

# **PLEASE READ THIS**

## **YOUR RIGHT TO PRIVACY MAY BE AT RISK**

The Vineyards of Saratoga Home Owners Association has recently received a request from a Member (owner) for a copy of the Members list with all Members' information – name, address, phone number, email address, etc. Article XIV of the Second Restated Bylaws of The Vineyards of Saratoga (Bylaws) entitles Members to this information. However, Article XIV, Section 14.02 (a) (1) (I) (iii) of the Bylaws also allows Members to “opt out” - keep their information private.

*A Member of the Association may **opt out** of the sharing of his or her name, property address, and mailing address by notifying the Association in writing that he or she prefers to be contacted via the alternative process described in subdivision (c) of Section 8330 of the Corporations Code. This opt-out shall remain in effect until changed by the Member.*

California Civil Code Section 1365.2(a)(1)(I)(iii).2 also allows a member to request to be removed from a membership list in an effort to prevent the disclosure of their private contact information.

Due to current identity theft and privacy issues, the Board of Directors is particularly sensitive to releasing any personal information to anyone without prior approval by our Members. The Bylaws were written to be in conformance with California law (Davis-Sterling) which requires that Members who want to preserve their privacy must actively “opt out” as indicated above. It should be noted that within the past 30 years Vineyards contact information has been released only twice and with very unsatisfactory results.

Any Members who do not “opt out” agree to allow their contact information to be made available. The Vineyards cannot control the ultimate use of this information.

The reverse side of this notification provides a form for Members to “opt out” and maintain the privacy of their information. Please complete, sign, and return this form to: Community Management Services, 1935 Dry Creek Road, Suite 203, Campbell, CA 95008 in order to maintain the privacy of your contact information.

As an alternative you may email Bill Oldfield at CMS [boldfield@communitymanagement.com](mailto:boldfield@communitymanagement.com) and state that you opt out of sharing any contact information in accordance with The Vineyards of Saratoga Bylaws. You may email the form as well.

**This request is time sensitive and requires your immediate attention.**

## **“OPT OUT” SHARING CONTACT INFORMATION**

I (we), \_\_\_\_\_, the Owner(s)  
of \_\_\_\_\_ Vineyard Lane, Saratoga, CA 95070, under Article XIV, Section 14.02  
(a) (1) (I) (iii) of The Vineyards of Saratoga Bylaws and California Civil Code Section  
1365.2(a)(1)(I)(iii).2 hereby elect to **“opt out”** of sharing any contact information (name, address,  
phone number, email, etc.) as provided in the aforementioned Article XIV. This election to **“opt  
out”** shall remain in effect until I (we) notify The Vineyards of Saratoga of any changes to the  
contrary.

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Owner's Signature

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Date

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Owner's Signature

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Date

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Owner's Signature

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Date

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Owner's Signature

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Date