



# NEWS CAP

ANG PAHAYAGAN NG NEW CAPITOL ESTATES HOMEOWNERS ASSOCIATION

April 2015 Issue

"A half truth is a whole lie." – Yiddish Proverb

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## ELECOM LIST OF CANDIDATES FOR BOARD ◀ Election Rules & Regulations Promulgated ▶

April 1, 2015 – The Election Committee (ELECOM) released the list of candidates for Zone Representatives to the Board of Directors as follows:

<u>Zone</u>	<u>Candidate</u>	<u>Zone</u>	<u>Candidate</u>	<u>Zone</u>	<u>Candidate</u>
I	1. Dodi Dimalibot 2. Ronaldo Marcelo 3. Wilfredo Quitos	IV	(continued) 3. Pedro Iblan 4. Yolanda Manginsay 5. Joshua Palma 6. Roel Rullan 7. Salvador Ysla	VIII	1. Leandro Palma 2. Maebelle Sacdalan
II	1. Jose Castro 2. Manny Gragasin	V	1. Antonio Santos	IX	1. Rolando Bondoc 2. Robinson Raiz
III	1. Lydia Ramos 2. Rey Victoria	VI	1. Paul Roan	X	1. Marcos Henson
IV	1. Isabel Agulay 2. Erlinda Herrera	VII	1. Nestor dela Cruz	XI	1. Redentor Pagtalunan
				XII	1. Erlinda Aragoncillo 2. Antonio Lacaba

Zone I is allocated two (2) seats in the Board of Directors, Zone IV has three (3) seats. while the rest are allocated one (1) seat each.

The ELECOM also released the Rules and guidelines governing the April 12, 2015 elections of zone representatives of NCEHA as follows:

### RULES AND GUIDELINES GOVERNING THE APRIL 12, 2015 ELECTIONS OF ZONE REPRESENTATIVES OF NCEHA

In accordance with the existing Constitution and By-Laws of (hereinafter referred to as CBL):

1. Elections for the Board of Directors of the New Capitol Estates I Homeowners Association shall be held on April 12, 2011.
2. The following shall consist of the Election Committee (hereinafter named ELECOM) of the respective zones:

<b>Zone</b>	<b>Chairperson</b>	<b>Address</b>
Overall	Peter Paul L. Pineda	Block 02 Lot 05
1	Milagros Pe	Block 04 Lot 03
2	Mark Gaviola	Block 05 Lot 21
3	Aurora del Rosario	Block 08 Lot 11
4	Valeriano Infante	Block 10 Lot 08
5	Jess Almazan	Block 26 Lot 30
6	Gen. Roberto Gervacio (Ret.)	Block 18 Lot 08
7	Harmony Medina	Block 23 Lot 05
8	Donald Geocaniga	Block 27 Lot 18
9	Lino Mallari	Block 26 Lot 19
10	Joan Basco	Block 23 Lot 07
11	Albert Lesaca	Block 30 Lot 28
12	Santiago Santiago	Block 03 Lot 15

3. Under the supervision of the duly appointed Committee Chairman, the ELECOM member assigned to the zone (hereinafter referred to as Zone ELECOM Chairman) shall take complete charge of the election proceedings therein. For this purpose, he shall maintain what is commonly known as a "Blue Book," in which shall be recorded all unofficial transactions related to the election undertaken by him/her during the period.

4. Period of Elections – For all intents and purposes the election period begins on March 25 (the first day of filing of Certificates of Candidacy) and ends on Sunday, April 19 (the date of oath-taking of the duly proclaimed winning candidates).
5. The Zone ELECOM Chairman shall designate a suitable polling place within his/her zone not later than 8 April 2015, which may be in parking lots, public open space or any suitable location therein that may be provided by a homeowner. He shall then report the same to the Committee Chairman.
6. Who may vote: Under Paragraphs (b) and (c), Section 2 of Article VI (The Board of Directors and Election Thereto):
  - b) *Who May Vote.* Each unit, represented by a **Regular or Special Member** as the case may be, shall be entitled to one (1) vote. Qualified voters must be at least eighteen (18) years old and members in good standing as provided for in Section 5 of Article II hereof.
  - c) *Proxy Voting.* Proxy voting shall be allowed as long as the proxy is a relative of the Member within the first degree of affinity or consanguinity and duly authorized by the member in writing.
7. Who may run: Section 5 of Article VI (The Board of Directors and Election Thereto) stipulates that the following shall be required of any candidate for Director:
  - a) He must be a Filipino citizen, a regular member in good standing, and an actual resident of his unit for a period of not less than 6 months prior to the date of election;
  - b) He must have filed his certificate of candidacy for the position;
  - c) He must be at least twenty one (21) years old on the day of the election; and
  - d) He must not have been convicted of an offense involving moral turpitude or found guilty of any wrongdoing by the Association's Grievance and Adjudication Committee.

7.1 Who is a regular member: Sections 1 and 2 of Article II (Membership) defines a regular member to be the unit owner of record.

Sec. 1. *The Unit Owner.* The unit owner is such person in whose name the unit (e.g., a residential lot and/or house within New Capitol Estates I) is titled or, in lieu thereof, the buyer of record of the unit from the Bliss Development Corporation or its successor-in-interest.

Sec. 2. *Regular Members.* Every unit owner shall automatically become a regular member of the Association, whether or not said owner actually occupies the said property. This definition shall mean to include the spouse, heirs or successors-in-interest of said owner. A membership book listing the regular members of the Association shall be established and maintained by the Association.

Only regular members in good standing shall be eligible to run for the Board of Directors of the Association; *Provided*, that said regular member running for office is the actual occupant of his property, and has been so for at least six (6) months prior to the date of elections.

7.2 Definition Of Good Standing: Under Section 5 of Article II (Membership), a regular or special Member is considered to be in good standing if he possesses the following qualifications:

- a. All his monthly association dues are paid on time.
- b. He participates in community affairs especially when requested by the Association.
- c. He complies with all his duties and obligations as provided under the Articles of Incorporation, these By-Laws and the rules and regulations of the Association.
- d. He has not committed any act inimical to or against the Association or any of its members, especially in the custody or safekeeping of property or money entrusted to him by the Association.

8. The provisions of Section 1, Article IV (Political and Administrative Delineations: Zoning) shall apply to the number of Directors of the Board to be voted upon and the apportionments of the voting residential units per zone, to wit:

Sec. 1. The New Capitol Estates I Subdivision shall be divided into twelve (12) Zones, based on common boundaries, common facilities and convenience as shown in the zoning map described in Annex "A" of this Constitution and By-Laws. Such Zones shall be apportioned and represented in the Board of Directors as follows:

Zone	Block No.	Lots Covered	No. of Units	Total Units	No. of Directors
1	1	1-14	14	90	2
	2	1-18	18		
	3	1-22	22		
	4	1-24	24		
	5	1-12	12		
2	5	13-25	13	42	1
	6	1-13	13		
	7	1-8	8		
	25	29-36	8		
3	7	9-16	8	36	1
	8	1-12	12		
	9	1-9	9		
	25	22-28	7		
4	9	11-18	8	146	3
	10	1-20	20		
	11	1-23	23		
	12	1-11	11		
	13	1-14	14		
	14	1-10	10		
	15	14-27	14		
	21	1-30	30		
	22	1-1	16		
5	15	28, 1-13	17	42	1
	16	1-7	7		
	17	1-4	4		
	18	9-16	8		
	26	28-36	9		
6	18	1-8	8	44	1
	19	1-16	16		
	20	2-16	15		
	26	23-27	5		
7	9	10	1	32	1
	23	1-10	10		
	24	1-10	10		
	25	19-21	3		
	26	37-44	8		
8	25	1-18	18	32	1
	27	15-28	14		
9	20	1	1	43	1
	26	1-22	22		
	28	21-40	20		
10	27	1-14	14	34	1
	29	1-20	20		
11	28	1-20	20	48	1
	30	1-28	28		
12	31	1-24	24	36	1
	32	1-12	12		
Total				625	15

9. The Zone ELECOM Chairman shall deputize two (2) homeowners within his Zone who are in good standing and of known probity, to assist in the conduct of zone election, except in Zone 4 where there shall be four (4) deputies. Provided, that said deputized homeowners shall not be related to any candidate running within the Zone. Provided further that the deputation shall be reported to, and subject to the approval of the Overall ELECOM Chairman. For clear identification, they shall be provided with official IDs.

10. Rules Governing Filing of Candidacy:

10.1 Prospective candidates are required to file a Certificate of Candidacy (hereinafter referred to a COC).

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- 10.2 Official form – The COC official form shall be that which is hereto attached as Annex B. It shall be filled in triplicate, the original being for the ELECOM, the duplicate for the candidate, and the triplicate for the records of the office of the Treasurer.
- 10.3 Prospective candidates may avail of the official COC forms from the concerned Zone ELECOM Chairman or at the NCEHA office at the multi-purpose hall.
- 10.4 The candidate shall refer his/her COC to the Treasurer of the incumbent Board who shall certify whether or not the candidate is an Association Member of good standing. It stands to reason that should the would-be candidate be in arrears with the Association, he is given the chance to update his account and therefore update his membership into one of good standing.
- 10.5 The candidate shall then submit, within the period of filing COCs, the duly accomplished form to the Zone ELECOM Chairman, who shall immediately rule on whether or not the candidate is qualified to run for the position aspired for based solely upon the qualification criteria set forth by the CBL and the rules and guidelines hereof. The decision of the ELECOM member assigned to the zone shall be final.
11. Rules Governing the Electoral Campaign:
- 11.1 The official campaign period shall begin on April 2 and end on April 11.
- 11.2 Allowable Campaign Practices:
- 11.2.1 Campaign posters shall be limited to 8.5" x 11" and/or A4-sized paper, computer-generated text and graphics may be printed in color or black and white. Such posters may be anywhere within the concerned Zone that is considered public.
- 11.2.2 A maximum of two (20 banners not exceeding a total of 8 square feet each, of plain "cacha" material printed in color or black-and-white is allowed.
- 11.2.3 Printed folded handbills and handouts ("polyetos") not greater than 8.5" x 11" and/or A4-sized paper containing the qualifications of the candidate, the aggrupation to which he/she belongs to and its platform of governance, and/or the plans and programs for the Association in general and his/her Zone in particular that the candidate will undertake if elected. In this connection, door-to-door campaigning for the purpose of handing out these materials shall be allowed.
- 11.3 Prohibited Campaign Practices:
- 11.3.1 All campaign practices not falling within those allowed in item 11.2 above.
- 11.3.2 Negative campaigning and all types of campaign designed to denigrate another aggrupation or candidate, including black propaganda, innuendo, and posting of misleading materials.
- 11.3.3 Destruction, removal, replacement, and/or defacement of another aggrupation or candidate's posters and other campaign materials
- 11.3.4 Use of force, coercion or intimidation against another aggrupation, candidate or their supporters.
- 11.3.5 Use of monetary enticements and or promises of financial gain to solicit votes.
- 11.3.6 All such other such devices classifiable as dirty tricks.
12. Rules Governing the Election Proper
- 12.1 The Election shall take place on April 12. Voting shall commence at 8:00 am and end at 3:00 pm. No deviation to this rule shall be allowed.
- 12.2 The Official Ballot Form – The Official Ballot form shall be that which is hereto attached as Annex C.
- 12.3 The Official Voting Record – A Voting Record indicating the disposition of official ballots shall be issued to and maintained by the Zone ELECOM Chairman for each polling place. The official Voting Record shall be that which is attached as Annex D. The Voting Record shall be based on the list of qualified voters submitted by the Treasurer of the incumbent Board, indicating thereon whether or not the voter is in good standing and therefore qualified to vote.

- 12.4 The Zone ELECOM Chairman and his two (2) deputies shall report to the polling place not later than 7:30 am of Election Day in order to make the necessary preparations.
- 12.5 At 8:00 am the Zone ELECOM Chairman publicly announces the opening of the polls, opens the ballot box, empties it, and exhibits the pad of ballots to the members and to those present, then seals the ballot box by means of taping it with the tape provided for this purpose. The ballot box shall remain sealed until the voting is finished.
- The incumbent Board shall provide twelve (12) ballot boxes, which shall be of suitable size made of plastic. The ballot box shall have a slot on top to receive the ballot.
- 12.6 The Zone ELECOM Chairman shall verify whether or not each voter is qualified to vote in accordance with Paragraphs (b) and (c) of Section 2, Article VI by checking the following:
- 12.6.1 His/her name should appear in the Voting Record as a homeowner in good standing.
- 12.6.2 The voter should be 18 years old as of April 10, the date of Elections.
- 12.6.3 If the vote is to be by proxy, the voter must be a relative of the qualified member within the first degree of affinity or consanguinity, and he should be duly authorized in writing.
- 12.6.4 Only one (1) vote per unit shall be allowed.
- 12.7 Procedures on the Casting of Votes:
- 12.7.1 The Zone ELECOM Chairman shall write on the Voting Record the serial number of the official ballot he will issue to the voter.
- 12.7.2 The Zone ELECOM Chairman shall then call the voter by name and give him/her the ballot after countersigning it on its back.
- 12.7.3 The voter writes his choice(s) on the ballot in private and folds it in such a way that what he has written cannot be seen.
- 12.7.4 The voter then drops his folded ballot into the ballot box and signs the Voters Records.
- 12.7.5 The voter may, before he drops his ballot into the ballot box, opt to have his ballot changed. Provided, that such change can only be made once. Provided further, that the Zone ELECOM Chairman shall mark the replaced ballot with the word SPOILED in large, legible letters. The serial number of both the crossed-out and new ballot shall be written on the space beside it.
- 12.8 If by 1:00 pm the number of votes cast within the zone is less than 50% + 1 of the total number of qualified voters therein, the Zone ELECOM Chairman with one of his deputies shall go house-to-house (qualified voters only) to increase the voters' turnout. The other deputy shall remain to be in charge at the polling place.
- A candidate cannot be deemed to have won unless he or she gets the majority of the votes cast by at least 50% + 1 of the qualified voters in the Zone.
- 12.9 Only those voters within the polling place who have not yet cast their votes by 3:00 pm shall be allowed to do so. For this purpose, the Zone ELECOM Chairman shall issue a last call for voters who may be within the vicinity of the polling place.
13. Minutes of Voting – the Zone ELECOM Chairman shall maintain a record of the Minutes Voting.
- 13.1 The Minutes of Voting form shall be that which is hereto attached as Annex E.
- 13.2 The following information shall be entered into the Minutes of Voting:
- ⊕ The time that the polling place was opened for voting.
  - ⊕ The time that the first voter reported to the polling place to cast his vote.
  - ⊕ The time that the last voter reported to the polling place to cast his vote.
  - ⊕ The time that the canvassing of votes started.
  - ⊕ The time that the canvassing of votes ended.
  - ⊕ The number of votes cast.
  - ⊕ The number of qualified voters who were unable to vote.
  - ⊕ The number of invalid votes/ballots.

- ⊕ The number of candidates in the zone and their respective names.
- ⊕ If house-to-house voting was done, the number of qualified homeowners who cast their votes.
- ⊕ The results of the appreciation of ballots.
- ⊕ Any observation that has direct bearing on the conduct of the elections.

#### 14. Rules Governing the Canvassing of Votes:

- 14.1 The canvass of votes shall be reflected on a large tally board consisting of two (2) sheets of Manila paper posted on a wall or suitable support within the polling place using the tape provided. At the same time it shall be recorded on an official Tally Sheet. The Tally Sheet form shall be that which is hereto attached as Annex F.
- 14.2 The canvassing of votes shall start immediately after the voting is finished. It shall be held in public with utmost transparency. The Zone ELECOM Chairman unseals, opens and empties the ballot box. He counts the ballots, unfolding them and placing them face down in bundles of twenty. He makes sure that the number of ballots tallies with the number of voters who cast their votes.
- 14.3 The Zone ELECOM Chairman then reads aloud the vote(s) stated in the ballot, then puts the ballot face down on the table in a pile separate from the unread bundled ballots.

As the Chairman reads the vote one at a time, simultaneous tallying will be done. One deputy shall write on the tally board while the other deputy shall write on the official Tally Sheet which shall be provided with a carbon copy.

The tallies are made in groups of five (5).

After every bundle of twenty ballots has been read, the number of votes garnered by each candidate is written in figures immediately to the right of the tally. A check is made to ensure that the tallies on the board and on the sheet match.

After completion of the canvassing, the total number of votes for each candidates is in written words on the Tally Sheet. The Zone ELECOM Chairman and his two (2) deputies then sign the Tally Sheets.

#### 14.4 Appreciation of Ballots:

14.4.1 During the canvass, the ballots are appreciated by the Zone ELECOM Chairman as follows:

- ⊕ Valid ballot – a ballot wherein the candidate voted for can be correctly determined. It includes votes with correctly spelled first, last and/or full name; misspelled but decipherable name; name spelled as how it sounds; alias and/or nickname.
- ⊕ Spoiled ballot – a ballot that is defaced, damaged and/or rendered unusable.
- ⊕ Marked ballot – a ballot which contains a vote for someone who is not a candidate. Provided that, in Zones where more than one (1) position is at stake, the ballot shall be considered valid and counted in favour of the legitimate candidate(s) whose name also appears thereon.
- ⊕ Stray ballot – a non-official ballot found inside ballot box.

14.4.2 After Canvassing, the Zone ELECOM Chairman shall, in the presence of the public:

- ⊕ Bundle the appreciated ballots by type and place them inside the ballot box.
- ⊕ Tear unused ballots lengthwise, bundle them and place them inside the ballot box.
- ⊕ Keep the duplicate Tally Sheet for his own reference, and place all the accomplished forms (Certificate of Candidacy, Voting Record, Minutes of Voting and the original copy of the Tally Sheet) in the Manila envelope provided which shall then be placed into the ballot box also.
- ⊕ Seal the ballot box with the tape provided.
- ⊕ Immediately bring the ballot box with all its contents to the NCEHA Multi-purpose Hall and submit the same to the Overall ELECOM Chairman who shall sign receipt thereof. He shall then post on the whiteboard the result for his Zone.
- ⊕ The Ballot Boxes shall be kept in secured in the NCEHA office. It shall remain sealed and shall only be opened in case of protest.

#### 15. Rules Governing Protests:

15.1 To be considered valid, any protest must be filed in writing within twenty-four (24) hours after canvassing (e.g. not later than 6:00 pm of Monday, April 11), and evidence must be presented to back up the protest.

15.2 The Overall ELECOM Chairman and the twelve (12) Zone ELECOM Chairmen shall decide on the protest en banc within forty-eight (48) hours from receipt.

15.3 The Overall ELECOM Chairman shall preside over the deliberations concerning protests. He shall cast his vote only in case when the deliberations shall be tried.

15.4 The decision of the ELECOM on the matter of protest shall be final.

16. Proclamation

16.1 The ELECOM *en banc* shall proclaim all the candidates who won if there has been no protest filed within the stipulated 24-hour period.

16.2 After decision shall have been rendered in those cases where protest has been filed, the ELECOM *en banc* shall immediately proclaim the winning candidates.

16.3 The decision of the ELECOM on the matter of proclamation shall be final.

17. Oath Taking

17.1 The proclaimed winners, having been duly elected and qualified as members of the new Board of Directors of the Association, shall take their oath of office on the evening of Sunday, 19 April 2010 at the multi-purpose hall, after which they shall be deemed to have been installed into office.

17.2 They shall sign the Oath of Office, which is hereto attached as Annex H (Installation of the Duly Elected Board Members). The Oath shall be administered by the Over-all ELECOM Chairman.

17.3 In accordance with the provisions of Article XII of the CBL (Transitory Provisions), the term of office of the incumbent Board of Directors of the Association and all Committees formed thereby are deemed to be automatically expired.

17.4 Likewise, the period of elections and all duties and responsibilities if the entire ELECOM shall be deemed to have terminated.

18. Suppletory Provision – Should any unforeseen event occur that is not provided for in these rules and guidelines, the commonly accepted rules and guidelines of the Election Code of the Republic of the Philippines shall apply.

Annex A – NCEHAI Zoning Map

