Section 27.4 - Sample Provision Excerpt (Public Preview)

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EXPENDITURES
continued
Landscape Maintenance
Tree Care
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ISSUE #1 olor
Irrigation
Landscape Costs
Legal Services
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Accounting Services
Computer Services
Reserve Study
Professional Services
Debt Service for NRLOC
Office Supplies
Printing & Copying
Postage & Shipping
Election Expenses
Permit...

MARKUP #1 ->

MARKUP #1 · POTENTIAL ISSUE FOR REVIEW · RESERVE / SIRS
BOARD & COUNSEL REVIEW

Sec. 27.4 (p. 1): Potential Issue for Review: Reserve provisions omit the mandatory 3-year visual reserve component inspection and annual Reserve Funding Plan disclosure requirements under California Civil Code §§ 5550 and 5300 - look for this language in other governing documents, standalone policies, or amendments that were not included in this review.

Statutory / Legal Reference: Cal. Civ. Code § 5550 & 5300(b)(3)

Statutory Comparison: Under Cal. Civ. Code § 5550, the board must cause a reasonably competent and diligent visual inspection of accessible major components to be conducted at least once every three (3) years, review the study annually, and include the Reserve Funding Plan and Assessment and Reserve Funding Disclosure Summary (Civil Code § 5570) in the Annual Budget Report under § 5300.

CURRENT WORDING IN DOCUMENT:
9/18/2017 1:08 PM EXPENDITURES continued Landscape Maintenance Tree Care Tree Removal/Storm Cleanup Planting & Color Irrigation Landscape Costs Legal Services Audit/Financial Review Accounting Services Computer Services Reserve Study Professional Services Debt Service for NRLOC Office Supplies Printing & Copying Postage & Shipping Election Expenses Permit...

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):
First look for this language in other governing documents, standalone policies/resolutions, or amendments not included in this review. If not already addressed in another document (and if applicable to this community), incorporate: Pursuant to California Civil Code §§ 5550 and 5300, the Board shall cause a diligent visual inspection of the accessible major components to be conducted at least once...