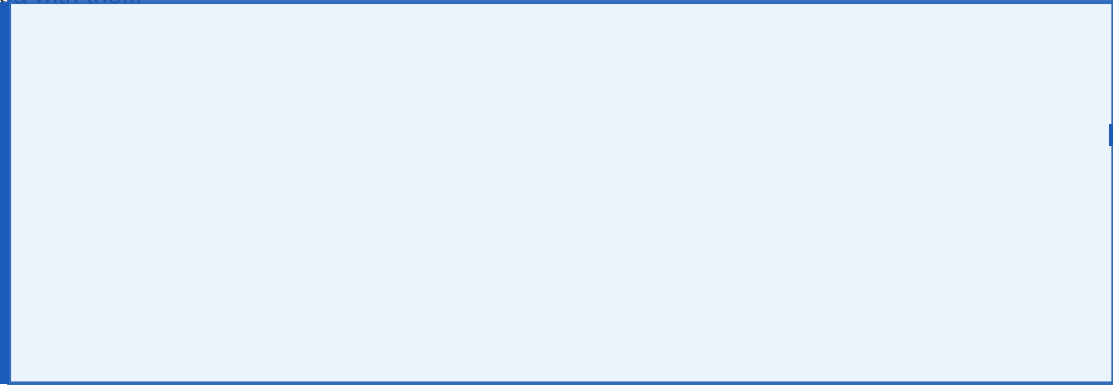


Section 1. - Sample Provision Excerpt (Public Preview)

General

There shall be only one class of members, whose rights and interests shall be equal. Membership in the Fig Garden Home Owners Association, a California corporation, shall be limited to adults of legally sound mind who own residential property and reside within the area, or who own or acquire ownership of residential property within the area with the

ISSUE #1



MARKUP #1 ->



MARKUP #1 · MISSING MANDATORY STATUTORY PROVISION

BOARD & COUNSEL REVIEW

Sec. 1. (p. 1): Election provisions omit mandatory Davis-Stirling secret ballot procedures and independent Inspector of Elections requirements under California Civil Code §§ 5105 - 5125.

Statutory / Legal Reference: Cal. Civ. Code §§ 5105, 5110 & 5115 (SB 323 / AB 2159)

Statutory Comparison: Under Cal. Civ. Code §§ 5105 and 5110, every association must adopt election operating rules and conduct specified elections through an independent third-party Inspector of Elections using secret double-envelope paper ballots (or compliant electronic secret ballots under AB 2159), with at least 30 days general notice of the nomination deadline and at least 30 days pre-ballot notice before ballots...

CURRENT WORDING IN DOCUMENT:

General There shall be only one class of members, whose rights and interests shall be equal. Membership in the Fig Garden Home Owners Association, a California corporation, shall be limited to adults of legally sound mind who own residential property and reside within the area, or who own or acquire ownership of residential property within the area with the...

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

General There shall be only one class of members, whose rights and interests shall be equal. Membership in the Fig Garden Home Owners Association, a California corporation, shall be limited to adults of legally sound mind who own residential property and reside within the area, or who own or acquire ownership of residential property within the area with the intent and purpose of becoming...