

Section RATION - Sample Provision Excerpt (Public Preview)

IN WITNESS WHEREOF, said CORPORATION OF AMERICA,
has caused
these presents
as such Irustee,
tobe executed by an officer, to-wit: Carl Kirlin, Assistant Cashier
of the BANK OF AKBRICA NATIONAL TRST AND SAVINGS ASSOCIATION, and ex-officio agent of said
by virtue of a resolution of the Board of Directors of sald Corporation
hieretofore..

ISSUE #1

MARKUP #1 ->



MARKUP #1 · MISSING MANDATORY STATUTORY PROVISION

BOARD & COUNSEL REVIEW

Sec. RATION (p. 4): 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:

IN WITNESS WHEREOF, said CORPORATION OF AMERICA, has caused these presents as such Irustee, tobe executed by an officer, to-wit: Carl Kirlin, Assistant Cashier of the BANK OF AKBRICA NATIONAL TRST AND SAVINGS ASSOCIATION, and ex-officio agent of said ORPORATION OF' AMBRICA, by virtue of a resolution of the Board of Directors of sald Corporation hieretofore...

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

IN WITNESS WHEREOF, said CORPORATION OF AMERICA, has caused these presents as such Irustee, tobe executed by an officer, to-wit: Carl Kirlin, Assistant Cashier of the BANK OF AKBRICA NATIONAL TRST AND SAVINGS ASSOCIATION, and ex-officio agent of said ORPORATION OF' AMBRICA, by virtue of a resolution of the Board of Directors of sald Corporation hieretofore recorded in the aforesaid...