

POLICY ON ASSOCIATION NOTICES and COMMUNICATIONS

Owner Notices to the Association: All notices and/or written communications to the association shall be delivered to Gayle J. Hasley, Managing Agent at the following address via email at office@comstockhoa.org or via mail addressed to PO Box 23687, Pleasant Hill, CA 94523.

A document may also be hand delivered to the Managing Agent at 2036 Sierra Rd. #12, Concord, CA 94518. A written receipt acknowledging delivery of the document shall be provided upon request.

In order to be effective, any of the following requests must be delivered in writing to the association as set forth above:

- **A request to change the Member's information in the association membership list.
- **A request to add or remove a second address for delivery of individual notices to the Member.
- **A request for individual delivery of general notices to the Member, that would otherwise be posted in the common area, on the website, or made by some form of general notice, or a request to cancel a prior request for individual delivery of general notices.
- **A request to opt out of the membership list or a request to cancel a prior request to opt out of the membership list.
- **A request to receive a full copy of a specified annual budget report or annual policy statement (or any annual disclosures).
- **A request to receive all reports that in full that are otherwise provided to members in summary form, or a request to cancel a prior request to receive all reports in full.

All notices of legal action must be delivered to or served on the Agent for Service of Process for the Association who is registered with the State of California, which can be located at www.sos.ca.gov, doing a business entity search.

Association Notices to Owners: Any notice permitted or required to be provided to an individual Member may be delivered as follows: first-class mail, postage prepaid, registered or certified mail, express mail, or overnight delivery by an express service carrier.

The document shall be addressed to the recipient at the address last shown on the books of the association. Delivery is deemed to be complete on deposit into the United States mail.

A notice may also be served upon an individual owner by personal service which is a form of service not mentioned in the Davis Stirling Act, but is in the Civil Code. A proof of service should be put in the Association files.

Other acceptable ways of providing notices to individuals are:

- **Email, facsimile, or other electronic means, if the recipient has consented, in writing, to that method.
- **By any other method agreed between a member and the board.
- **Notices of disciplinary action may be sent by fax or email if association has written consent of member, but shall also always be provided by first class mail or personal service.

Any general notice that is required to be provided to members such as board meeting notices and agendas, notices relating to ongoing construction, notices regarding rules changes, borrowing from reserves, or any other general notice to members may be delivered as follows:

1. Any of the above-listed methods.
2. Inclusion in a billing statement, newsletter, or other document that is delivered to Members.
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. By posting on the website that is accessible to all Members.

The *Annual Budget Report*, and *Annual Policy Statement* must be distributed by first class mail to all members. The full report may be digested into summary form; however members may request a full report by giving written notice to the association as described above.

If the association has written consent on file from a Member to distribute by fax or email or other electronic means, these disclosures may, but are not required to be, delivered by electronic means.

Upon receipt of a request by a member identifying a secondary address for delivery of notices of the following types, the association will deliver an additional copy of notices, reports, and disclosures requiring mailing to the secondary address identified in the request.

When mailing a notice, delivery is deemed to occur upon deposit of the envelope with first class postage in the mailbox or at the post office. When sending an electronic mail notice delivery is determined to occur when the notice is sent.

FOR ALL NOTICES: Any electronic record satisfies the "in writing" requirement, so long as it comes in a form that can be retained, electronically or printed.

Reference: The code sections in the 2014 Davis Stirling Act relating to Notices are 4035-4045.