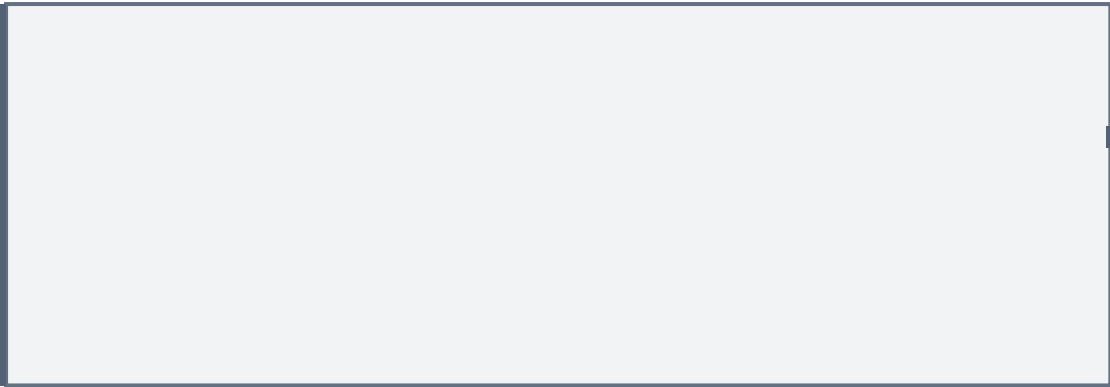


Section 3 - Sample Provision Excerpt (Public Preview)

Antennae: All antennae are restricted per the Declaration in Section 7.5 except "Authorized Antennae" as defined in the Declaration. Prior to installing any Authorized Antennae, satellite dish or other communication device, the design, installation location and use must be reported to the Committee in compliance with Section 7.

ISSUE #1



MARKUP #1 ->



MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. 3 (p. 3): Disciplinary fine provision conflicts with California AB 130 (Cal. Civ. Code §§ 5850(c)-(e) & 5855) by authorizing non-health/safety fines exceeding \$100 per violation, imposing interest or late fees on unpaid fines, or denying the mandatory pre-hearing cure right.

Statutory / Legal Reference: Cal. Civ. Code § 5850(c)-(e) & 5855 (AB 130, enacted June 30, 2025)

Statutory Comparison: The FCC Over-the-Air Reception Devices rule (47 C.F.R. § 1.4000, as expanded by the 2021 OTARD Report and Order, FCC 21-10) preempts community association restrictions that prohibit, charge application fees for, require prior architectural approval for, or impose sub-1-meter (39.37-inch) diameter caps on the installation, maintenance, or use of television broadcast antennas, direct-broadcast...

CURRENT WORDING IN DOCUMENT:

Antennae: All antennae are restricted per the Declaration in Section 7.5 except "Authorized Antennae" as defined in the Declaration. Prior to installing any Authorized Antennae, satellite dish or other communication device, the design, installation location and use must be reported to the Committee in compliance with Section 7.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Code, with the more restrictive in compliance. No current or future views from any lot, residence or any portion of the community are guaranteed and the Architectural Committee is not required to take the impact of any view into consideration in connection with the approval of any improvement. b. Dwelling Unit Improvements: Heights of improvements are restricted to the maximum height of the...