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September 2, 2026

Assateague Pointe Home Owners Association
Re: Recent Changes to the Voting Process

To the homeowners of Assateague Pointe:

This letter seeks to inform the homeowners of Assateague Pointe that the Board has decided that it will no longer proceed with online voting for the September 19, 2026, election.

As a result, the September 19th special election will proceed with hand ballots in the “old fashioned” way, just as it was done earlier this year. Please make arrangements to vote in-person on September 19, or complete a proxy form which is available online or in the AP office. Proxies are due to the AP office by the 18th at noon. If you have already provided your contact information to Xanthe, that information will be stored for future use.

In the interests of transparency, the letter which the Board received from outside counsel at the request of a concerned owner or owners is attached hereto.

I understand that this may be inconvenient and confusing, but the Board is committed to complying with all applicable rules and laws. As well as not spending any additional funds to enter into any litigation that would cause unnecessary expenses to the community or delay the special election.

Very truly yours,

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RICHARD E. CULLEN
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August 24, 2026

Board of Directors
Assateague Pointe Homeowner's Association
8552 Stephen Decatur Highway
Berlin, MD 21811

**RE: Notice of Procedural and Statutory Deficiencies Regarding the
September 19, 2026 Special Election and Implementation of Electronic Voting**

Dear Members of the Board:

My firm represents a group of concerned homeowners within the Assateague Pointe Homeowner's Association, Inc. ("Assateague Pointe"). I write to address significant procedural and statutory deficiencies surrounding the Board's recent email notification regarding the implementation of electronic voting for the upcoming Special Election scheduled for September 19, 2026.

While my clients acknowledge that Maryland law provides a mechanism for electronic transmission in association governance, the hasty implementation and execution of this process raise serious legal concerns regarding compliance with Maryland statutory mandates and the Association's governing documents.

Under Section 11B-113.2(a) of the Maryland Homeowners Association Act, the Board possesses the authority to authorize voting by electronic transmission. However, this statutory authority is strictly contingent upon fulfilling key statutory safeguards. Section 11B-113.2(a) mandates that any electronic voting platform must collect and store data sufficient to verify that the ballot or proxy was submitted directly by the lot owner or an authorized proxy holder. To date, the Board has provided no documentation or assurances verifying that the vendor system selected meets these identity-verification standards.

Furthermore, Article V, Section 2 of Assateague Pointe's Bylaws requires director elections to be conducted via secret ballot; therefore, any electronic system used must guarantee complete voter anonymity. Under § 11B-113.2(b), if the electronic system cannot guarantee full secret balloting, or if an owner does not consent to electronic transmission, the Association must provide the option for owners to cast traditional paper ballots. The Board's announcement failed to inform owners that in-person paper balloting and proxy voting remain available options on the day of the special meeting.

Additionally, the email notification distributed to homeowners contained severe operational defects, including a non-functional video link meant to instruct members on the voting process. Delivering broken instructional resources fails to meet the basic legal standard of providing adequate, clear, and actionable notice to the membership to exercise their rights. It also lacked information regarding the identity of the proposed independent administrator of the electronic voting process.

My clients are also deeply concerned by the absence of formal notice and open discussion prior to adopting this significant procedural shift. Under MD Code, Real Prop. § 11B-111, all official actions and decisions of the Board must occur during open, properly noticed meetings. If the decision to adopt electronic voting for the Special Election was conducted informally via email or in an unannounced session outside statutory open meeting parameters, the underlying authorization resolution is procedurally flawed and subject to formal challenge.

Finally, my clients do not believe that adequate time was afforded for owners to understand and evaluate the proposed implementation of online voting. The notice was sent to owners on August 21, 2026, giving them only ten days to elect electronic voting. Coupled with the previously noted deficiencies, this short window does not constitute sufficient notice or time for owners to make an informed decision regarding the voting process.

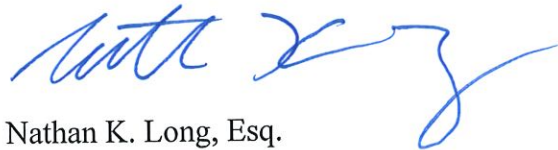
To preserve the integrity of the September 19, 2026 Special Election and avoid unnecessary administrative or legal disputes, our clients respectfully request that the Board immediately take the following corrective steps:

1. Provide our office with copies of the formal Board meeting minutes, including the date and notice details of the open meeting, where the resolution authorizing electronic voting for this Special Election, along with its associated costs, was formally considered and adopted.
2. Suspend the implementation of electronic voting for the Special Meeting on September 19, 2026, and convene an open meeting to transparently discuss the vendor's ability to provide secure safeguards verifying the authenticity of submitted electronic votes and proxies, as well as the associated costs of the service.
3. Issue a clear notice to all lot owners confirming that traditional paper ballots and written proxies remain valid and available for use at the Special Meeting.

My clients prefer to resolve these procedural matters cooperatively to ensure a fair, transparent, and legally binding election for all Assateague Pointe residents. However, should the Board decline to address these statutory deficiencies, our clients reserve all rights to pursue formal legal remedies, including filing an administrative complaint or seeking appropriate relief prior to the September 19 election date.

We ask that you respond to this letter by 5:00 PM on August 31, 2026, confirming how the Board intends to proceed.

Sincerely,

A handwritten signature in blue ink, appearing to read "Nathan K. Long", with a stylized flourish extending from the end.

Nathan K. Long, Esq.

Cc: Sean J. Colgan