

Section 1 - Sample Provision Excerpt (Public Preview)

- a) Any resident or property owner age 18 or older within the boundaries of the Association shall be eligible for membership in this Association.
- b) Property owners and residents, upon payment of annual membership fees, shall be termed "Active Members" and shall be entitled to vote.
- Bylaws of the Riviera Homeowners Association, cont.
- c) Past Presidents and other persons who have contributed to the Association in

ISSUE #1 distinguished way, may, upon majority vote of the Board of Directors (hereafter referred to as...



MARKUP #1 ->



MARKUP #1 · MISSING MANDATORY STATUTORY PROVISION

BOARD & COUNSEL REVIEW

Sec. 1 (p. 1): 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 are distributed.

CURRENT WORDING IN DOCUMENT:

a) Any resident or property owner age 18 or older within the boundaries of the Association shall be eligible for membership in this Association. b) Property owners and residents, upon payment of annual membership fees, shall be termed "Active Members" and shall be entitled to vote. Bylaws of the Riviera Homeowners Association, cont. c) Past Presidents and other persons who have contributed to the Association in a distinguished way, may, upon majority vote of the Board of Directors (hereafter referred to as...

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

a) Any resident or property owner age 18 or older within the boundaries of the Association shall be eligible for membership in this Association. b) Property owners and residents, upon payment of annual membership fees, shall be termed "Active Members" and shall be entitled to vote. Bylaws of the Riviera Homeowners Association, cont. c) Past Presidents and other persons who have contributed to the Association in a distinguished way, may, upon majority vote of the Board of Directors (hereafter referred to as "Board"), be accorded "Honorary Life Membership." Such honorary status will not be restricted to the...