

## 22 Station Owners Association, Inc.

### Communications to Owners Using USPS Mail or 3<sup>rd</sup> Party Delivery Policy

Adopted March 20, 2024

#### Recitals

- a. Civil Code Section 4041 provides: “(a) A member shall, on an annual basis, provide written notice to the association of all of the following: (1) The member’s preferred delivery method for receiving notices from the association, which shall include the option of receiving notices at one or both of the following: (A) A mailing address. (B) A valid email address. (b) (1) The association shall solicit the annual notices described in subdivision (a) of each owner and, at least 30 days before making its own required disclosure under Section 5300, shall enter the data into its books and records. (2) The association shall include in the solicitation required by paragraph (1) both of the following: (A) Notification that the member does not have to provide an email address to the association. (B) A simple method for the member to inform the association in writing that the member wishes to change their preferred delivery method for receiving notices from the association. (c) If a member fails to provide the notices set forth in subdivision (a), the last mailing address provided in writing by the member or, if none, the property address shall be deemed to be the address to which notices are to be delivered.
- b. Civil Code 5300 provides: (a) Notwithstanding a contrary provision in the governing documents, an association shall distribute an annual budget report 30 to 90 days before the end of its fiscal year.
- c. Civil Code 4040 provides: (1) If a provision of this act requires an association to deliver a document by “individual delivery” or “individual notice,” the association shall deliver that document in accordance with the preferred delivery method specified by the member pursuant to Section 4041. (2) If the member has not provided a valid delivery method pursuant to Section 4041, the association shall deliver the document by first-class mail, registered or certified mail, express mail, or overnight delivery by an express service carrier addressed to the recipient at the address last shown on the books of the association.
- d. Civil Code § 4920 provides: (a) Except as provided in subdivision (b), the association shall give notice of the time and place of a board meeting at least four days before the meeting. (c) Notice of a board meeting shall be given by general delivery pursuant to Section 4045.

- e. Civil Code 4045 provide: (a) If a provision of this act requires “general delivery” or “general notice,” the document shall be provided by one or more of the following methods:(1) Any method provided for delivery of an individual notice pursuant to Section 4040. (2) Inclusion in a billing statement, newsletter, or other document that is delivered by one of the methods provided in this section. (3) Posting the printed document in a prominent location that is accessible to all members, if the location has been designated for the posting of general notices by the association in the annual policy statement, prepared pursuant to Section 5310. (4) If the association broadcasts television programming for the purpose of distributing information on association business to its members, by inclusion in the programming. (5) If the association maintains an internet website for the purpose of distributing information on association business to its members, by posting the notice on the association's internet website in a prominent location that is accessible to all members if designated as a location for posting general notices in the annual policy statement prepared pursuant to Section 5310. (b) Notwithstanding subdivision (a), if a member requests to receive general notices by individual delivery, all general notices to that member, given under this section, shall be delivered pursuant to Section 4040. The option provided in this subdivision shall be described in the annual policy statement prepared pursuant to Section 5310.
  
- f. Civil Code § 4920 provides: (a) Except as provided in subdivision (b), the association shall give notice of the time and place of a board meeting at least four days before the meeting...(c) Notice of a board meeting shall be given by general delivery pursuant to Section 4045. (d) Notice of a board meeting shall contain the agenda for the meeting.
  
- g. Civil Code § 4950 provides: (a) The minutes, minutes proposed for adoption that are marked to indicate draft status, or a summary of the minutes, of any board meeting, other than an executive session, shall be available to members within 30 days of the meeting. The minutes, proposed minutes, or summary minutes shall be distributed to any member upon request and upon reimbursement of the association’s costs for making that distribution.
  
- h. USPS and other 3<sup>rd</sup> party delivery. HOA uses 3<sup>rd</sup> party service providers to print, envelope, and send physical items via USPS and other 3<sup>rd</sup> party delivery to Owners. The 3<sup>rd</sup> party services providers bill HOA per item per Owner handled and delivered.

NOW, THEREFORE, 22 Station Owners Association, Inc. ("HOA") hereby adopts the following 22 Station Communications to Owners Using USPS Mail or 3<sup>rd</sup> Party Delivery Policy.

- (a) Record/Update Owner address(es) and preferred delivery method. Each April, 22 Station via email solicits from each Owner, each Owner's preferred delivery method for receiving notices – a mailing address or a valid email address. Owners do not have to provide an email address to the HOA. 22 Station also solicits each Owner's contact information privacy preference. If an Owner does not reply to the solicitations, the addresses, the preferred delivery method, and privacy preferences in the HOA records will continue. At any time, to update addresses or delivery preference, an Owner may complete a form at [www.22station.com/go-paperless](http://www.22station.com/go-paperless) to elect email or send an email or letter to update addresses/delivery preference to the HOA property manager and addresses listed at [www.22station.com/board](http://www.22station.com/board)
- (b) Election materials. HOA sends to each Owner's address on record via USPS election materials including, but not limited to, instructions, ballot(s), and a second envelope at HOA expense
- (c) Board meeting notifications. Four days prior to a Board meeting, HOA posts at [www.22station.com/agendas-minutes/](http://www.22station.com/agendas-minutes/) the location, time, and agenda. HOA sends an email to Owners with the URL to access the notification. The notification of the Board meeting shall be distributed to any Owner upon written request and upon reimbursement of the association's costs for making that distribution including but not limited to the costs of 3<sup>rd</sup> party service providers who handle and deliver via USPS and other 3<sup>rd</sup> party delivery.
- (d) Minutes. Within thirty (30) days of a meeting, HOA posts at [www.22station.com/agendas-minutes/](http://www.22station.com/agendas-minutes/) meeting minutes proposed for adoption that are marked to indicate draft status, or a summary of the minutes, of any board meeting, other than an executive session. HOA sends an email to Owners with the URL to access the draft or summary of the minutes. A copy of the draft or summary minutes shall be distributed to any Owner upon written request and upon reimbursement of the HOA's costs for making that distribution including but not limited to the costs of 3<sup>rd</sup> party service providers who handle and deliver via USPS and other 3<sup>rd</sup> party delivery.
- (e) Distribution of annual budget report. 30 to 90 days before the end of the HOA's fiscal year, HOA posts at [www.22station.com/disclosures-pma/](http://www.22station.com/disclosures-pma/) the annual report and other requisite disclosures. HOA sends email to Owners with the URL to access the annual budget report and requisite disclosures and a digital copy of the annual budget report and requisite disclosures. HOA, with 3<sup>rd</sup> party service providers, distributes the annual budget report via USPS mail to an Owner who has requested USPS mail as the preferred general delivery and invoices the Owner for reimbursement of the HOA's costs for making that

distribution including but not limited to the costs of 3<sup>rd</sup> party service providers who handle and deliver via USPS and other 3<sup>rd</sup> party delivery.

- (f) Other notifications and communications: HOA sends to Owners via email.