's regular newsletter, shall state all of the following:

1. Interested Members must notify the Association, in writing, that they would like to be a candidate.
2. In order to be eligible to become a candidate, a Member must be an Owner of Record of a Lot as of the date he or she submits his or her written notice of desire to be a candidate. If title 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 in writing to be a Member for purposes of this subsection. The Association shall bear no liability for the veracity of such appointment.
3. In order to be eligible for election to the Board, a candidate must be an Owner of Record of a Lot as of the date scheduled for close of the balloting period. If title 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 in writing to be a Member for purposes of this subsection. The Association shall bear no liability for the veracity of such appointment.
4. Only one Owner per Lot may serve on the Board at any time.
5. Only Members who are current in the payment of regular or special assessments shall be eligible to be elected to and serve on the Board. This provision applies throughout every Director's term of office. The Association may not disqualify a candidate for nonpayment of fines, fines renamed as assessments, collection charges, late charges, or costs levied by a third party. The Association may also not disqualify a candidate for failure to be current in payment of regular and special assessments if either of the following is true: (1) the candidate has paid the regular or special assessment under protest pursuant to Civil Code Section 5658 or (2) the candidate has entered into a payment plan pursuant to Civil Code Section 5665.
6. A Member shall neither be qualified as a candidate nor continue to serve as a Director if that candidate or Director has a past criminal conviction which would prevent the Association from

purchasing fidelity bond coverage as required by Civil Code Section 5806 or would terminate the Association's existing fidelity bond coverage.

7. The Association shall not disqualify a Member from nomination who is delinquent in payment of their regular or special assessments if the Member has neither requested nor been asked and provided the opportunity to engage in internal dispute resolution with the Association. This provision shall not apply, however, if the Association has previously offered the Member the opportunity to engage in the Association's internal dispute resolution process regarding the delinquency.
8. Candidates and Members advocating a point of view may, but are not required to, submit a statement (hereafter, "Director Election Statement") which shall not exceed one side of a single 8-1/2 x 11 inch page, and which shall be reasonably related to the election, and by submitting a Director Election Statement, the author accepts full responsibility for the content thereof and agrees to indemnify the Association and its agents and representatives for any and all damage arising from and related to any such content; and
9. The written notification of desire to be a candidate and the Director Election Statement must either be mailed, hand delivered, or e-mailed to the Association at the address(es) designated by the Board of Directors for that purpose, and must be received by the Association no later than 5:00 p.m. on the date that is 30 days after the date the Candidate Solicitation Notice was mailed to the Members, and it is each Member's responsibility to confirm that his or her written notification and Director Election Statement were received by the Association.

Each Member who wishes to become a candidate must submit a written notification to the Association indicating the Member's desire to become a candidate. Candidates and Members advocating a point of view may, but are not required to, submit a Director Election Statement which shall not exceed one side of a single 8-1/2 x 11 inch page, and which shall be reasonably related to the election. Any such written notification and any Director Election Statement must either be mailed, hand delivered or e-mailed to the Association at the address(es) designated by the Board of Directors for that purpose, and must be received by the Association no later than 5:00 p.m. on the date that is 30 days after the date the Candidate Solicitation Notice was mailed to the Members. It is each Member's responsibility to confirm that his or her written notification and Director Election Statement were received by the Association. Each eligible Member whose written notification is timely received by the Association shall automatically be a candidate. There shall be no nominations from the floor at membership meetings.

B. Qualifications for Candidacy and Election to the Board.

1. In order to be eligible to become a candidate, a Member must be an Owner of Record of a Lot as of the date he or she submits his or her written notice of desire to be a candidate. If title 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 in writing to be a Member for purposes of this subsection. The Association shall bear no liability for the veracity of such appointment.
2. In order to be eligible for election to the Board, a candidate must be an Owner of Record of a Lot as of the date scheduled for close of the balloting period. If title 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 in writing to be a Member for purposes of this subsection. The Association shall bear no liability for the veracity of such appointment
3. Only one Owner per Lot may serve on the Board at any time.

4. Only Members who are current in the payment of regular or special assessments shall be eligible to be elected to and serve on the Board. This provision applies throughout every Director's term of office. The Association may not disqualify a candidate for nonpayment of fines, fines renamed as assessments, collection charges, late charges, or costs levied by a third party. The Association may also not disqualify a candidate for failure to be current in payment of regular and special assessments if either of the following is true: (1) the candidate has paid the regular or special assessment under protest pursuant to Civil Code Section 5658 or (2) the candidate has entered into a payment plan pursuant to Civil Code Section 5665.
5. A Member shall neither be qualified as a candidate nor continue to serve as a Director if that candidate or Director has a past criminal conviction which would prevent the Association from purchasing fidelity bond coverage as required by Civil Code Section 5806 or would terminate the Association's existing fidelity bond coverage.
6. The Association shall not disqualify a Member from nomination who is delinquent in payment of their regular or special assessments if the Member has neither requested nor been asked and provided the opportunity to engage in internal dispute resolution with the Association. This provision shall not apply, however, if the Association has previously offered the Member the opportunity to engage in the Association's internal dispute resolution process regarding the delinquency.

C. Voting Qualifications.

1. Members shall be entitled to one (1) vote for each Lot they own. Votes may be cast by a person who provides documentation showing they hold general power of attorney for a Member. The Association shall bear no liability for the veracity of the general power of attorney provided.
2. In the event more than one (1) person owns a given Lot, the vote for such Lot shall be exercised as the Owners among themselves shall determine, but in no event shall more than one (1) vote be cast with respect to any Lot. If the joint Owners of a Lot are unable to agree among themselves as to how their vote is to be cast, such vote shall be cast in accordance with the decision of a majority of such Owners. If there is no such majority, the vote for the Lot shall not be cast either in favor of or opposed to the issue or issues which are the subject of the vote, but the membership shall be counted for purposes of determining whether the quorum requirements applicable to the vote or meeting have been met. If any Owner casts a vote representing a certain Lot and no written objection thereto is received by the Secretary prior to the close of voting, it will be conclusively presumed for all purposes that such Owner was acting with the authority and consent of the other Owners of that Lot.
3. Cumulative Voting is not permitted.
4. Proxy Voting. Proxy voting shall not be permitted on any matter put to a vote by the Members, although proxies may be solicited by the Association for the sole and limited purpose of establishing a quorum at a membership meeting in accordance with Article IV, Section 5 of the Bylaws.

D. Access to Association Media and Common Area Meeting Space.

The Association shall ensure that if any candidate or member advocating a point of view is provided access to association media, newsletters, or Internet Web sites during a campaign, for purposes that are reasonably related to that election, equal access shall be provided to all candidates and members advocating a point of view, including those not endorsed by the board, for purposes that are reasonably related to the election. The Association shall not edit or redact any content from these communications but may include a statement specifying that the candidate or member, and not the Association, is responsible for that content and that the Association was required by law to publish the communication verbatim, regardless of content.

Access to common area meeting space, if any exists, shall be provided during a campaign to all candidates and Members advocating a point of view for purposes reasonably related to the election, at no cost, subject to procedural rules as may be adopted by the Board to assure orderly use of such meeting space.

The Association shall ensure that the legal requirements set forth in California Civil Code Section 5105 are met by implementing the following:

1. Director Election Statements: Candidates and Members advocating a point of view may, but are not required to, submit a Director Election Statement which shall not exceed one side of a single 8-1/2 x 11 inch page, and which shall be reasonably related to the election. All Director Election Statements must be received by the Association prior to 5:00 p.m. on the date that is 30 days after the date the Candidate Solicitation Notice was mailed to the Members. The Association shall not edit or redact any content from the Director Election Statements. By submitting a Director Election Statement, the author accepts full responsibility for the content thereof and agrees to indemnify the Association and its agents and representatives for any and all damage arising from or related to any such content.
2. Candidates' Night: If the Association holds one or more "candidates' nights", the Board shall arrange for the event(s) to be filmed or videotaped (or recorded by other similar technology). If the Association operates a cable television channel, the film(s)/video(s) shall be broadcast in its/their entirety on such channel at such intervals as may be determined by the Board, but no less than one time per day continuing through the day scheduled for close of the balloting period (or any extension thereof, if applicable). The film(s)/video(s) shall also be made available to all Members via the Association's website continuing through the day scheduled for close of the balloting period (or any extension thereof, if applicable). By attending and participating in a "candidates' night", the attendee accepts full responsibility for any statements he or she makes and agrees to indemnify the Association and its agents and representatives for any and all damage arising from or related to any such statements.
3. LOP News: Submissions to the Association monthly publication (currently known as the *LOP News*), shall be subject to reasonable submission deadlines as stipulated by the publisher (currently 5:00 p.m. on the 10th of the month prior to publication on or near the 1st of the month). Submissions shall be limited to a maximum of 375 words.
4. Channel 7: Channel 7 use shall conform to the following restrictions:
 - a. Requests for oral opinion access on Channel 7 shall be submitted in writing to the General Manager a minimum of three business days prior to the scheduled filming date.

- b. Individual members or candidates advocating a point of view reasonably related to the campaign shall be limited to a maximum of three minutes “airtime”.
 - c. If Director Candidates are interviewed, a set of questions shall be formulated in advance and all candidates will be interviewed using the common set of questions.
5. Use of Media Excluded: Due to limited space and distribution, there shall be no campaigning as defined in California Civil Code Section 5105 in the following Association “Media”.
- a. Association weekly publication (currently known as “Pines Times);
 - b. Association front gate Marquee;
 - c. Banners and other temporary signs; and
 - d. Association website (www.lop.org)

Association use of the above media exclusions shall be limited to posting of election deadline information and meeting quorum requirements.

E. Notices Prior to Holding an Election. In addition to other notice deadlines contained in these Rules, the Association shall provide general notice of all of the following at least thirty (30) days before ballots are distributed:

- 1. The date and time by which, and the physical address where, ballots are to be returned by mail or handed to the Inspectors of Election.
- 2. The date, time, and location of the meeting at which ballots will be counted.
- 3. The list of all candidate names that will appear on the ballot.
- 4. Individual notice of the above paragraphs shall be delivered pursuant to Civil Code Section 4040 if notice is requested by a Member

F. Distribution of Ballot Packets. Not less than 30 days prior to the date scheduled for the close of the balloting period, the Association shall mail, via first-class U.S. mail, one ballot packet to each Member as of the record date. Each ballot packet shall contain all of the following: (1) One official ballot; (2) Black-and-white copies of all Director Election Statements timely received by the Association; (3) A statement specifying that the Association was not permitted to edit or redact any content from the Director Election Statements and thus the author of each Director Election Statement, and not the Association, is responsible for the content of his or her Director Election Statement; (4) Two pre-addressed envelopes, a smaller (inner) envelope and a larger (outer) envelope; (5) Instructions on how to vote using the two-envelope system; and (6) A copy of these Rules. Delivery of these Rules may be accomplished by posting these Rules to an internet website and including the corresponding internet website address on the ballot together with the phrase, in at least twelve (12)-point font: "The rules governing this election may be found here:" or individual delivery.

The smaller envelope shall be marked with the words "Inspector of Election" on the front of the envelope. There shall be no other distinguishing markings on the smaller envelope. The larger envelope shall be pre-addressed to the Inspector of Election at the address specified by the Inspector of Election. The larger envelope shall contain *either* blank lines in the upper left hand corner for the voter to sign his or her name, indicate his or her name, and indicate the address or separate interest identifier that entitles him or her to vote *or* a pre-printed label that indicates the voter's name and the address or separate interest identifier that entitles him or her to vote and contains at least one blank line for the voter to sign his or her name.

The Association shall not deny a ballot to a Member for any reason other than not being a Member at the time when ballots are distributed. The Association shall not deny a ballot to a person with general power of attorney for a Member. The ballot of a person with general power of attorney for a Member shall be counted if returned in a timely manner

G. Rules Regarding Voting Using the Two-Envelope System.

1. The ballot shall not be signed or allow a voter to be identified by name, address, or the Lot that entitles the Member to vote on the secret ballot.
2. Once completed, the (unsigned) ballot must be inserted into the smaller envelope and the envelope must be sealed. This sealed envelope containing the completed ballot must then be inserted into the larger (outer) envelope and the envelope must be sealed.
3. In the upper left-hand corner of the larger sealed envelope, the voter shall sign his or her name, indicate his or her name, and indicate the address or separate interest identifier that entitles him or her to vote. The larger envelope shall be addressed to the Inspectors of Election.
4. The Inspector of Election has the power to invalidate any ballot if the ballot or either envelope does not comply with subparagraphs 1 through 3, above.
5. The secret ballot may be mailed or hand delivered to a location specified by the Inspector. The Member may request a receipt for delivery.
6. Once a ballot is cast, it cannot be revoked. A ballot is deemed "cast" when it is received at the location(s) designated by the Inspector of Election.
7. The sealed envelopes shall remain in the custody of the Inspector of Election, or at a location designated by the Inspector of Election, at all times prior to completion of the tabulation process.
8. Unless prohibited by the Inspector of Election, the Association shall be entitled to maintain a log of all envelopes received (the "Envelope Log") and to put all envelopes in the order designated by the Inspector of Election. The envelopes shall not be opened until the Inspector of Election instructs them to be opened.

H. Voting Period. The voting period shall begin and close on the dates established by the Board or the Inspector. The close of the election shall be not less than thirty (30) days from the date the ballots are distributed to the members.

I. Inspectors of Election.

1. *Appointment and Term.* The Board shall appoint three persons to serve as the Inspectors of Election. Each Inspector of Election shall serve at the pleasure of the Board until he or she resigns, is discharged by the Board, or submits the completed written "Report of Inspector of Election" to the Board as required by subparagraph (4)(j), below.
2. *Qualifications.* Each Inspector of Election shall be an independent third-party who is not any of the following:
 - a. Currently a Director on or a candidate for the Board;

- b. Related to a Director on or to a candidate for the Board; and
 - c. A person, business entity, or subdivision of a business entity that is currently employed or under contract with the Association for any compensable services other than serving as Inspector. This provision cannot be waived under Civil Code Section 5110(b).
3. *Powers.* The Inspectors of Election shall have the following powers:
- a. The Inspectors of Election shall preside over member elections or votes on any of the matters set forth in Civil Code Section 5100, which provides that elections regarding assessments legally requiring a vote, election and removal of directors, amendments to governing documents, or the grant of exclusive use of common area pursuant to Civil Code Section 4600 shall be held by secret ballot in accordance with the procedures set forth herein.
 - b. If authorized by the Board, the Inspectors of Election may meet and discuss election issues with the Association's legal counsel or amongst themselves.
 - c. The decision or act of two (2) or more of the Inspectors of Election shall be effective in all respects as the decision or act of the Inspector.
 - d. The Inspectors of Election may appoint and oversee additional persons to count and tabulate votes as the Inspectors of Election deem appropriate
4. *Duties.* The Inspectors of Election shall perform their duties impartially, in good faith, to the best of their ability, and as expeditiously as is practical, and in a manner that protects the interest of all Members of the Association. In addition, the Inspectors of Election shall do all of the following:
- a. specify one or more locations to which the envelopes containing the ballots must be mailed or delivered by hand;
 - b. determine the number of memberships entitled to vote and the voting power of each;
 - c. determine the authenticity, validity, and effect of proxies, if any;
 - d. receive ballots;
 - e. hear and determine all challenges and questions in any way arising out of, or in connection with, the right to vote;
 - f. count and tabulate all votes;
 - g. determine when the polls close, consistent with the governing documents;
 - h. determine the tabulated results of the election;
 - i. perform any acts as may be proper to conduct the election with fairness to all Members in accordance with this Section and all applicable rules of the Association regarding the conduct of the election that are not in conflict with this Section; and
 - j. Prepare a written report of the activities undertaken in any election.

Management may assist the Inspectors of Election in performing all duties of the listed above, except the physical counting and tabulation of votes and determining the results of the election. The Inspectors of Election retain the obligation to perform all responsibilities listed above. It is the intent of the Association that if a member of the Association serves as a volunteer Inspector of Election, such volunteer shall be considered a volunteer committee member or a volunteer officer of the Association for purposes of directors and officers insurance and rights of indemnity arising out of the Inspector of Election's conduct in their role as Inspector of Election under Civil Code Section 5800.

J. Opening of Envelopes / Counting and Tabulation of Ballots.

1. No envelope containing a ballot may be opened prior to the time at which the ballots are to be counted and tabulated.
2. Envelopes may only be opened, and ballots tabulated if a sufficient number of envelopes exist to meet the quorum requirement for Member action under the governing documents. In the event that there are not enough envelopes to meet the quorum requirement, the Inspector of Election shall not proceed with opening the envelopes and shall notify the Board that a quorum has not been established.
3. The envelopes shall be opened and the ballots shall be counted and tabulated in public, at a properly noticed Board meeting or Member meeting.
4. Only the Inspectors of Election, or individuals designated by the Inspector of Election, shall open the envelopes and count and tabulate the ballots.
5. Members may witness the opening of the envelopes and the counting and tabulation of the ballots.
6. Each ballot envelope received by the Inspector of Election shall be treated as a Member present at a meeting for purposes of establishing quorum.
7. If the Inspectors of Election determine that the Members returned an insufficient number of secret ballots to meet quorum or otherwise, the Board or the Inspector may extend the voting period.

K. Election Results.

1. The Inspectors of Election shall promptly report the tabulated results of the election to the Board. The Board shall record the results in the minutes of the next Board meeting by attaching the Report of Inspector of Election as an exhibit to such minutes and shall make the results available for review by Members.
2. Within 15 days following the close of the balloting period, the Board shall publicize the tabulated results of the election in a communication directed to all Members.

L. Custody, Storage, and Retention of Ballots.

1. Immediately after reporting the tabulated results of the election to the Board, the Inspector of Election shall transfer physical custody of the envelopes, Envelope Log, and any tally sheets to the Association. The ballots shall remain in the custody of the Inspector of Election after which time the Inspectors of Election shall transfer physical custody of the ballots to the Association.
2. In the event of a recount or other challenge to the election process, the Inspector of Election shall, upon written request, make the ballots available for inspection and review by Members or their

authorized representatives. Any recount shall be conducted in a manner that preserves the confidentiality of the vote.

3. One (1) year after the Member vote concluded, the Association must retain, as Association records, these documents for the remainder of the current fiscal year in which it receives the documents from the Inspector and for the following two (2) fiscal years the ballots shall be stored in a secure place for at least one year after the date of the Board meeting at which the ballots were counted and tabulated.
4. Signed voter envelopes may be inspected but shall not be copied by any Member inspecting Association records.
5. Materials that shall be retained as election materials are the candidate registration list and the voter list. The voter list shall include the name, voting power, and either the physical address of the voter's separate interest, the parcel number, or both. The mailing address for the ballot shall be listed on the voter list if it differs from the physical address of the voter's separate interest or if only the parcel number is used.
6. The Association shall permit Members to verify the accuracy of their individual information on both lists at least thirty (30) days before the ballots are distributed. The Association or Member shall report any errors or omissions to either list to the Inspector, who shall make the corrections within two (2) business days.

Section 2 Elections Regarding Other Specific Matters

This Section 2 shall apply to elections regarding (1) Assessments, (2) removal of directors, (3) amendments to the governing documents and (4) grants of exclusive use common area.

A. Access to Association Media and Common Area Meeting Space. The Association shall ensure that the legal requirements set forth in California Civil Code Section 5105 are met by implementing the following:

1. If the Association provides access to Association media, newsletters, or Internet Web sites during a campaign to any Member advocating a point of view for purposes that are reasonably related to the election, then all Members advocating a point of view for purposes that are reasonably related to the election shall have equal access to the forum provided. The Association shall not edit or redact any content from these communications; however, the Association may include a statement specifying that the Member, and not the Association, is responsible for the content of the communication, and that the Association was required by law to publish the communication verbatim, regardless of content.
2. Access to common area meeting space, if any exists, shall be provided during a campaign to all Members advocating a point of view for purposes reasonably related to the election, at no cost, subject to procedural rules as may be adopted by the Board to assure orderly use of such meeting space.

B. Voting Period. See Section 1, Paragraph H of these Election Rules

C. Distribution of Ballot Packets. See Section 1, Paragraph F. In addition, in an election to approve an amendment of the governing documents, the text of the proposed amendment shall be delivered to the Members with the ballot

- D. **Rules Regarding Voting Using the Two-Envelope System.** See Section 1, Paragraph G of these Election Rules.
- E. **Inspectors of Election.** See Section 1, Paragraph I of these Election Rules.
- F. **Opening of Envelopes / Counting and Tabulation of Ballots.** See Section 1, Paragraph J of these Election Rules.
- G. **Election Results.** See Section 1, Paragraph K of these Election Rules.
- H. **Custody, Storage and Retention of Ballots.** See Section 1, Paragraph L of these Election Rules.

Section 3 General Election / Voting Provisions

This Section 3 shall apply to all member voting matters including, without limitation, elections regarding (1) Assessments, (2) selection of directors, (3) removal of directors, (4) amendments to the governing documents and (5) grants of exclusive use common area property.

A. Qualifications for Voting.

1. Members shall be entitled to one (1) vote for each Lot they own. Votes may be cast by a person who provides documentation showing they hold general power of attorney for a Member. The Association shall bear no liability for the veracity of the general power of attorney provided.
2. In the event more than one (1) person owns a given Lot, the vote for such Lot shall be exercised as the Owners among themselves shall determine, but in no event shall more than one (1) vote be cast with respect to any Lot. If the joint Owners of a Lot are unable to agree among themselves as to how their vote is to be cast, such vote shall be cast in accordance with the decision of a majority of such Owners. If there is no such majority, the vote for the Lot shall not be cast either in favor of or opposed to the issue or issues which are the subject of the vote, but the membership shall be counted for purposes of determining whether the quorum requirements applicable to the vote or meeting have been met. If any Owner casts a vote representing a certain Lot and no written objection thereto is received by the Secretary prior to the close of voting, it will be conclusively presumed for all purposes that such Owner was acting with the authority and consent of the other Owners of that Lot.
3. Cumulative Voting is not permitted.

B. Voting Power of Memberships. The Association has one class of voting Membership. In director elections, with respect to each Lot owned by a Member, such Member shall be entitled to cast one vote for each vacant seat being filled. In all other matters, each Member shall be entitled to cast one vote for each Lot owned by such Member.

C. Proxies.

1. Because voting in elections regarding (1) Assessments, (2) selection of directors, (3) removal of directors, (4) amendments to the governing documents and (5) grants of exclusive use of common area property (collectively, the "Secret Ballot Topics") are to be conducted by secret ballot in accordance with California Civil Code Section 5100 *et seq.* and these Election Rules, proxies are not permitted in connection with elections regarding Secret Ballot Topics.

2. Under Article IV, Section 5 of the Bylaws, proxies may be solicited by the Association for the sole and limited purpose of establishing a quorum at a membership meeting (see section 5, below).

D. Director Election at Least Once Every Four Years. The Association shall hold an election for a seat on the Board using the procedures in these Rules at the expiration of each Director's term of office and at least once every four (4) years.

Revised: February 12, 2020, R-20-018 ; Effective March 15, 2020

LAKE OF THE PINES ASSOCIATION

ELECTION RULES

If this document contains any restriction based on race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, familial status, marital status, disability, veteran or military status, genetic information, national origin, source of income as defined in subdivision (p) of Section 12955, or ancestry, that restriction violates state and federal fair housing laws and is void, and may be removed pursuant to Section 12956.2 of the Government Code. Lawful restrictions under state and federal law on the age of occupants in senior housing or housing for older persons shall not be construed as restrictions based on familial status.