

TANNER LAW GROUP

COMMUNITY ASSOCIATION LEGAL SERVICES

6125 S East Street (US 31)
Indianapolis, IN 46227

317.536.7435 Phone
317.735.2703 Fax

Scott A. Tanner

Chief Counsel
Registered Mediator
Fellow, College of Community Association Lawyers
Member, Community Associations Institute

Donald W. McInnes

Associate Counsel
Member, Community Associations Institute

April 18, 2017

To: The Residents of Waterford Lakes

RE: Proxy Voting

Dear Owner:

I have been asked by my client, the Waterford Lakes Homeowners Association ("Association"), to put together a letter that explains some basic "do's" and "don'ts" when it comes to proxy voting at membership meetings.

First, you should know that a proxy is a "power of attorney" form. It is NOT an actual ballot. When you appoint someone to be your proxy, you are giving the person the right to show up at a meeting and cast a ballot for you.

Why have proxies? When a member meeting is held, you must have a "quorum" of members at the meeting before you can vote on any issue. A "quorum" is just a fancy legal term that means "minimum number". Hence, a "quorum" is the minimum number of members that must be at the meeting before you can vote on anything. You can reach that minimum number by counting the people at the meeting in person "or by proxy". Proxies are a way to help the Association reach that minimum number of members that must be at a meeting to conduct business.

Because proxies are basically a "power of attorney", a member should be very careful when granting someone the power to act on your behalf. You should make sure YOU fill out the whole proxy form.

- a. If someone hands you a proxy form that's already filled out, don't sign it!
- b. If someone hands you a blank proxy form and asks you to sign, and they'll fill it out for you later, don't sign it!

You should only sign a proxy form that YOU filled out from start to finish. If you feel like you were pressured to fill out a proxy form, you should contact a board member or the property manager immediately! You can always:

- a. Revoke your proxy before the meeting,
- b. Fill out a new proxy form, or
- c. Come to the meeting in person to take back your proxy form.

Indiana has laws that cover proxy voting and procedure. Your management company does a fine job making sure the proxies you use meet the requirements of these laws. But anyone that uses a proxy, or allows a proxy to be used, that doesn't meet the state requirements or was collected by improper methods can get in trouble with the Indiana Attorney General! That would include your board members, your property manager, and any owner in the community.

Proxies are a great way to make sure your membership meeting can move forward with business when the members get together. It is also a great way to make sure you get to cast a vote if you cannot personally be at the meeting. But you should make sure you follow these steps if you plan to give someone your proxy power to vote.

Sincerely,

A handwritten signature in black ink, appearing to be 'S. A. Tanner', with a long horizontal line extending to the right.

Scott A. Tanner
Registered Mediator
Fellow, College of Community Association Lawyers
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