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March 6, 2007

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Esq. John Devine #105574 and  
Mr. Bob Hiller the Election inspector.

**PRESIDENT OF WOODSIDE VILLAGE HOA**  
558 S. Harbor Blvd., Suite 200  
Anaheim, CA 92805

**RE: ELECTION RULES MARCH 17, 2007**

Dear Esq. Devine, Presidente,

In you "Declaration of Candidacy Form" you have unlawfully adopted following two (2) Rules which are disqualifying members from participation in March 17, 2007 election. The disqualifying rules are:

**Rule (a)** A member is disqualified if he did not payed all fines, and;

**Rule (b)** A member is disqualified if he filed bankruptcy with in 7 years.

Please be advised that Civ. Code §1363.03(a) provides as follows: [An association shall adopt rules, in accordance with the procedures prescribed by Article 4 (commencing with Section 1357.100) of Chapter 2....]

**Please notice statement "Commencing with Section 1357.100"** which provides as follows:

[As used in this article: (a) "Operating rule" means a regulation adopted by the board of directors of the association that applies generally to the management and operation of the common interest development or the conduct of the business and affairs of the association. (b) "Rule change" means the adoption, amendment, or repeal of an operating rule by the board of directors of the association.]

Furthermore, **§1357.110 Requirements for valid rule**, provides as follows: [An operating rule is valid and enforceable only if all of the following requirements are satisfied: (a) The rule is in writing. (b) The rule is within the authority of the board of directors of the association conferred by law or by the declaration, articles of incorporation or association, or bylaws of the association. (c) The rule is not inconsistent with governing law and the declaration, articles of incorporation or association, and bylaws of the association. (d) The rule is adopted, amended, or repealed in good faith and in substantial compliance with the requirements of this article. (e) The rule is reasonable.]

Furthermore, **§1357.120 Application of §§1357.130 and 1357.140 (Operative until July 1, 2006)** provides as follows [(a) Sections 1357.130 and 1357.140 only apply to an operating rule that relates to one or more of the following subjects: (1) Use of the common area or of an exclusive use common area. (2) Use of a separate interest, including any aesthetic or architectural standards that govern alteration of a separate interest. (3) Member discipline, including any schedule of monetary penalties for violation of the governing documents and any procedure for the imposition of penalties. (4) Any standards for delinquent assessment payment plans. (5) Any procedures adopted by the association for resolution of disputes. (6) Any procedures for reviewing and approving or disapproving a proposed physical change to a member's separate interest or to the common area.]

**Please notice section §1357.120(a)(3) above which is applicable to your election Rule (a) as shown above.**

Therefore if your Election Rule (a) should be valid you must do as follows:

**§1357.130 Notice of proposed rule change** [(a) The board of directors shall provide written notice of a proposed rule change to the members at least 30 days before making the rule change. The notice shall include the text of the proposed rule change and a description of the purpose and effect of the proposed rule change. Notice is not required under this subdivision if the board of directors determines that an immediate rule change is necessary to address an imminent threat to public health or safety or imminent risk of substantial economic loss to the association. (b) A decision on a proposed rule change shall be made at a meeting of the board of directors, after consideration of any comments made by association members. (c) As soon as possible after making a rule change, but not more than 15 days after making the rule change, the board of directors shall deliver notice of the rule change to every association member. If the rule change was an emergency rule change made under subdivision (d), the notice shall include the text of the rule change, a description of the purpose and effect of the rule change, and the date that the rule change expires. (d) If the board of directors determines that an immediate rule change is required to address an imminent threat to public health or safety, or an imminent risk of substantial economic loss to the association, it may make an emergency rule change; and no notice is required, as specified in subdivision (a). An emergency rule change is effective for 120 days, unless the rule change provides for a shorter effective period. A rule change made under this subdivision may not be readopted under this subdivision. (e) A notice required by this section is subject to Section 1350.7.]

**§1357.140 Calling special meeting to reverse rule change** [(a) Members of an association owning 5 percent or more of the separate interests may call a special meeting of the members to reverse a rule change. (b) A special meeting of the members may be called by delivering a written request to the president or secretary of the board of directors, after which the board shall deliver notice of the meeting to the association's members and hold the meeting in conformity with Section 7511 of the Corporations Code. The written request may not be delivered more than 30 days after the members of the association are notified of the rule change. Members are deemed to have been notified of a rule change on delivery of notice of the rule change, or on enforcement of the resulting rule, whichever is sooner. For the purposes of Section 8330 of the Corporations Code, collection of signatures to call a special meeting under this section is a purpose reasonably related to the interests of the members of the association. A member request to copy or inspect the membership list solely for that purpose may not be denied on the grounds that the purpose is not reasonably related to the member's interests as a member. (c) The rule change may be reversed by the affirmative vote of a majority of the votes represented and voting at a duly held meeting at which a quorum is present (which affirmative votes also constitute a majority of the required quo-

rum), or if the declaration or bylaws require a greater proportion, by the affirmative vote or written ballot of the proportion required. In lieu of calling the meeting described in this section, the board may distribute a written ballot to every member of the association in conformity with the requirements of Section 7513 of the Corporations Code. (d) Unless otherwise provided in the declaration or bylaws, for the purposes of this section, a member may cast one vote per separate interest owned. (e) A meeting called under this section is governed by Chapter 5 (commencing with Section 7510) of Part 3 of Division 2 of Title 1 of, and Sections 7612 and 7613 of, the Corporations Code. (f) A rule change reversed under this section may not be readopted for one year after the date of the meeting reversing the rule change. Nothing in this section precludes the board of directors from adopting a different rule on the same subject as the rule change that has been reversed. (g) As soon as possible after the close of voting, but not more than 15 days after the close of voting, the board of directors shall provide notice of the results of a member vote held pursuant to this section to every association member. Delivery of notice under this subdivision is subject to Section 1350.7. (h) This section does not apply to an emergency rule change made under subdivision (d) of Section 1357.130.

**§1357.150 Application and effect of article; Commencement of rule chang** [(a) This article applies to a rule change commenced on or after January 1, 2004. (b) Nothing in this article affects the validity of a rule change commenced before January 1, 2004. (c) For the purposes of this section, a rule change is commenced when the board of directors of the association takes its first official action leading to adoption of the rule change.

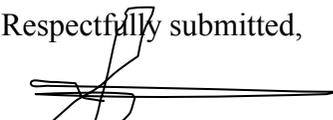
**Please notice section §1357.150(a) above which is applicable to your election Rule (a) as shown above.**

**WHEREFORE:** Unless you can show in the Woodside Village HOA book of rules as adopted November 18, 2002 that you have adopted Election Rule (a) and Rule (b) prior to January 1, 2004, you are in the violation of the Election rules as provided by §1363.03(a). Such violation is discriminatory, oppressive, willful, wanton and terrorist threat to all 403 HOA members to participate in lawful election.

To avoid civil action and OSC, you must correct your statements in "Declaration of Candidacy Form" and redistributed it to all members with clear corrections to reflect on the §1363.03(a) by March 12, 2007 using first class mail and inform me by an affidavit that you have done so by certified mail.

In addition I will petition court to remove board members John Devine, Steve Abenzoza and Richard "DICK" Howe pursuant to California Corporations Code.

Respectfully submitted,

  
-Stanley Fiala