ISSUE #1

Section 4.2 - Sample Provision Excerpt (Public Preview)

Only Members in good standing shall be entitled to vote on any issue or matter presented to the Mem...

MARKUP #1 ->

MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. 4.2 (p. 1): Unlawful Voting Suspension or "Good Standing" Disqualification: Clause strips member voting rights without statutory authority/due process or conditions records inspection/meeting notice on assessment "Good Standing" in violation of CA law.

Statutory / Legal Reference: Cal. Civ. Code § 5105(g)(1)

Statutory Comparison: Under Cal. Civ. Code § 5105(g)(1), associations may not strip member voting rights (prohibited outright in TX, CA, and NJ elections, and subject to strict statutory delinquency floors and prior written notice/hearing in FL, GA, and other states), and may never condition statutory records inspection or meeting notices on assessment "Good Standing." Entity Scope Qualification: Confirm whether this entity operates as a residential common-interest community, a sub-association vs. master association, or a commercial/recreational club, as residential HOA/Condominium statutory mandates apply only to qualifying residential common-interest associations.

CURRENT WORDING IN DOCUMENT:

Only Members in good standing shall be entitled to vote on any issue or matter presented to the Mem...

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Amend Section 4.2 to preserve member voting rights, meeting notices, and records inspection rights in compliance with Cal. Civ. Code § 5105(g)(1).