



RULES OF PROCEDURE FOR ATTENDANCE IN-PERSON AND VOTING BY PROXY

ANNUAL GENERAL MEMBERSHIP MEETING 12 October 2024; 9:00 A.M.

The Annual General Membership Meeting of The Neighborhoods at Anvaya Cove Homeowners Association, Inc. (the “*Association*”) and the elections of the members of the Board of Trustees, Election Committee and Grievance and Adjudication Committee will be held in-person, in compliance with the rules of the Department of Human Settlements and Urban Development (DHSUD). The following are the rules of procedures for the members’ meeting:

I. ATTENDANCE IN PERSON

A. Registration

1. Members of record in good standing as of 01 September 2024 (“Members”) who wish to attend the meeting in-person must confirm their attendance in writing or that an accomplished proxy form be forwarded to the Association’s office in the forms attached together with the Notice of the meeting to the following address.

The Village Administration Office
The Neighborhoods at Anvaya Cove Homeowners’ Association, Inc.
Anvaya Cove, Barangay Sabang, Morong, Bataan

Members should submit his written confirmation or proxies for validation.

2. Members of record in good standing as of 01 September 2024 who wish to attend the meeting must inform the Association through his written confirmation whether the member intends to attend the meeting in- person at Horizon Hall 1 & 2, Anvaya Cove Golf and Sports Club, Anvaya Cove, Morong Bataan or through his proxy.
3. In the meeting of the Board of Trustees on 07 September 2024, the Board approved that for the purpose of the 2024 Annual General Membership Meeting, to be considered a member in good standing, a member must have paid all association dues and other assessments and charges imposed by the Association, and must have not failed to attend at least three (3) consecutive general membership meetings of the Association personally or through a valid proxy.
4. All written confirmations and proxies should be received by the Association on or before **02 October 2024 at 5:00 P.M.** for validation. For Corporate Members, the written confirmation and proxy should be accompanied by the following documents:
 - (i) A Secretary’s certificate attesting to the authority of the representative to vote on behalf of the Corporation;
 - (ii) A recent photo of the corporate member’s representative, with the face fully visible;
 - (iii) A scanned copy of the front and back portions of the valid government-issued ID of the corporate member’s representative.

Important Note: The Association may reject written confirmations and/or proxies with incomplete or inconsistent information in which case the Member will not be allowed to attend the meeting and to participate in the election at the Horizon Hall 1 & 2, Anvaya Cove Golf and Sports Club, Anvaya Cove,



Morong, Bataan. However, the Member may still be allowed by the Association to vote through the Chairman of the Meeting as proxy by submitting a duly accomplished proxy form on or before **06 October 2024 at 5:00 p.m.**

5. The validation process will be completed by the Association within three (3) business days from the date the Association receives the required documents. All materials of the meeting, including the Minutes of the Previous Meetings, President's Report, 2023 Audited Financial Statements, and List of Acts of the Board for Ratification shall be sent to the email address indicated in the Association's Membership Roll.
6. The Association reserves the right to reject the registration or require the submission of other documents or information to ensure the identity of the Member and/or the integrity of the attendance confirmation.
7. The Association shall respect the rights of the Members with respect to his/her personal data as provided under the Data Privacy Act. The information obtained under these Rules shall be used exclusively for purposes of determining the identity of the Members of the Association and providing them the opportunity to attend the meeting.

B. In-Person Participation

1. Members who have submitted a written confirmation of their attendance and/or a valid proxy can register and attend the meeting on 12 October 2024 at 9:00 AM. at Horizon Hall 1 & 2, Anvaya Cove Golf and Sports Club, Anvaya Cove, Morong, Bataan by signing the attendance sheet at the Registration Table at the meeting venue. Registration will start at 8:00 AM and end promptly at 9:00 AM. Registrants are required to present a valid Identification Cards containing a photograph and signature of the Member or his proxy.
2. Only Members or their proxies who successfully registered and who participated in the meeting in person shall be deemed present for purposes of determining the presence of quorum.
3. Members who have questions and/or comments for Management must submit their questions on or before **06 October 2024 at 5:00 p.m.** to the Village Administration Office. The Property Manager shall endeavor to answer all questions and address all comments within the time allowed during the meeting.
4. The Annual General Membership Meeting of the Association shall be recorded.

II. VOTING BY PROXY

Members who have successfully registered will be given the opportunity to vote by proxy.

- A. Proxy.** A proxy shall be in writing, dated, signed by the member and his two (2) witnesses authorizing any person of legal age to act as his proxy, including but not limited to any of the members of Board of Trustees or officers of the Association. Members who wish to vote by proxy will need to submit the duly filled up and signed proxy form and send it to the Village Administration Office on or before **06 October 2024 at 5:00 p.m.**

A proxy shall be deemed filed when the original or facsimile or electronic copy of the same is received by the Property Manager at the Village Administration Office, Anvaya Cove, Morong, Bataan, who shall turn over the proxy to the Election Committee, prior to the date of meeting,



provided that in case of a facsimile or electronic copy, the original thereof is presented to the Secretary or her authorized representative on or before **12 October 2024 at 8:30 A.M.**

Additionally, if an individual member has his or her authorized representative sign the proxy form, then the authorized representative must also attach a duly executed and notarized Special Power of Attorney in his or her favor to sign the proxy form on behalf of the member.

If the member is a corporation, a duly executed and notarized Secretary's Certificate that attest to the designation of the member-corporation's representative to the meeting must be attached to the proxy.

The proxy shall cover all the lots owned by the member and shall prevail over any other previous proxies given by him or her, except that the personal presence of the member at the election will suspend the effectivity of the proxy. The proxy shall continue its effectivity until the same is expressly revoked by the member in writing, expressly stating in a separate document that he or she revokes the other proxy issued.

In case a member has more than one proxy and all of the proxies attend, the proxies for the member concerned are entitled to only one vote which vote they must agree upon amongst themselves.

B. Validation of Proxies. The Property Manager and the Election Committee shall conduct the initial verification of all proxy forms submitted by the members by establishing the following:

1. membership in good standing;
2. whether the person who actually signed the proxy is the member;
3. whether the member-corporation attached a duly signed and notarized Secretary's Certificate to the proxy; and
4. if the person who signed the proxy is not the member, whether such person is duly authorized by the member to sign on his or her behalf as evidenced by a duly signed and notarized Special Power of Attorney;
5. whether all registration requirements have been complied by the member.

For an orderly validation procedure, the Property Manager shall fill out the following portion of every proxy form as well as sign the verification portion as follows:

Information in the box below to be accomplished by the Village Administrator for monitoring purposes:

This proxy pertains to: Lot No(s). _____ Block No. _____ Phase No. _____	Total number of lots _____ Verified By: _____
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C. Nominations

Under Section 2 and 3, Article V of the By-Laws of NHOA, the nomination procedure shall be as follows:

1. Only members in good standing shall be eligible for nomination for and election as trustees.
2. Nominations for trustees shall be made at least seven (7) calendar days but not more than thirty (30) calendar days before the annual general membership meeting of the members on 12 October



2024. Nominations for the members of the Board of Trustees, Grievance and Adjudication Committee, and Committee on Election must be submitted to the Village Administration Office starting 11 September 2024 until 02 October 2024 at 5:00 pm.

3. Any five (5) or more members in good standing may, by signed written petition, nominate candidates to the Board of Trustees. A member in good standing may nominate at least five (5) nominees.
4. Upon receipt by the Election Committee of the petition(s) for nomination, he shall post or cause to be posted the name(s) of the nominees in the bulletin board of NHOA and/or the Association's website at www.anvayacovehoa.com.
5. No other nominations shall be entertained at the floor on the date of the meeting if at least five (5) candidates have been validly nominated in accordance herewith.
6. In the event that there no valid nominations or there are less than five (5) nominees nominated for the position of trustees of NHOA, then nominations for the Board of Trustees may be made by at least ten (10) members in good standing in the annual general membership meeting of the members or in any other meeting of the members at which the trustees are to be elected, such that the maximum number of nominees, including those made prior to the meeting, shall be equal to the number of Board seats. In case the nominations exceed the said maximum number of Board seats, then all nominations made during said meeting shall be void.
7. In case of failure to nominate at least three (3) candidates prior to the annual general membership meeting on 12 October 2024, the Board of Trustees shall meet to reschedule the date of the meeting at which the trustees are to be elected.
8. All nominations for the Board of Trustees shall be made in accordance with Section 6, Article VIII of the By-Laws of NHOA.
9. The Election Committee together with the Property Manager shall determine the qualification of the nominees in accordance with the By-Laws of the Association and applicable laws.
10. Only nominees who possess all the qualifications and none of the disqualifications under the By-Laws of the Association and applicable laws are qualified to be nominated.

D. Submission of Curriculum Vitae

1. All nominees who accept his or her nomination are encouraged to submit to the Election Committee, through the Administration Office, his or her brief curriculum vitae, with picture (1x1 or passport size), which shall serve as guide to the voters in their assessment of the qualifications of the candidates.
2. By submitting his or her curriculum vitae, the nominees agree and voluntarily consent to the posting of his or her curriculum vitae with picture in the Administration Office bulletin board in accordance with the Data Privacy Act of 2012, its implementing rules and regulations, issuances, policies and other applicable and relevant laws.

E. Quorum

A quorum is needed to determine whether a majority of the members in good standing have participated in the election of the Board of Trustees, Grievance and Adjudication Committee, and



Committee on Election, by attending and/or participating in person at Horizon Hall 1 & 2, Anvaya Cove Golf and Sports Club, Anvaya Cove, Morong, Bataan, or by voting by proxy.

F. Voting and Election Process

1. Section 6, Article VIII of the By-Laws of the Association, states that qualified voting members shall be entitled to one (1) vote per lot.
2. In all the election, no cumulative voting shall be permitted; provided that, each member may cast his or her vote for as many persons as there are trustees or committee members to be elected. For purposes of the 2024 annual general membership meeting on 12 October 2024, only five (5) candidates may be elected to the Board of Trustees, and only three (3) candidates may be elected each to the Grievance and Adjudication Committee and Committee on Election.
3. Members who wish to vote by proxy may do so by filling up the Proxy form sent to the Member together with the Notice of the Meeting.
4. Should there be exactly Five (5) nominees for the Five (5) Board seats, Three (3) nominees for the Committee on Election and Grievance and Adjudication Committee, the nominees shall be elected by a unanimous vote through a motion in favor of those nominated as the duly elected members of the Board of Trustees, Committee on Election and Grievance and Adjudication Committee, respectively, for the ensuing year or until their successors are elected and qualified.
5. Should there be nominees more than the number of seats for the Board of Trustees and Election Committee and Grievance and Adjudication Committee. Members shall be given a voting ballot upon successful registration at the Registration Table and may cast their vote on 12 October 2024 starting from 8:00 AM until 9:30 AM at Horizon Hall 1 & 2, Anvaya Cove Golf and Sports Club, Anvaya Cove, Morong, Bataan, by filling up the voting ballot and dropping them into the ballot box provided for the purpose at the back of the room. Beyond this time, Members may no longer vote.
6. All agenda items indicated in the notice of the meeting will be set out by a unanimous voting through a motion during the meeting.
7. After the voting ballot has been submitted, the votes may no longer be changed.
8. The Election Committee, the Property Management Team, and the Association's legal counsel will count and tabulate the votes cast in person and votes cast by proxy.
9. After all the votes have been tallied, the name of the candidates who obtained the five (5) highest votes to the Board of Trustees and three (3) highest votes each to the Grievance and Adjudication Committee and Committee on Election shall be announced by the Election Committee on during the annual general membership meeting, as winners and shall serve as members of the Board of Trustees, Grievance and Adjudication Committee, and Committee on Election for the term fixed under the By-Laws.
10. After the winning candidates have been announced, the Election Committee shall issue a Certification of Election Results.

G. Election Protests



Under Section 22 of DHSUD Department Circular No. 2020-003, Series of 2020, November 20, 2020, “All election-related issues, controversies or complaints shall be brought before the Election Committee within three (3) days from the date of election. The Election Committee shall resolve all complaint to election protests before it within five (5) days from the receipt thereof. Any party aggrieved by the decision of the Election Committee may file an election protest or complaint with the Regional Adjudication Branch of the Human Settlements Adjudication Commission within ten (10) days from the receipt of the decision of the Election Committee and in accordance with its Rules of Procedure.

H. Election Contests

Under Section 96 of the 2021 Revised Implementing Rules and Regulations of the Magna Carta for Homeowners and Homeowners Association, “Election contests and their resolutions shall be in writing and filed before the Election Committee within five (5) days after the proclamation of the winning candidates, specifically stating the grounds thereof, except in issues of qualification or disqualification of candidates and/or voters, in which case it may be filed within three (3) days from the discovery thereof. The Election Committee shall decide on the controversy brought before it within the non-extendible period of five (5) days from the receipt of the protest.

If the complaint or protestant is dissatisfied with the decision of the Election Committee, he/she may file an election protest or complaint before the proper Regional Adjudication Branch of the HSAC pursuant to its Rules of Procedure.”

- Nothing follows -