

**RESOLUTION AUTHORIZING ELECTRONIC VOTING AND NOTICING  
FOR ASSOCIATION MEETINGS AND ELECTIONS**

**CYPRESS LAKES HOMEOWNERS' ASSOCIATION, INC.**

WHEREAS, Section 718.128 of the Florida Condominium Act and Section 720.317 of the Florida Homeowners Association Act, provide that an association may conduct elections and other owner votes through an Internet-based online voting system if an owner consents, in writing, to online voting and if various requirements are met; and

WHEREAS, Section 668.50 of the Florida Uniform Electronic Transaction Act, provides that if a provision of law requires a record to be in writing, an electronic record satisfies such provision; and

WHEREAS, the Board of Directors of Cypress Lakes Homeowners' Association, Inc. has determined it to be in the best interest of the Cypress Lakes Homeowners' Association, Inc. (hereinafter referred to as "Association"), to enable the use of electronic voting in connection with membership votes on Association matters and to create the requisite authority required by the above-referenced Statutes; and

NOW THEREFORE, it is resolved as follows:

1. The Association will, subject to paragraph 2 below, permit Owners to utilize electronic voting in conformance with the above-referenced Statute(s), as the same now exists and as the same may be amended from time to time, as well as any applicable administrative rules of the Florida Department of Business and Professional Regulation, as the same now exists and as the same may be amended from time to time.
2. The Board may determine that utilizing electronic voting is not in the best interests of the Association as to any particular meeting or election. Accordingly, there shall be no obligation for the Association to utilize electronic voting at any particular meeting or election.
3. Notice to the Owners of the opportunity to vote through an online voting system shall be provided as required by law.
4. The Association hereby adopts the following forms, which are incorporated into this Resolution by reference:

Attached as **Exhibit "A"** is the "Consent to Electronic Voting and/or Consent to Receive Electronic Notice" which may be affirmed by the Owner, in order for an Owner to be entitled to vote by electronic means and/or accept notices by electronic means, and

Attached as **Exhibit "B"** is the "revocation of Consent to Electronic Voting and/or Electronic Notice," which Owners may sign and file with the Association, or which may be affirmed by the Owner, to revoke their consent to electronic voting and/or to receive notice by electronic means.

Unless prohibited by law, an email notification from an Owner to the Association may be used in lieu of a signed consent or revocation form, in which case the terms of the attached consent and revocation forms are incorporated by reference and shall be deemed affirmed by the Owner when consent is given or revoked by email.

5. In order to implement electronic voting, the Association may contract with an outside vendor or other independent party that provides electronic voting services. The Board shall use reasonable judgment to ensure that such vendors' services comply with the requirements of the law.
6. The Association or its agent shall notify Owners in meeting notice materials, to the extent required by law, of their ability to vote electronically, including but not limited to the provider's email address or website in a manner the Association reasonably believes to be sufficient to enable Owners to participate by using electronic voting.
7. Owners who consent to vote by electronic means may still vote by other means (in person or by proxy or ballot) or may send their proxies to the Association by facsimile transmission or electronic mail, to the extent the Association otherwise receives and accepts proxies through such media. In the event of multiple votes cast by an Owner as to the same matter, the vote cast first in the election of Directors shall prevail, while the last vote cast will prevail with respect to non-election issues.
8. By signing or affirming the consent form attached as Exhibit "A" hereto and otherwise choosing to vote electronically as authorized by this Resolution, each Owner recognizes that the Association cannot control the practices of third parties regarding their internet communication and use of the Owner's email address. As such, and as a condition of the Association's agreement to permit electronic voting, each Owner who consents to electronic voting releases and waives any claim against the Association pertaining to such voting, including but not limited to the transmission or placement of "viruses," "malware," "spyware," "cookies," and the like. Each Owner who consents to the Association's publication of their email address, as well as other information (including necessary personal identifying information) to electronic voting service providers or to third parties to the extent as may be reasonably necessary to enable the use of electronic voting processes. Such information shall not be considered an official record and available for Owner inspection unless required by law.
9. By signing or affirming the consent form attached as Exhibit "A" hereto and otherwise choosing to vote electronically as authorized by this Resolution, each Owner further recognizes that internet/electronic communications may be subject to failure, interruptions, or other problems due to a variety of reasons, including but not limited to Owner operator error, provider system or server failures, "spam" blockers, power outages, and the like. As such, and as a condition of the Association's agreement to permit electronic voting, each Owner who consents to electronic voting releases and waives any claim or challenge to such voting, including but not limited to situations where an Owner vote was not received or counted by the Association due to no fault of the Board of Directors or management.

This Resolution was adopted by the Board of Directors on this 2 day of Dec. 2024  
 (See attached Meeting Minutes reflecting the vote of the Board) and is effective upon adoption.

**PRESIDENT**  
 /s/ Michael Lica  
 Michael Lica  
 Date: 12/2/2024

**VICE PRESIDENT**  
 /s/ Robert Stawicki  
 Robert Stawicki  
 Date: 12/2/24

**TREASURER**  
 /s/ Jakaterina Burtsev  
 Jakaterina Burtsev  
 Date: 12/2/2024

**SECRETARY**  
 /s/ \_\_\_\_\_  
 Lawrence Niedzialek  
 Date: \_\_\_\_\_

**EXHIBIT "A" TO RESOLUTION**

**CONSENT TO ELECTRONIC VOTING AND/OR  
CONSENT TO RECEIVE ELECTRONIC NOTICE OF MEETINGS**

The undersigned, being an Owner or the Voting Member under the Association Bylaws for Lot/Unit Address \_\_\_\_\_, at Cypress Lakes Homeowners' Association, Inc., pursuant to Florida Statutes, hereby consent(s) in writing to:

(Please place a checkmark or X in the box or boxes for which you are giving consent. You may consent to electronic voting, receiving electronic notice, or both).

1. **ELECTRONIC VOTING.** By signing this consent form (or consenting to electronic voting by email sent to the Association), I consent to voting electronically at meetings and elections for Cypress Lakes Homeowners' Association, Inc. to the fullest extent permitted by law, pursuant to the provisions of the Board's Resolution authorizing electronic voting ("Resolution"). I designate the following email address for electronic voting purposes: \_\_\_\_\_ (PRINT NEATLY)

The undersigned understands and agrees that in order to be valid, this consent form must be signed and on file with the Association prior to the meeting or election in which the Owner wishes to vote by electronic means, and that all electronic votes shall be cast within the window set by the Board in advance of said meeting at which time the ability to vote electronically shall be deemed closed for that meeting or election.

2. **ELECTRONIC NOTICE.** I consent to receiving notices by electronic transmission for meetings of the Board of Directors, Committees, and Annual and Special Meetings of the Members of Cypress Lakes Homeowners' Association, Inc. I designate the following email address for electronic notice purposes: *(you may write "same as above" or provide a different email address for electronic notice purposes)* (PRINT NEATLY) \_\_\_\_\_. The undersigned understands that mailed/paper notices may not be provided to the Owners unless the Owners have rescinded their consent to receive electronic notice of meetings. Please be aware that if you consent to receive electronic notice of meetings, your email address designated for that purpose will be an official record of the Association.

Eligible Voter Please Print, Affix Date, and Sign Below:

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Lot/Unit Address #: \_\_\_\_\_

Date: \_\_\_\_\_

**EXHIBIT "B" TO RESOLUTION**

**REVOCATION OF CONSENT TO ELECTRONIC VOTING AND/OR  
CONSENT TO RECEIVE ELECTRONIC NOTICE OF MEETINGS**

The undersigned, being the eligible voter for Lot/Unit Address #: \_\_\_\_\_,  
at Cypress Lakes Homeowners' Association, Inc., has previously consented in writing to electronic voting  
at meetings and elections and/or to receive electronic notice of meetings/elections for Cypress Lakes  
Homeowners' Association, Inc. as permitted by law and duly filed with the Association.

I hereby **revoke** my consent for the following (check all that apply):

**ELECTRONIC VOTING**

**ELECTRONIC NOTICE**

The undersigned understands and agrees that if revoking consent for electronic voting, this form must be signed and on file with the Association no later than ten (10) days prior to the meeting or election in which the Owner wishes to revoke consent to vote by electronic means, or the revocation will not be effective until the next membership meeting and/or election. However, if the Association receives this revocation less than ten (10) days prior to the meeting or election, the revocation will be effective for the next subsequent membership meeting.

Furthermore, the undersigned understands and agrees that if revoking consent for the electronic notice, this form must be signed and on file with the Association no later than seventy-two (72) hours prior to the Association sending notice of a meeting or election in which the Owner wishes to revoke consent to electronic notice, or the revocation will not be effective until the next meeting and/or election.

Eligible Voter Please Print, Affix Date, and Sign Below:

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Lot/Unit Address #: \_\_\_\_\_

Date: \_\_\_\_\_