

Farmington Maintenance Corporation

Bylaws Comparison

Comparison between the Original 2013 Bylaws and the Final Draft from June 2025.

Annual Meeting Date (Article III Section 2)

Changed to February annually.

Section 2. **Annual meetings.** After the first Board of Directors comprised of homeowners is elected, each subsequent regular annual meeting of the members shall be held in the month of February.

First Meeting Clause (Article III Section 1)

Historical reference added for March 25, 2019.

Section 1. First Meeting of the Members. The first meeting of the members was held 03/25/2019.

Voting and Proxy Clarifications (Article III Section 6)

Fractional voting, 1 vote per lot, improved proxy rules.

In the event a lot is held by more than one member—whether as tenants by the entirety, joint tenants, or tenants in common—only **one (1) vote** may be cast for that lot. If multiple co-owners attempt to vote in conflicting ways, the vote for that lot shall be recorded as a **fractional vote** (e.g., half a vote for each position, if two owners disagree).

Member Voting List (Article III Section 5)

Added secure digital access and usage restrictions.

In the case of a virtual or hybrid election, the list shall also be made accessible in a secure, digital format (e.g., password-protected online portal or emailed upon request) for the same ten (10) day period and during the election.

Access to the list shall be restricted to members and used solely for purposes related to the election. Unauthorized distribution or use of the information shall be grounds for disciplinary action as determined by the Board.

Assessment Interest Rate (Article IX Section 6)

Increased from 5% to a rate set annually by the board not to exceed 18%.

Section 6. Remedies for non-payment of assessments. Any assessment not paid within thirty (30) days of the due date shall be considered delinquent. Delinquent assessments

shall bear interest as set forth annually by the board, which shall be equal to the Federal Reserve discount rate plus five percent (5%) (not to exceed 18%) per annum.

Communication Definition (Article XV Definition 7)

Now includes email, text, video conferencing, etc.

7. "Communication" shall be defined as email, text message, phone call, USPS, Video Conferencing and Social Media.

Amendment Threshold (Article XIV Section1 and 2)

Reduced from 75% to 2/3 vote.

Section 1. Amendment. These Bylaws may be amended, altered, repealed, or supplemented at any regular meeting of the members, or at any special meeting called for that purpose, by the affirmative vote of at least two-thirds (2/3) of the members of the Corporation, provided that the proposed amendment has been included in the notice of the meeting.

Section 2. Expanded Duties. By the affirmative vote of at least two-thirds (2/3) of the members of the Corporation, the Corporation may expand its duties to include services beyond the maintenance of private open space and common facilities. However, adoption of any such expanded duties shall not impose any obligation on New Castle County to enforce these additional provisions.