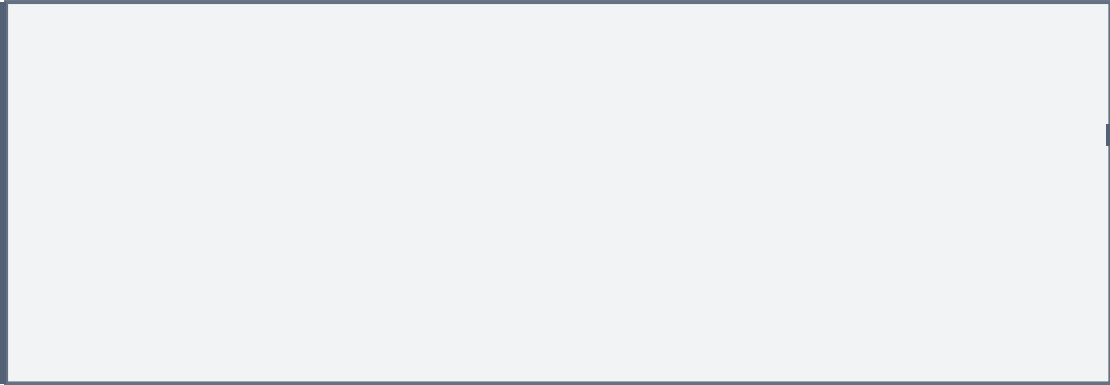




Section 5.05 - Sample Provision Excerpt (Public Preview)

the Board or in the notice of the meeting, or, if not so designated, at the principal office of the Corporation.
(B) Meetings Other Than In-Person - Any meeting may be held by telephone or electronic conference or similar communication method, as long as each Director participating in such meeting has the ability to participate.

ISSUE #1



MARKUP #1 ->

MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. 5.05 (p. 18): 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:

the Board or in the notice of the meeting, or, if not so designated, at the principal office of the Corporation.
(B) Meetings Other Than In-Person - Any meeting may be held by telephone or electronic conference or similar communication method, as long as each Director participating in such meeting has the ability to participate.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

the Board or in the notice of the meeting, or, if not so designated, at the principal office of the Corporation.
(B) Meetings Other Than In-Person - Any meeting may be held by telephone or electronic conference or similar communication method, as long as each Director participating in such meeting has the ability to participate.