

Ms. Brewer,

I'm writing in response to your Elections Challenge for the Encino Neighborhood Council Board Elections on September 16, 2012.

You stated that the Challenge was based on "Eligibility of Candidate" and acknowledge that the deadline for challenging the eligibility of a candidate was September 8, 2012.

The Challenge is rejected based on your failure to submit the challenge by the deadline.

If you had submitted the Challenge on time, it would still be rejected for the following reasons:

First, you claim that the Encino Neighborhood Council bylaws were not used. Your challenge is unsubstantiated and is contradicted by the facts. The Encino NC bylaws are posted online at the EmpowerLA elections page for the Encino NC, they were onsite at the ENC polling location, and the Candidates who were qualified and verified were done in accordance with the bylaws.

Second, Ms. George's candidate statement is offered as the foundation for your claim that she does not qualify for the Park Advocate/Environment Representative but her statement was not the basis for her verification so it simply falls short of a valid claim. It is incumbent on you to make the case that the Candidate does not qualify and failing to include verifying data in a Candidate Statement falls short of a credible or acceptable claim.

You have acknowledged that the Encino NC bylaws define the qualifications for the Park Advocate/Environment Representative seat with the preface "such as but not limited to." This lack of specificity leaves the list of qualifying organizations open and it goes on to allow candidates who are a "member of, or otherwise involved with a park, recreation center, or open space group..."

Your challenge is rejected twice, once for failing to be submitted by the deadline and again for failing to offer evidence that the Candidate failed to meet the requirements of the Park Advocate/Environment Representative seat.

Thank you for your commitment to the integrity of the Neighborhood Council electoral process.