

RANCHO SANTA TERESA SWIM AND RACQUET CLUB
Electronic Communications Policy

(Adopted 6/15/2020)

This Electronic Communications Policy (“Policy”) has been adopted by the Board of Directors of Rancho Santa Teresa Swim and Racquet Club (“Association”). The purpose and intended effect of this Policy is to provide clear procedures consistent with applicable legal requirements related to the delivery and receipt of electronic notices and the handling of the Association’s membership list. This Policy shall be effective upon adoption.

1. **Notices to the Association.** If a provision of the Davis-Stirling Common Interest Development Act (“Act”) requires that a document be delivered to the Association, the document shall be delivered to the person designated in the annual policy statement. If no person has been designated to receive documents, the document shall be delivered to the president or secretary of the Association. A document delivered pursuant to this provision may be delivered by email or other electronic means if the Association has expressly consented to that method of delivery. The Association may withdraw consent by providing notice to the members of the withdrawal of consent.
2. **Notices from the Association.** The Association may, but is not required to, deliver legal notices required to be sent by “individual delivery” or “individual notice” pursuant to Section 4040 of the Act, by email or other electronic means, but only if the recipient has consented in writing or by email, to that method of delivery.
3. **Form of Consent.** The Association may provide a specific form for members to request formal notices as described in Section 2 of this Policy, however, the use of a particular form is not required. Any member may provide consent by filling out a form provided by the Association, by sending a letter to the Association, or by sending an email to rstrsoffice@gmail.com
4. **Withdrawal of Consent.** Any member who previously provided consent to receiving notice by email or other electronic delivery may withdraw such consent by filling out a form provided by the Association, by sending a letter to the Association, or by sending an email to rstrsoffice@gmail.com withdrawing or revoking their consent. The email address of any member who withdraws or revokes consent shall be removed from the membership list maintained by the Association pursuant to Section 5200(a)(9) of the Act.
5. **Inclusion of Email Address on Membership List.** Email addresses provided to the Association and maintained for purposes of “individual delivery” or “individual notice” pursuant to Section 4040 of the Act are required to be included in the membership list maintained by the Association pursuant to Section 5200(a)(9) of the Act. The Association

will make reasonable efforts to notify members before or soon after signing up to receive such notices that the member's email address will be included in the membership list and providing the member the opportunity to opt out pursuant to Section 5520 of the Act. Failure to provide the members with such notification shall not relieve the Association of the obligation to include the email address into the membership list.

6. **Informal or Courtesy Communications from the Association.** The Association may communicate with members informally or as a courtesy by electronic means, including website posting, e-blasts, and email. Such communications may be made to a group of members who consented (or not) to receive communications related to matters of general community interest or directly to individual members. Such communications are not intended to take the place of and will not be treated as "individual delivery" or "individual notice" pursuant to Section 4040 of the Act or "general delivery" pursuant to Section 4045 of the Act but may supplement such delivery. Email addresses obtained for purposes of informal communications with members as described in this Section, or otherwise obtained by the Association for any purpose other than as described in Section 2 of this Policy will not be included on the membership list maintained by the Association.
7. **Membership List Requests.** Any member may opt-out of sharing their name, property address, mailing address, and email address pursuant to a proper membership list request, by notifying the Association in writing. The choice to opt-out shall remain in effect until changed by the member. A member requesting the membership list must include a purpose reasonably related to the requester's interest as a member in their written request. If the board reasonably believes that the information in the list will be used for another purpose, it may deny the member access to the list.
8. **Use of the Membership List.** Any person who misuses a membership list is liable for any damage caused by the misuse, including punitive damages for a fraudulent or malicious misuse. Such misuse shall also be a violation of this Policy subject to fine and other disciplinary action. Members are prohibited from providing a copy of the membership list or the content of the membership list, including email addresses, to any other person. Accordingly, when using email addresses obtained from the membership list, any email directed to more than one member must not display the email address of any member except the sender.

