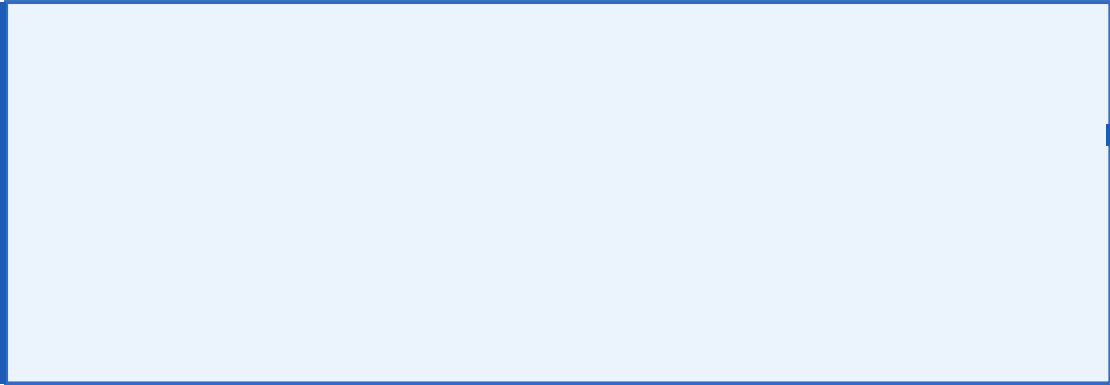


Section 1. - Sample Provision Excerpt (Public Preview)

Eligibility

A. Any adult resident or residential property owner of the neighborhood who subscribes to the purpose of the Association shall be eligible for membership.

ISSUE #1



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...

CURRENT WORDING IN DOCUMENT:

Eligibility A. Any adult resident or residential property owner of the neighborhood who subscribes to the purpose of the Association shall be eligible for membership.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Pursuant to California Civil Code §§ 5100 - 5145, the Association shall maintain compliant Election Operating Rules providing for equal access to Association media,...