

AMENDED

FILINVEST EASTVILLE HOMEOWNERS ASSOCIATION INCORPORATED (FEHAI)

BY-LAWS

ARTICLE I

DECLARATION OF PURPOSE

- Section 1. The purposes of this association are those set forth in its Articles of Incorporation. Its primary concern is to facilitate the delivery of adequate social services and economic advantages for the association to improve the quality of life and well-being of its members.

ARTICLE II

NAME AND LOCATION

- Section 1. The Association shall be known as, “FILINVEST EASTVILLE HOMEOWNERS ASSOCIATION, INC. (FEHAI).”
- Section 2. Its Principal Office shall be located at the Eastville Clubhouse, Eastville Avenue, Eastville Subdivision, Barangay Muntindilaw, Antipolo, Rizal.
- The Annex office shall be located at the Eastville Events Place, Eastville Avenue, Eastville Subdivision, Barangay San Isidro, Cainta, Rizal.

ARTICLE III

MEMBERSHIP

- Section 1. Membership. Property owners, defined as the ones named in the titles, of Eastville Subdivision, Cainta/Antipolo Rizal, are automatically members of the Association subject to the lien inscribed in their respective titles. Members are automatically bound to the duties outlined in these By-Laws but must be in good standing to fully enjoy the rights and privileges of membership.

Membership, including the right to vote and to be voted for, shall be exercised by the head of the family of each property owner. This designation may be assigned to a member of the property owner’s household or to a tenant/lessee of the property with at least a one-year rent agreement or contract.

The assignment shall be done in writing and must be acknowledged by the Association through the Board of Directors (the Board). The property owner, may at any time, reclaim, change, or rescind such assignment by notifying the Association through the Board.

In the event that the assignment is disputed or contested, membership rights are reverted back to the property owner.

In the case of tenants/lessees, the assignment shall become null and void as soon as the rent agreement ends or expires.

In matters pertaining to voting, only one (1) vote per member's household is allowed. In matters pertaining to elective positions, only one (1) elective position per member's household is allowed.

Section 2. Members in Good Standing. A member in good standing is one who complies with all the duties and obligations of a member as determined by the Board.

Section 3. Rights and Privileges of Membership. Every member in good standing shall have the following rights and privileges:

- A. Avail of and enjoy all basic community services and the use of common areas and facilities, provided, the member is in good standing;
- B. Inspect Association books and records during office hours and to be provided, upon request, with a copy of annual reports, including financial statements, at the member's own expense;
- C. Participate, vote and be eligible for any elective or appointive office of the association subject to the qualifications as provided for in the By-Laws;
- D. Participate in Association meetings, elections and referenda, Provided, the member is in good standing, unless otherwise provided in the By-Laws, and existing rules and regulations of Department of Human Settlements and Urban Development (DHSUD), or ordered in final decisions of the Housing and Land Use Regulatory Board (HLURB)/ Human Settlements Adjudication Commission (HSAC) or related government authority or ordered by DHSUD when acting as a special Election Committee under special circumstances;
- E. Demand and promptly receive refund of deposits such as construction bonds, required by the association as soon as the condition for the deposit has been complied with or the period therefore has expired; and

- F. Enjoy all other rights as may be provided in the By-Laws, subject to the limitations as may be provided in the By-Laws.

Section 4. Duties of Members. A member shall have the following duties:

- A. To register with the Association and pay the membership fee in the case of new members;
- B. To pay monthly dues, fees and special assessments in a timely manner;
- C. To attend meetings of the Association;
- D. To support and participate in the projects and activities of the Association;
- E. Comply with all other duties as required by the association's By-Laws, policies, rules and regulations, and deed of restrictions.

Section 5. Membership Roll. The Association shall keep and maintain under the custody of the Secretary, a Membership Roll containing the list of all members, including information and data which may be required by the Association.

The Association shall strictly comply with all applicable laws, rules, and regulations governing data privacy and protection in the Philippines. The Association may collect, process, store, and use personal data of its members and residents only for legitimate and lawful purposes related to its functions and operations.

Section 6. Delinquent Members or Members Not in Good Standing. Unless otherwise provided in the By-Laws, a member may be declared delinquent or not in good standing by the Board on any of the following grounds:

- A. Failure to pay at least three (3) cumulative monthly dues or membership fees, and/or other charges and/or assessments despite repeated demands by the Association;
- B. Finding of repeated violation of and non-compliance with, including but not limited to, final orders and directives, pertinent laws, rules and regulations and policies issued by duly constituted authorities, and the association's By-Laws, policies or rules and regulations;
- C. Commission of conduct inimical to the interest of the association and/or the community as provided in the By-Laws and determined by the Board from competent proof and after due notice and hearing, to have been committed by the member; and
- D. Failure to attend membership meetings in person or by proxy without any justifiable reason for at least three (3) consecutive general membership meetings despite notice.

Section 7. Procedure in Declaring a Member Delinquent. The Board or a committee assigned by the Board shall observe the following procedure in declaring a member delinquent or not in good standing:

A. The Board or the Committee shall determine whether a member (1) failed to pay at least three (3) cumulative monthly dues, fees or other charges based on the report of the treasurer or as reflected in the association's financial records, or (2) repeatedly or grossly violated the By-Laws or policies of the association as reflected in the book of records of the association;

B. The President or the designated officer of the Association shall immediately notify the said member in writing of the violation and require him to explain in writing, within fifteen (15) days from receipt of notice, why he should not be declared delinquent.

C. After fifteen (15) days, with or without a written explanation, the President of the designated officer shall submit the matter to the Board or Committee for hearing and deliberation.

D. Thereafter, the member may be declared delinquent by the majority vote of the Board.

Section 8. Sanctions /Assessments against a Delinquent Member or a Member Not in Good Standing. The rights and privileges of a delinquent member are suspended upon the declaration of delinquency by the Board except for those provided by existing and relevant laws. Such suspension shall extend to his/her co-owner/homeowners or co-lessees, as applicable, and all members of his/her household or those residing in his/her property.

In addition to the suspension of rights and privileges, the Association shall have the authority to pursue legal action against such a member including imposing a lien upon the property for unpaid dues, fees, assessments, penalties, or any other financial obligation owed to the Association. Such lien shall:

A. Attach to the delinquent member's lot or residential property upon failure to pay after reasonable notice and demand;

B. Be subordinate only to real property tax obligations and duly registered government liens;

C. Be enforceable by the Association through judicial or administrative means, including foreclosure proceedings in accordance with applicable laws;

D. Remain in force until full payment of the obligation, including applicable interests, penalties, and legal fees;

- E. Be registered with the appropriate Registry of Deeds upon approval of the Board and after notice has been served to the delinquent member.

This lien right shall survive changes in ownership and shall be binding on successors and assigns until settled.

Nothing in these By-Laws shall prevent the Association from imposing other sanctions against the delinquent member in accordance with the By-Laws.

Section 9 . Reinstatement of a Delinquent Member or a Member Not in Good Standing. Unless otherwise provided in the By-Laws, the Board shall, by majority vote of those present at a meeting at which there is a quorum, reinstate the membership of the delinquent member or member not in good standing within ten (10) days from the receipt of proof of payment of the unpaid dues, fees or charges, or satisfaction of the sanctions imposed.

If the Board fails to reinstate the suspended member within the prescribed period through no fault of the delinquent member, such as but not limited to the failure of the Board to hold a meeting or muster a quorum, his/her membership shall automatically be deemed reinstated and all rights restored at the lapse of the prescribed period.

ARTICLE IV FEES AND DUES

Section 1. Membership Fee. In compliance with the duty of every member to register with the Association, members shall pay a one-time general membership fee with the amount determined by the Board.

Section 2. Association Dues and Other Fees. The Association shall charge dues and other fees necessary to operate the Association including covering costs to maintain amenities and facilities, and improve the community. The Board shall determine the rates of such fees and maintain a Schedule of Fees as basis for all fees charged by the Association..

Section 3. Contributions. The Association may raise funds for the programs and activities through voluntary contributions, solicitation and such either permitted by laws.

Section 4. Special Assessments. The Board, may, from time to time, assess and collect from each member reasonable amounts as may be necessary to fund special community projects for the common good and benefit of the association as approved by the majority of the members of the board and members of the association.

ARTICLE V BOARD OF DIRECTORS

Section 1. Composition, Election and Term of Office. The Association shall be governed and its affairs managed and controlled by the Board.

The Board shall be composed of seven (7) homeowners of good standing to be elected for a term of two (2) years or until successors are elected and qualified.

The Board shall be from among any members of the Association in good standing, and shall be elected by members in good standing.

The election shall be conducted every third Saturday of November at a venue to be determined and announced by the Election Committee (ELECOM). The ELECOM shall likewise determine and announce the official time of the election.

The specific voting mechanics shall be determined by the ELECOM and announced to the general membership prior to the election. Voting may be done through on-site voting at a designated venue, house-to-house voting, electronic or online voting, and other practical methods that would promote the participation, convenience, and security of the members, provided that necessary measures are implemented to safeguard the integrity of the election

Proxy voting is allowed, provided that the accomplished proxy form is submitted to the ELECOM at least three (3) days before the scheduled election date. A member in good standing may act as proxy for multiple members, provided each proxy is accompanied by a duly accomplished and signed proxy form. A member may also authorize an immediate household member living in the same property to vote on their behalf through a signed authorization letter, subject to verification by the Election Committee (ELECOM).

The Board by a majority vote of fifty percent plus one (50% + 1) in quorum will elect from among themselves the Officers of the Association.

Except as herein above provided, any other vacancies occurring in the Board either by resignation, death or incapacity, shall be filled by a majority vote of the members in good standing in a special election duly called and held for the purpose to fill the vacancy for the unexpired term of office of his/her predecessor in office.

Any member of the Board may be recalled and removed from the office by two-thirds ($\frac{2}{3}$) votes of all Association members in good standing present in quorum in a general meeting called for this purpose.

Section 2. Power of the Board of Directors.

- A. Extent of Powers. The Board shall exercise all the powers, expressly granted by these By-Laws, by existing and relevant laws, and government authorities, shall do all such lawful acts and things which is required to be exercised or done in order to implement the provisions of the Articles of Incorporation / By-Laws and / or to protect the interest of the Association, its members as well as their respective properties within the subdivision.
- B. Delegation. The Board may delegate to any Director / Member / Committee of the Association, in whole or in part such powers which could be lawfully delegated as it may be deemed necessary and proper, by means of resolution adopted for the purposes.
- C. Assessments. The Board is empowered to assess and collect from each member fees and such other amounts as may be required for the operation and activities of the Association. The assessment may be payable monthly, quarterly, semi-annually or at such times as may be fixed by the Board, and if not paid when due, will constitute a lien on the property for non-payment of dues and said assessment may be enforced by the Association through appropriate court actions.
- D. Power to Make Rules. In pursuance of the purposes mentioned in the Articles of Incorporation, the Board may promulgate, adapt and prescribe rules and regulations concerning the use of occupancy of the properties included within Eastville Subdivision.
- E. Power to Execute Contracts. All contracts, agreements and commitments for and on behalf of the Association shall be executed and signed under the authority of the Board or through the President or other duly constituted officer of the Association.

Section 3. Meetings

- A. Place and Date. The meeting of the Board may be held in the place of business of the Association or at such other places as may be agreed upon which is convenient to them. The President, Vice President or two members of the Board may call a meeting by means of a written notice made two (2) days in advance from the date of such meeting.
- B. Quorum. Four (4) members of the Board are sufficient to constitute a quorum for the transaction of business, and the decision of the majority of those present in a meeting constitute an act of the Board Directors and shall be valid in binding upon the Association.
- C. Order of Business. The order of Business shall be determined by the Board by means of a resolution to that effect. The meeting of the Board shall be presided by the President of the Board or in his absence by any member of the Board designated for such purpose.

ARTICLE VI EXECUTIVE OFFICERS

- Section 1. Officers. The officers of the Association shall be the President, Vice-President, Secretary, Treasurer, and Auditor. The officers shall be selected by majority vote of the Board.
- Section 2. Term of Office. The officers shall hold office for a term of two (2) years or until their successor shall have been elected and qualified. If the election officers cannot be held at such a meeting, the election shall be held thereafter as soon as it is convenient and practicable.
- Section 3. Compensation. Reasonable expenses incurred by the Board, directors and/or officers directly in connection with and necessary for the conduct of official activities may be reimbursed upon presentation of receipts and/or other documentary evidence in support of such claims.
- Section 4. Removal of Officers. Any officers of the Association may be removed by a majority vote of all members of the Board present in quorum whenever in its judgment the best interest of the Association will be served.
- Section 5. President. The President shall preside over all regular and special meetings of the general membership of the Association. The President shall exercise such powers and perform such duties incident to his/her office, and such other as may from time to time delegated to him/her by the Board.

The President shall:

- A. Preside at all meetings of the members and of the Board;
- B. Exercise general supervision over all the other officers of the Association;
- C. Represent the association in all activities to which it is a party or participant;
- D. Preside, in consultation with the appropriate officers and committees, a yearly program of activities and submit an annual report of the operations of the association to the members at the annual meeting, and to the board of directors or trustees such statements, report, memoranda and accounts as may be requested by the latter;
- E. Organize and supervise work groups among the members of the association;
- F. Exercise the power to create additional committees as may be necessary.

Section 6. Vice President. The Vice-President shall in the absence of the President perform the duties of the President. The Vice President shall exercise such powers and perform, such duties incident to his/her office and such other duties as may from time to time delegated to him by the Board.

Section 7. Treasurer. The Treasurer shall perform the following duties.

- A. Have custody of, and be responsible for, all the funds, securities, and bonds of the association, and keep a complete and accurate record of receipts and disbursements and other commercial transactions in the corresponding books of accounts of the association, and see to it that all disbursements and expenditures are evidenced by appropriate vouchers;
- B. Disburse the funds of the association, for specific purpose/s authorized by a resolution of the Board;
- C. Receive and give receipts for all moneys paid to the association from any source whatsoever and take charge and have custody of petty cash funds as may be fixed by the Board;
- D. Be responsible for keeping the financial records of the association and the liquidation of any and all accounts liabilities and obligations owing on dues from the association;
- E. Shall monitor all delinquencies and send notices on overdue association's dues and/or demand letters;
- F. In general, perform all the duties incident to the office of the Treasurer and such other duties as may from time to time be assigned to him by the Board. The Treasurer may delegate the routine duties of his/her office to one or more employees of the association with the approval of the President.

Section 8. Secretary. The Secretary shall perform the following:

- A. Keep full minutes of all meetings of the Board and of the General Assembly;
- B. Deliver or submit all notices in accordance with these By-Laws or as required by law or rules of the DHSUD or governing authority;
- C. Keep all corporate records and the seal of the association which shall be affixed to such instruments as may be required by the DHSUD or governing authority and there upon be attested by his/her signature;
- D. Keep a register or membership roll of the names and post office addresses of all members;

- E. In general, perform all duties incident to the office of the secretary and such other duties as may from time to time be assigned by the Board.

Section 9. Auditor. The Auditor shall be appointed by the Board and shall perform the following:

- A. Serve as the chairperson of the Audit and Inventory committee of the Association;
- B. Examine and audit all financial transactions of the association including all the books, ledgers, journals and other supporting records pertaining thereto; and
- C. Perform all duties incident to the office of the auditor and such other duties as may from time to time be assigned by the Board.

ARTICLE VII

COMMITTEES / ADDITIONAL OFFICERS

Section 1. Committees and Additional Officers. The Board may create or abolish Committees and/or Additional Officers, and shall have the power to appoint officers/employees as they deem proper and necessary, to implement the business of the Association.

Section 2. Committees. The Association shall organize and create the following committees:

- A. Grievance Committee. The members of the Grievance Committee shall be appointed by the Board. The committee shall accept and investigate complaints filed by a member against any other member or officer and shall settle or arbitrate any dispute within its power in the community. In the event that the grievance is not settled by the committee, its decision may be appealed to the Board.

Any controversy or dispute shall first be brought before the Board prior to elevating the same to HSAC or governing authority. In case of unresolved grievances, the Board, with the endorsement of the committee, shall issue a certification of non-settlement before HSAC shall take cognizance of the dispute or controversy.

- B. Audit and Inventory Committee. The committee shall be responsible for auditing the accounts of the association. It shall conduct audits at least semi-annually and submit its reports thereon to the Board.
- C. Development, Services and Maintenance Committee. The committee shall take charge of planning, coordination and actually operating the facilities and services of the association. It shall be organized into groups or councils, which shall form the backbone of the community service delivery system.

The committee shall also take charge of the upkeep and repair of community facilities and services. It shall form and organize the beautification/ecology team or group to maintain cleanliness and beauty in the community.

- D. Membership and Education Committee. The committee is responsible for keeping the members apprised of Association matters. It shall conduct information, educational and motivational campaigns and shall prepare and implement training activities designed to make the residents productive members of the Association.
- E. Financial Management Committee. Subject to the approval of the Board, the committee shall prepare the budget of the association and plan, adopt and implement canvassing, procurement, and disbursement guidelines for projects that will or may require the use of the association funds. The committee shall also serve as a coordinating body for all financial matters involving external institutions and shall evolve a savings campaign and other fund-raising activities.
- F. Social, Cultural Affairs and Livelihood Committee. The committee is tasked with planning, organizing and implementing social activities that will help improve interpersonal relations among the members.

The committee shall also plan and coordinate all economic programs designed to supplement the income of the Association. As such, it shall closely coordinate with the financial management committee in the preparations of feasibility studies and other proposals.

- G. Election Committee (ELECOM). There shall be an Election Committee which shall be composed of three (3) members appointed by the Board. It is tasked with presiding over election of the Board every two years or when required as per provisions on election under the Magna Carta for Homeowners and Homeowners Associations and its Implementing Rules and the By- Laws.

ARTICLE VIII

MEETING OF MEMBERS

- Section 1. Place of Meeting. Meeting of the general membership shall be held primarily at the Social Hall or Clubhouse of the Association. Meetings may be held at alternative venues (as in the case of emergencies) as long as Association members are informed ahead of time.

Regular and/or special meetings of the Association members may be conducted through electronic or remote communication such as teleconferencing, videoconferencing, or other alternative modes of communication, under extraordinary circumstances, or where

members cannot attend personally, or are prevented from physically attending such meetings.

- Section 2. Annual Meeting. The annual meeting of the members shall be held every third Saturday of November, at which meetings the members shall elect the Board and transact each other business as may properly be brought during the meeting.
- Section 3. Special Meeting. A special meeting shall be held at any time deemed by the Board, the President as necessary, or as provided in the By-Laws, or upon petition to the Board by thirty percent (30%) of the members in good standing.
- Section 4. Notice of Membership Meeting. Notice of meetings shall be sent to the members, personally or through any available means, at least two (2) weeks prior to the date of the meeting unless a different period is required by the By-Laws, and shall be posted at three (3) conspicuous places in the subdivision or community.
- Section 5. Quorum. The presence in person, or remotely via electronic media (i.e., teleconferencing, video conferencing, messaging, online voting, etc.) or by proxy of at least the majority of the members in good standing shall constitute a quorum for all meetings of members. Where a quorum is present, any action approved by the majority of the members shall be the act of the members, unless a greater number is required by law, or by these By-Laws.
- Section 6. Proxies in Meetings. Members may vote in person or by proxy in all meetings of members. Proxies shall be in writing, signed by the member and filed with the Secretary, in accordance with the schedule provided in the By-Laws or, in the absence of such provision in the By-Laws, as set by the Secretary. Unless otherwise provided in the proxy, it shall be valid only for the meeting for which it is intended. No proxy shall be valid and effective for a period longer than three (3) years at any one time unless earlier revoked by the member.
- Section 7. Annual Statement. A true and full statement of the affairs of the association shall be submitted at the annual meeting for consideration by the members.

ARTICLE IX

FINANCIAL TRANSACTIONS

- Section 1. Contracts. The Board may, by specific resolutions, authorize any officer or officers, or agents to enter any contract or execute and deliver any instrument in the name or on behalf of the Association.
- Section 2. Signing of Checks. All checks, drafts or other order of payments of money, and all notes, bonds or other evidence of indebtedness issued in the name of the Association shall be

signed jointly by the Treasurer and the President or other officers authorized by the Board.

Section 3. Deposits. All funds of the Association such as Association dues and membership fees, etc. shall be deposited from time to time to the credit of the Association in bank/s designated by the Board.

Section 4. Fiscal Year. The Fiscal Year of the Association shall be from January first to December 31st.

ARTICLE X LEGAL ACTIONS

Section 1. Authority to Pursue Legal Action and Use of Funds for Legal Services. The Board shall have the authority, acting on behalf of the Association, to initiate, pursue, or defend legal action as may be necessary to protect the rights, enforce the obligations, or advance the interests of the Association and its members, in accordance with the by-laws, governing documents, and applicable laws.

In the exercise of this authority, the Board may engage the services of legal counsel and use Association funds to cover related expenses, including but not limited to attorney's fees, court filing fees, mediation or arbitration costs, and other necessary legal expenditures.

All legal actions and disbursements for legal services shall:

- A. Be undertaken in good faith and in pursuit of the lawful objectives of the Association;
- B. Be supported by a resolution passed by a majority of the Board; and
- C. Be properly documented and reported to the members in accordance with the Association's financial reporting requirements.

This provision includes, but is not limited to, actions to collect unpaid dues, enforce deed restrictions or By-Laws, defend the Association against claims, or protect its assets and legal standing.

Section 2. Use of Association Funds for Legal Defense. The Board of Directors is authorized to use Association funds to secure legal representation and pay for legal expenses incurred in the defense of the Association, its officers, or directors, in any legal proceeding, claim, or action brought against them in connection with the lawful performance of their duties and responsibilities on behalf of the Association.

Such use of funds shall be subject to the following conditions:

- A. The legal matter must arise directly from actions taken in good faith and within the scope of the officer's or director's authority;
- B. The legal expenses must be reasonable, necessary, and properly documented;
- C. The Board shall secure a formal resolution prior to the disbursement of funds; and

- D. In the event of a final judgment finding gross negligence, willful misconduct, or bad faith, the Association reserves the right to recover such legal expenses from the individuals concerned.

This provision shall not preclude the Association from securing insurance coverage to protect its officers and directors from legal liability.

ARTICLE XI MISCELLANEOUS PROVISIONS

- Section 1. Board Rules and Regulations. The Board shall have the power to promulgate rules and regulations consistent with the law, the articles of incorporation or these By-Laws.
- Section 2. Amendments. These By-Laws or any portion or provision hereof may be amended, repealed or otherwise changed, upon initiation of the Board in any manner not contrary to law, the Articles of Incorporation, contracts, or agreements, at a duly called and held regular meeting, special meeting, or referendum, by the affirmative vote of a majority of the members, provided, however, that notice of such meeting or referendum, shall contain a fair statement of the proposed amendments.
- Section 3. Composition of the Board. Effective at the conclusion of the current Board of Directors' term, the number of directors constituting the Board shall be reduced to seven (7). This change shall take effect upon the election of the new board members at the next regular election following the expiration of the incumbents' term. Until such time, the existing members of Board, at their prerogative, may continue to serve their full term.
- Section 5. Current and Prior Actions of the Board. That each of the lawful acts of the Board from June 28, 2025 and any actions taken prior to the date hereof in connection with the transactions contemplated by the foregoing resolutions are hereby ratified, approved and confirmed.

These By-Laws are adopted and approved by the Board of Directors on 28th day of June 2025.

IN WITNESS WHEREOF, we have set our hands this 28th day of June 2025, at **Cainta, Rizal**.

<u>NAME</u>	<u>SIGNATURE</u>
1. Fausta Sylvia Alindayu	
2. Bernadette Concepcion	
3. Leonor Diaz	
4. Edison Cruz	
5. Lemuel Delos Reyes	
6. Juan Carlos Marco	
7. Alexander Maximo	
8. Carlos Edralyn Montaña Jr.	
9. Clement John Racela	
10. Joel Orduña	
11. Davidjohn Zuñiga	

SIGNED IN THE PRESENCE OF:
