Section PART I - Sample Provision Excerpt (Public Preview)

after hearing and by majority vote, shall have the zight to suspend the voting rights and right of a member to use the recreational facilities of the Association for: His violation of the rules and regulation of the Association, provided that suspension for such cause thirty (30) days for any single violation.

ISSUE #1

MARKUP #1 ->

MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING — BOARD & COUNSEL REVIEW

Sec. PART I (p. 1): Sign or flag restriction conflicts with California Civil Code §§ 4705 and 4710 protections for the U.S. flag and noncommercial signs/banners.

Statutory / Legal Reference: Cal. Civ. Code § 4705 & 4710

Statutory Comparison: Under California Civil Code § 5105(g)(1), an association shall not deny a ballot to a member for any reason other than not being a member at the time when ballots are distributed; suspending voting rights for assessment delinquency or disciplinary infractions is strictly prohibited.

CURRENT WORDING IN DOCUMENT:
after hearing and by majority vote, shall have the zight to suspend the voting rights and right of a member to use the recreational facilities of the Association for: His violation of the rules and regulation of the Association, provided that suspension for such cause thirty (30) days for any single violation.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):
after hearing and by majority vote, shall have the zight to suspend the voting rights and right of a member to use the recreational facilities of the Association for: His violation of the rules and regulation of the Association, provided that suspension for such cause thirty (30) days for any single violation. [STATUTORY VOTING RIGHTS PROTECTION]: Pursuant to Cal. Civ. Code § 5105(g)(1), the Association shall not suspend a member's voting rights or deny a ballot for assessment delinquency or governing document violations.