

Election Rules *(Revised 2-06-2020)*

Fairlington Villages Unit Owners Association (FVUOA)

1. Establishing Dates of Elections:

(a) A majority of the Board of Directors, meeting in a regularly scheduled session, will:

(1) Establish the date, time, and place of any election to be conducted at an annual meeting of FVUOA.

(2) Establish the date, time, and place of any interim election to be held in the event a vacancy occurs on the Board and two or more eligible unit owners file Candidacy Petitions.

(b) During a meeting in which the date of an election is established the Board of Directors will also establish an opening and closing date, time and place at which potential candidates for election will file a Candidacy Petition and may file a Candidate Statement.

(1) For elections conducted at FVUOA annual meetings, the closing date will be between forty-five (45) and sixty (60) days before the date established for the election.

(2) For interim elections, the closing date will be between thirty (30) and forty-five (45) days before the date set for the election.

2. Appointment of the Election Panel:

(a) During the first regularly schedule meeting of the Board of Directors held after the filing deadlines established in Paragraph 1(b), the Board President, with the approval of the majority of the Board members who are present and voting, will appoint an Election Panel consisting of:

(1) One Director whose term is not scheduled to expire on the date on which the election is to be held;

(2) Two unit owners who are not Directors and who are not candidates for the election for which they will be Election Panel members;

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(3) Two Directors, whose terms are not scheduled to expire on the date on which the election is to be held, to serve as first and second alternate-members for the Director-Panel Member, in event of a Director-Panel Member's absence; and,

(4) One unit owner, who is not a Director and is not a candidate for the election, to be an alternate member for the non-director unit owner members of the Election Panel.

(b) Appointment of the Election Panel will occur as follows:

(1) Director member and first and second alternate Director members:

(A) The President will move that one Director, who shall be named in the motion, will be appointed as a member of the Election Panel, and that two Directors, who will also be named in the motion, will be appointed as first and second alternate-members of the Election Panel in accordance with the provisions of Paragraphs 2(a)(1) and 2(a)(3).

(B) The Board will vote on this motion, and if it fails to pass the floor will be opened for the nomination of the Director member and Director alternate members of the Election Panel with one Director nominated in each separate motion until all the Directors who shall be member of alternate members of the Election Panel are elected.

(C) In event no Directors are eligible for service on the Election Panel, or in event Directors who are eligible for service decline to serve, the Board of Directors will determine how the election will be supervised.

(2) Non-Director unit owner and alternate non-director unit owner members:

(A) Will be selected from a pool of non-Director unit owners nominated by the candidates with each candidate submitting up to two nominees for consideration; or, in the event the candidates fail to submit a total of three nominees, from additional non-Director unit owners nominated by the President to bring the total number of nominees up to three.

(B) Will be elected by members of the Board whose terms do not expire on the date the election is to be held, whose terms expire but are not seeking reelection, and who are seeking reelection to a directorship for which no other candidate has filed as follows:

(i) Non-Director unit owner nominee pool of three nominees:

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a The President will move that two non-Director unit owners, who shall be named in the motion, will be appointed as members of the Election Panel, and that one non-Director unit owner, who will also be named in the motion, will be appointed as an alternate non-Director member of the Election Panel in accordance with the provisions of Paragraphs 2(a)(2) and 2(a)(4).

b The eligible members of the Board listed in Paragraph 2(b)(2)(B) will vote on this motion, and if it fails to pass the floor will be opened for the nomination of non-Director unit owner members and the non-Director unit owner alternate member of the Election Panel, with one non-Director unit owner member or alternate member nominated in each separate motion until all the non-Director owners who will be members or the alternate member of the Election Panel are elected.

(ii) Non-Director unit owner nominee pool of more than three nominees:

a The eligible members of the Board listed in Paragraph 2(b)(2)(B) will vote on the nominees using blank ballots prepared by the Association Secretary (Secretary).

b Each eligible member of the Board listed in Paragraph 2(b)(2)(B) will write the names of three non-Director unit owner nominees on one of the blank ballots prepared by the Secretary.

c The Secretary will count the ballots:

- The two nominees receiving both majorities and the two highest numbers of votes cast will be elected non-Director unit owner members of the Election Panel and the nominee receiving a majority and the third highest number of votes cast will be elected the alternate non-Director unit owner member of the Election Panel, with the alternate non-Director unit owner member selected by lottery in the event of a three-way tie.

- If fewer than three nominees receive a majority of the votes cast in a first round of voting, the nominee(s) receiving a majority of votes will be named as the non-Director unit owner member(s) of the Election Panel, and the remaining non-Director unit owner member and/or alternate member will be elected by majority vote in subsequent rounds of balloting in which the nominee receiving the fewest number of votes in the previous round has been eliminated from consideration. The remaining non-Director unit owner panel member and/or alternate panel member will be selected by lottery in the event of tied majority votes, and the nominee removed from consideration will be selected by lottery in the event that two or more nominees are tied for the fewest number of votes in the previous round of balloting.

- If no nominee receives a majority of the votes cast in a first round of voting, the non-Director unit owner panel members and alternate panel member will be

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elected by majority vote in subsequent rounds of balloting in which the nominee receiving the fewest number of votes in the previous round has been eliminated from consideration. The non-Director unit owner members and/or alternate member will be selected by lottery in the event of tied majority votes, and the nominee removed from consideration will be selected by lottery in the event that two or more nominees are tied for the fewest number of votes in the previous round of balloting.

(c) The Election Panel will serve for the period of the election for which it is appointed, including serving until any challenges to the Election for which it is appointed have been resolved.

(d) Director and non-Director unit owner members of the Election Panel will elect the Chairperson of the Panel from among its Director and non-Director unit owner members.

(e) Persons appointed as alternate members of the Election Panel will substitute for any Election Panel member for whom they have been appointed as alternate in event the Election Panel member is unable to discharge the duties of a member of the Panel. The alternate will serve as a member of the Panel until such time as the Panel member for whom the alternate is serving is able to resume the duties of a Panel member and the alternate then shall return to alternate status. In event the member for whom the alternate is serving is also the Chairperson, an interim chairperson shall be selected by the Election Panel members from among the original Director and non-Director unit owner Panel members. For the purposes of selecting an interim-chairperson, the alternate or alternates serving will vote but will not be eligible to serve as chairperson except an instance where no original Panel member is serving at the time the selection is made or if all original Panel members serving at the time an interim-chairperson is selected refuse to accept the chair.

(f) In event an alternate member of the Election Panel is serving at the time the Panel begins work on an issue under challenge, filed as provided for in Paragraph 9, the alternate member will serve until that single issue is resolved, even if the regular member of the Election Panel for whom the alternate is substituting resumes the ability to serve. The regular member shall serve on all other issues relating to the election for which the Election Panel was appointed.

(g) All alternate members of the Election Panel are invited and encouraged to attend all meetings of the Election Panel.

3. Candidacy Petitions, Candidate Statements, and Candidate Election Panel Nominees

(a) Eligibility Requirements:

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(1) Ward Director: Any person who is eligible for election as director of that ward under the provisions of Article III of the by-laws of Fairlington Villages, a condominium, may stand for election as a candidate for Ward Director.

(2) At-Large Director: Any person who is eligible for election as an at-large director under the provisions of Article III of the by-laws of Fairlington Villages, a condominium, may stand for election as a candidate for At-Large Director

(b) Each unit owner seeking to become a candidate in an election will file a Candidacy Petition and may file a Candidate Statement, at the time, place and dates established by the FVUOA Board of Directors.

(1) The Secretary will ensure that information on the time, place and dates for filing Candidacy Petitions and Candidate Statements is published in the Association newsletter at least thirty (30) days before the filing deadlines.

(2) Potential candidates are responsible for ascertaining the dates, time, and place established for filing Candidacy Petitions and Candidate Statements.

(c) The Candidacy Petitions required Paragraph 3(b) will include:

(1) The name, unit address, unit number, and residential address (if different from the unit address) of the potential candidate;

(2) the name of the director position for which the unit owner is seeking to be become a candidate; and,

(3) and the names, signatures, unit addresses, and unit numbers of at least twenty-five (25) FVUOA unit owners from any ward. Every unit will be permitted one signature per Petition. The Petition may contain multiple sheets. The Petition must be date and time stamped and signed by an authorized person when submitted. Electronic submissions will not be accepted;

(d) The Candidate Statement permitted under Paragraph 3(b) will:

(1) Include the name, unit address, unit number, and residential address (if different from the unit address) of the potential candidate;

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(2) the name of the director position for which the unit owner is seeking to be become a candidate;

(3) not exceed one (1) eight and one-half inch by eleven-inch sheet of paper and be typewritten or, if not typewritten, be legible in the judgment of a majority of the Election Panel;

(4) be filed at or prior to the deadline for filing Candidacy Petitions;

(5) and will not be released by the Secretary to any person or persons prior to the official mailing to all unit owners provided for in Paragraph 5.

(e) If a potential candidate chooses to nominate up to two non-Director unit owners for membership on the Election Panel in accordance with the provisions of Paragraph 2(b)(2)(A):

(1) the names, unit numbers, and unit addresses of the nominees will be submitted at the time the potential candidate files a Candidacy Petition;

(2) and the non-Director unit owners listed will be clearly designated as being the candidate's nominees for membership on the Election Panel.

4. Eligibility of Candidates:

(a) The Secretary or the Secretary's designated representative:

(1) Using all available sources of information, will review all Candidacy Petitions to determine whether they comply with the provisions of Paragraph 3(c) to determine the eligibility of candidates;

(2) and failure to comply with the provisions of Paragraph 3(c) will cause a potential candidate to be ruled ineligible for election.

(b) The Secretary will refer these determinations of eligibility to the Board of Directors.

(c) If the Secretary rules a potential candidate to be ineligible for election and if a majority of the Board of Directors present and voting concurs with this ruling, the Board will notify the potential candidate of this ruling in writing, including the basis for the ruling, and of the potential candidate's right to challenge the ruling of the Board.

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(d) If a potential candidate is ruled ineligible by the Board and elects to challenge that ruling:

(1) the challenge will be made in writing;

(2) the challenge will be filed at the FVUOA Management office not later than twenty-four hours after the date of delivery of the notice provided for in Paragraph 4(c);

(3) the President of the Board will notify all members of the Board of the challenge and the President will schedule a special Board meeting to consider the challenge;

(4) the special meeting will be held within eight (8) days after the filing of the challenge and the challenger will be notified of the time, date, and place of the meeting;

(5) during the special meeting the Secretary will read the Board's notice stating the basis(es) on which the ruling of ineligibility was made;

(6) following the reading of the notice, the potential candidate and a representative of the potential candidate's choosing will have not more than ten (10) minutes to speak to the Board on the issue of the eligibility ruling;

(7) the Board may question the potential candidate; and

(8) following the presentations and any questioning, the Board will vote on the issue of potential candidate's eligibility as a candidate in the election, with this vote occurring during the meeting at which the challenge has been heard and the decision, by a majority the Board present and voting, being considered final.

5. Notice of Elections

(a) A minimum of thirty (30) days prior to the date of any FVUOA election, including an interim election, the Secretary will ensure a Notice of Election is mailed to all unit owners.

(b) The Notice of Election, which will be prepared by the Secretary or the Secretary's designated representative(s) with the assistance of the Election Panel, will include:

(1) Notification of the date, time, place and purpose of the election;

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(2) one copy of the election ballot, appropriate for the unit owner receiving the information;

(3) one copy of the Candidate Statement submitted by each unit owner seeking election to a Director position listed on the election ballot if the Candidate Statement has been submitted in accordance with the provisions of Paragraph 3(d);

(4) a notice that unit owners have the option to cast their vote electronically;

(5) a notice that any paper ballot will be ruled invalid if it is undated or does not contain the printed names and signatures of all unit owners and full unit address, which is defined as the unit number, the street number and name, apartment number (where appropriate), city, state, and zip code.

(6) a notice of the final date, time and place at which ballots will be accepted for annual meeting and election purposes;

(7) and a notice that any unit owner may inspect a copy of any election ballot, with the section containing the name(s) of the candidate (s) for whom the user of the election ballot, voted blocked out, after the challenge procedures provided for in Paragraph 9 have been completed.

6. Format of Election Ballot Forms

(a) All election ballot forms provided to unit owners in an official mailing shall comply with these Election Rules and with the laws of the Commonwealth of Virginia governing such elections.

(b) Paper election ballot forms will contain:

(1) the names of all the candidates seeking election to Board the who have filed Candidacy Petitions in accordance with the provisions of Paragraph 3(c) and been deemed eligible under the provisions of Paragraph 4;

(A) Candidates' names will be separately grouped by Board position for which they are candidates;

(B) and the order in which they appear will be determined by lot, with one member of the Election Panel drawing the lots in the presence of all members of the panel and the presence of any unit owner who wishes to observe the drawing after obtaining information on the time, date, and place of the drawing from the Election Panel.

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(2) at the end of each separate listing of candidates for director, a blank line on which a unit owner may vote for a person not listed on the election ballot as a candidate;

(3) a notice stating that the Association Secretary is directed to vote the election ballot as it has been marked by the unit owner(s) executing the election ballot'

(4) in each section of the election ballot, requiring the unit owner's signature, notices stating that:

(A) the unit owners' "full address" must be included and will be defined as the unit owners' names, unit number, and unit address, including street name and number, apartment number (where appropriate), and the city name, state, and zip code;

(B) all unit owners must sign and date the ballot;

(C) any election ballot showing a change in the candidate(s) for whom the election ballot is to be voted must also contain the initials of all unit owners' next to all changes made, or the election ballot, shall not be considered valid;

(5) a space for unit owners to indicate that the Secretary is to vote the ballot in accordance with the position of the majority of the Board of Directors on issues before the Association, other than election of Directors of the Association;

(6) a space for unit owners to instruct that the ballot is not to be exercised in matters other than determining a quorum for the meeting of the Association;

(7) a notice stating that election ballots must be submitted to the Association's Management Office and must be received at the office not later than close of business on the date established for the Association's Annual Meeting, or in the instance of an interim election, not later than the close of business on the date of the interim election; or must be presented for action on the date, at the place and during the hours set for an election to be conducted at an Annual Meeting or at a meeting for an interim election;

(8) and a notice stating that unit owners' failure to comply with the provisions of Paragraphs 6(b)(4)(A), (B), and (C) will cause an election ballot to be ruled invalid for purposes of voting in the election.

(c) To assist in insuring correct tallying of votes, the Election Panel will:

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(1) have ballots for each Ward Director position printed on different colors of paper, with these ballots also including the listing of candidates for At-Large Director in any election for which unit owners will vote for At-Large Director.

(2) have ballots for all other wards in which votes will be cast for At-Large Director(s) but not for a ward director printed white paper or paper of a single color different from the colors used for ballots for Ward Director.

(d) **Electronic Voting:**

(1) Unit owners will have the option to cast their vote electronically.

(2) The Board of Directors will select, or direct implementation of, an electronic voting system that provides secure access, confirmation of ballot authorization by unit owner(s), guarantees that each unit can vote only one (1) time, has the ability to date the ballot submission, and fulfills all other requirements of these Election Rules and the relevant provisions of the Virginia Condominium Act.

(3) Such an electronic voting system will not be used in an Association election until the actual operation of such system is approved by a majority of the Board then voting.

7. Conduct of an Election

(a) All paper election ballots received at the Association Management Office:

(1) Will remain sealed in the envelopes in which they are received until the pre-registration provided for in Paragraph 7(b) of this section occurs or until ballots are counted in accordance with the provisions of Paragraph 7(c), whichever occurs first;

(2) if received in an envelope not provided in the official mailing to unit owners and therefore opened, will have the envelope stapled to the election ballot;

(3) and all envelopes received as will be dated, stamped, and numbered consecutively as they are received as referenced in Paragraphs 7(a)(1) and (2); signed with the name and title of the person dating, stamping and numbering them; and placed in locked ballot boxes according to ward, with one ballot box used for each ward.

(b) **Pre-Registration of Paper Election Ballots:**

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(1) The Election Panel may, at its discretion, select a date(s), time(s), and place(s) at which it will pre-register any ballots submitted in advance of the date on which the election is to be conducted, including recording these ballots in the Association's electronic voting system.

(2) If such pre-registration occurs:

(A) It will occur in the presence of at least three Election Panel members;

(B) It will not be deemed to affect the validity of any election ballot not available to the Election Panel for pre-registration prior to such election;

(C) Each ballot will be reviewed by the Election Panel to determine if it is valid and complies with the requirements of these rules, the by-laws of FVUOA, and the laws of the Commonwealth of Virginia; and will be marked with the date, and shall be signed by each Election Panel member participating in the pre-registration procedures.

(D) If an election ballot is found to be deficient, the deficiency will be marked with a circle enclosing the area of deficiency, the marking will be dated and initialed by each Election Panel member participating in the review, and the Association Management Office will contact the unit owner(s) who executed the ballot and offer the unit owner(s) the opportunity to correct the deficiency and have the ballot pre-registered at a future pre-registration meeting or counted in accordance with the provisions of Paragraph 7(c).

(E) For election ballots found to be valid, ballots will be individually pre-registered by ward and:

(i) A register of such ballots for each ward will be made listing the pre-registration date and the unit number of the number of the unit owner submitting the election ballots.

(ii) Each page of such register will be dated and signed by each Election Panel member participating in the pre-registration procedure, the register will be sealed in an envelope that will then be dated and signed by each Election Panel member participating in the pre-registration procedure, and the sealed envelope will be placed in the locked ballot box for that ward.

(iii) If a sealed envelope is opened in connection with conduct of the election or processing of any election challenge, the opening will occur in the presence of at least three Election Panel members; there will be a notation made on each page of the register containing the date it was reviewed, the reason for the review, and the signatures of each Election Panel member participating in the review; the register will be resealed in its envelope, which will then

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be dated and signed by each Election Panel member participating in the opening; and the sealed envelope will be placed back in the locked ballot box for that ward.

(F) Any unit owner may observe, but not have physical or visual access to ballots being pre-registered or interfere with such pre-registration, and should a majority of the Election Panel members present at such pre-registration judge that any observer(s) is (are) interfering with the pre-registration process, the Panel may require such person (s) to leave the vicinity of such pre-registration.

(c) At the time, place and date set for the election:

(1) Ballots may be cast electronically or by paper.

(2) For paper ballots:

(A) The Election Panel will use the locked ballot boxes previously assigned to each ward for casting of ballots.

(B) The locked ballot boxes will be controlled by at least one election clerk approved by the Election Panel and acting under the direction of the Election Panel or the person designated as the Chair of the Panel;

(C) The ballots will be identical to the ballots mailed to unit owners in accordance with the provisions of Paragraph 6.

(D) The election clerks will examine the identification of and keep a register of all unit owners voting in person and casting paper ballots at the time, date and place of the election; with the form of the register and the documents required for such identification and registration determined by Election Panel, in compliance with laws of the Commonwealth of Virginia and the policies of FVUOA governing such elections.

(E) Completed ballots will be placed in the locked ballot boxes assigned to each ward.

(3) For electronic ballots:

(A) The Election Panel will provide a computer workstation for the use of all persons wishing to cast an electronic ballot.

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(B) The election clerks will examine the identification of and keep a register of all unit owners casting electronic ballots at the time, date and place of the election; with the form of the register and the documents required for such identification and registration determined by Election Panel, in compliance with laws of the Commonwealth of Virginia and the policies of FVUOA governing such elections.

(C) The election clerks will provide technical assistance on the operation of the computer workstation used for electronic voting but will not assist unit owners in casting their ballots.

(d) Immediately after the close of voting at 7:30 P.M. at least three members of the Election Panel will count and record all paper ballots deemed to be valid for the purposes of the election in the Association's electronic voting system, including paper ballots cast since the last pre-registration, with the ballots being listed on registers prepared and secured in accordance with the provisions of Paragraph 7(b)(2)(E).

(e) Any unit owner may observe, but not have physical or visual access to ballots being counted and recorded, and should a majority of the Election Panel members present at such pre-registration judge that any observer(s) is (are) interfering with the pre-registration process, the Panel may require such person (s) to leave the vicinity of such pre-registration.

(f) Paper ballots deemed to be invalid will be annotated in accordance with the provisions of Paragraph 7(b)(2)(D), and together with any ballots that were deemed invalid during pre-registration and did not have their deficiencies corrected following the Association Management Office's efforts to contact the owner(s) who cast the ballots:

(1) will be listed on a separate register prepared and sealed in an envelope in accordance with the provisions of Paragraph 7(b)(2)(E);

(2) and stored in a locked ballot box separate from the ballot boxes containing the valid paper ballots for each ward.

(g) After all valid paper ballots have recorded in the Association's electronic voting system, the Election Panel will:

(1) Announce the results of the election using the figures the figures for valid ballots contained in the electronic voting system;

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(2) Announce the tally of any ballots ruled invalid for the purposes of the election by a majority of the Election Panel, with this tally including numbers of ballots ruled invalid by category at the Panel's discretion.

(h) All ballots and related election documents will be maintained in a secure place by the Election Panel for the time periods required to comply with provisions of Paragraphs 8 and 9 of these Election Rules.

(i) Election documents that have been sealed and secured will not be unsealed except in the presence of three members of the Election Panel, and a record of such unsealing shall be kept by the Election Panel and signed by each member of the Election Panel present at the unsealing.

8. Certification of Election Results

(a) The results of an election shall be certified in writing to the FVUOA Board immediately following the official opening of the first meeting of the Board following the date of the election; with this board meeting occurring no later than the seventh (7th) day of the month following the date of the election.

(1) Certification will be made separately for each Director position, and the certification will be signed by the Chair of the Election Panel.

(2) If the Chair of the Election Panel decides against signing the certification notice required under Paragraph 8(a)(1), the Chair will notify each member of the Election Panel (including the alternate members) and each member of the Board of such a decision in writing, and the certification notice will be signed by the members of the Election Panel constituting the majority of the Panel approving the certification of the election results.

(3) If the majority of the Election Panel refuses to certify the election results, they will notify the Board in writing no more than seven (7) days after the date of the election, giving specific reasons for this decision.

(4) If the circumstances described in Paragraph 8(a)(3) occur, the Board will determine whether it will certify the election results or will call a new election.

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(b) In the case of an Annual Election, as defined by the Association by-laws, a unit owner who has been certified as having been elected, or re-elected, to be a director will be seated, subject to the resolution of any challenge, on the Board immediately after the certification is presented to the Board as provided in Paragraphs 8(a)(1), (2), (3), and (4).

(c) In the case of an interim election, any unit owner who has been certified as having been the choice of the majority of unit owners voting in an interim election shall be seated, subject to the resolution of any challenge, on the Board immediately after the certification is presented to the Board as provided in Paragraphs 8(a)(1), (2), (3), and (4).

(d) An incumbent Director whose re-election was certified under the provisions of Paragraph 8(a) or a unit owner whose election was certified under this provisions of this paragraph, but whose election is being challenged under the provisions of Paragraph 9 will not vote on decisions of the Board relating to the portion of the election challenged or on the election of officers of the Association (president, vice president, secretary or treasurer), but may vote on any other issues before the board.

(e) Any unit owner has been seated on the Board of Directors as provided in Paragraph 8(b) but whose election is subject to a challenge that results in a decision that the unit owner was actually not elected to the Board, shall immediately relinquish the Director's position to the unit owner who was found to have been elected to the position.

(f) Any unit owner who has been seated on the Board of directors as provided in Paragraph 8(c) but whose selection by a majority of the unit owners voting in the interim election is subject to a challenge which results in a decision that the unit owner was not actually the recipient of the majority of unit owner votes, shall immediately relinquish the Director's position to the unit owner who was found to have been elected to the position.

9. Challenges to Elections

(a) In addition to any laws of the Commonwealth of Virginia governing challenges to FVUOA elections for the Board of Directors, the following rules shall apply.

(1) A candidate filing a challenge to an election may challenge only the portion of the election in which the candidate was a candidate.

(2) A challenge to an election must be filed in writing at the FVUOA Management Office not later than 5 p.m. seven (7) days after the day on which the election was certified as provided for in Paragraph 8.

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(3) A challenge to an election must include a specific listing of the grounds for the challenge, the election documents covered by the challenge, and the action being requested.

(4) A single challenge to an election may include, but will not be limited to, any or all the following:

(A) a request to review of, or a request for copies of, the registers for the portion of the election being challenged;

(B) a request for copies of any ballots ruled invalid;

(C) a request for recount of the election;

(D) a request that the Board review and act on decisions of the Election Panel regarding the election; and,

(5) Failure to include any items allowed under Paragraph 9(a)(4) in a written challenge will not constitute grounds for an extension of time in which to file a challenge, for amending a challenge, or for the filing of an additional challenge.

(b) In event of a challenge by a candidate under the provisions of Paragraphs 9(a)(4)(A), (B), and/or (C):

(1) the Election Panel will notify each member of the Board of the challenge(s) within four (4) days and provide copies of each challenge to each Board member.

(2) the Election Panel, with three members present and participating, will review and make decisions on all issues raised in the challenge within fourteen (14) days of the last day on which a challenge may be filed:

(A) A candidate challenging any portion of the election may be present and may be accompanied by one representative during the Election Panel's deliberations on that challenge.

(B) In order to assure that the Election Panel complies with the provisions of Paragraph 9(b)(2) the candidate may designate a unit owner and one other representative to substitute for him or her during the deliberations of the Election Panel.

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(C) If a candidate exercises the right to request copies of election documents under the provisions of Paragraphs 9(A)(4)(A) and/or (B), the Election Panel will provide copies that do not reveal the names of the candidates for whom the unit owner executing the ballot, voted or would have voted.

(D) The Board will establish a fee for materials copied and provided under the provisions of Paragraphs 9(A)(4)(A) and/or (B), with the fee deemed by the Board to be sufficient to reimburse all costs associated with the production of said copies.

(E) All relevant documents will be resealed and re-secured in accordance with the provisions of Paragraphs 7(b)(2)(e) and 7(h).

(3) the Election Panel will notify the person filing the challenge and each member of the FVUOA Board of the decisions of the Panel's decisions in writing within four days after the review is completed.

(c) In event of a challenge by a candidate under the provisions of Paragraph 9(a)(4)(D) the Board will meet within twenty-one (21) days of the last day on which a challenge may be filed, review and make decisions on all issues raised during the challenge, notify the person filing the challenge and each member of the Election Panel of the Board's decisions in writing within four days after the review is completed, and reseal and re-secure any documents reviewed in accordance with the provisions of Paragraphs 7(b)(2)(e) and 7(h).

10. General Provisions

(a) These Election Rules supersede any and all such rules previously adopted by a Board of Directors of Fairlington Villages Unit Owners Association.

(b) These Elections Rules, the by-laws of the Association and the laws of the Commonwealth of Virginia will be deemed to be the only rules, regulations and guidelines governing elections, annual or interim, conducted on behalf of the Association, and are intended to comply fully with the by-laws of the Association and the laws of the Commonwealth of Virginia.

(c) The Board of Directors reserves the right to amend these Election Rules as may be deemed necessary to protect the interests of the Association, to conform to applicable provisions of laws of the Commonwealth of Virginia and/ or to conform with applicable provisions of the by-laws of Fairlington Villages, a condominium.

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(d) Any amendment to these Election Rules may be proposed and debated at any regularly scheduled meeting of the Board of Directors but may not be voted upon until a subsequent regularly scheduled meeting of the Board of Directors.