Section 7.05 - Sample Provision Excerpt (Public Preview)

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ISSUE #1

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MARKUP #1 ->

MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. 7.05 (p. 15): Board meeting notice or agenda provision conflicts with California Civil Code §§ 4920 and 4930 (4-day advance notice with posted agenda and ban on off-agenda board action).

Statutory / Legal Reference: Cal. Civ. Code § 4920 & 4930

Statutory Comparison: Under Cal. Civ. Code § 4920, unless the governing documents require a longer period of notice, the association must give members notice of the time and place of a board meeting (along with the meeting agenda) at least four (4) days before any non-emergency open board meeting, and at least two (2) days before a non-emergency executive session board meeting.

CURRENT WORDING IN DOCUMENT:

to time by resolution of the Board. The meeting place shall be within the Property unless, in the judgment of the governing oody, a larger meetina room is required other than that which is available within the Property.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Pursuant to California Civil Code §§ 4920 and 4930, the Association shall provide all members with general notice of the time and place of each non-emergency open Board meeting - including the meeting agenda - at least four (4) days prior to the meeting (and at least two (2) days prior to any non-emergency executive session meeting).