ISSUE #1

**Section m - Sample Provision Excerpt (Public Preview)**

The Board may suspend the voting rights and right to use any recreational facilities if applicable, and located on the Common Area of an Owner who is in default in the payment of any assessment for any period during which such assessment remains unpaid, and for a period not to exceed thirty (30) days...

MARKUP #1 ->



MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

**Sec. m (p. 1): Covenant suspending member voting rights is void under California Civil Code § 5105(g).**

**Statutory / Legal Reference: Cal. Civ. Code § 5105(g)(1) (Davis-Stirling Act)**

Statutory Comparison: Under California Civil Code § 5105(g)(1), an association shall not deny a ballot to a member for any reason other than not being a member at the time when ballots are distributed; suspending voting rights for assessment delinquency or disciplinary infractions is strictly prohibited.

CURRENT WORDING IN DOCUMENT:

The Board may suspend the voting rights and right to use any recreational facilities if applicable, and located on the Common Area of an Owner who is in default in the payment of any assessment for any period during which such assessment remains unpaid, and for a period not to exceed thirty (30) days...

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

**Pursuant to Cal. Civ. Code § 5105(g)(1), the Association shall not suspend a member's voting rights or deny a ballot for assessment delinquency or governing document violations.**