

**John Harbison Comments on PVHA Election Result Release
February 11, 2016**

On January 30, 2016, Judge Latin sent his report on the election to the PVHA Board of Directors. On February 10th, PVHA issued a press release and sent an email out with their summary of the vote count.

Here are a few quick observations on these election results released by the PVHA this week:

The results are presented in a manner that is most favorable to PVHA's incumbents. If I am interpreting the memo correctly, there were about 240-260 duplicate ballots. The tally in the Judge's memo is presented two ways:

- **DOUBLE COUNT:** Where there were duplicates, the tally counts both ballots (admittedly double counting). By this measure, everyone got about 850-950 (other than Carol Swets who got 1458 because she was endorsed by both PVHA and ROBE). Under this methodology, the other three incumbents got slightly more than the ROBE candidates. But clearly there should be no double counting, so this is meaningless
- **FIRST VOTE ONLY:** After eliminating "invalid votes" (which appear to be mostly the people who tried to change their vote by sending in a revised ballot), the ROBE candidates dropped about 250-260 votes each.

Where the spin comes in, Judge Latin **did not show the obvious third methodology -- counting the last vote wherever there were duplicates.**

- **LAST VOTE ONLY:** This methodology best approximates the will of the people. Why did the Judge not report that scenario especially after Sid Croft had said publicly (in the Daily Breeze on 12/26/15 that the PVHA would count the last vote from each member?:

"If (residents) want to revoke their ballots, they can come to the homes association and mark whoever they want."

In the absence of that specific disclosure of counting the last vote, I've approximated this third scenario by assuming that most (250) of the disallowed ROBE ballots were disallowed because they were re-votes. That would have left the ROBE candidates with 850-930 votes and the incumbents with less than 700 each:

	Count all	Count first	# change	% change	Guess if count last vote AND 250 re-votes*
Fountain	959	920	-39	-4%	670
Paullin	935	908	-27	-3%	658
Hoffman	974	942	-32	-3%	692
Frengs	978	939	-39	-4%	689
Swets	1458	1303	-155	-11%	>1000
Fay	859	603	-256	-30%	853
Laity	945	683	-262	-28%	933
Moody	935	674	-261	-28%	924
Schott	940	681	-259	-28%	931

* Assumes there were 250 ROBE ballots that were re-votes of previous PVHA ballots voting for the incumbents (except Carol Swets)

It's obvious why that "Last Vote Only" version is not shown — by **counting the last ballot submitted by each voter, the ROBE candidates would have handily had the higher vote count.**

So in summary, **the released tally in the PVHA Press Release is based on counting only the first ballot from each member. If the tally counted only the last ballot received from each member, the ROBE candidates would have received over 25% more votes than any of the incumbent directors. That approach best captures the intent of the voters.**

I'm disappointed that the quorum of 50% of members voting was not reached. But that's a high bar, given that in last November's municipal election in PVE, turnout was only 16% and for this PVHA election is was more than twice that at 33%. To allow the public to have a true voice in elections, the PVHA quorum requirement should be lowered, and we hope that the current PVHA Board agrees.

Finally, the PVHA Board Press Release says: "The incumbent Directors have been appointed to serve until the next annual meeting, in January 2017." While this is consistent with past actions by the Board in the absence of a quorum, it violates the PVHA Bylaws which state it should adjourn "day-to-day" and not for a full year:

"At such annual meeting of the members, Directors for the ensuing year shall be elected by secret ballot, to serve as herein provided and until their successors are elected. If, however, for want of a quorum or other cause, a member's meeting shall not be held on the day above named, or should the members fail to complete their elections, or such other business as may be presented for their consideration, those present may adjourn from day to day until the same shall be accomplished. "

PVHA needs to follow its own By-Laws. As such, and given that the majority of the votes were for the ROBE slate of nominees (when counting the last ballot received), the PVHA should do the right thing and hold another election in the next few months.

Respectfully,
John Harbison