Section 1. - Sample Provision Excerpt (Public Preview)

suspend the voting rights and right to use of the recreational facilities of a member during any period in which such me
shall be in default in the payment of any assessment levied by the Association.

ISSUE #1

MARKUP #1 ->

MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING — BOARD & COUNSEL REVIEW

Sec. 1. (p. 3): Open Board Meeting, Action Without Meeting, or Member Governance Defect: Clause authorizes unnotified board meetings or unilateral board action by written/email consent outside open noticed meetings, or unlawfully restricts member governance rights under CA law.

Statutory / Legal Reference: Cal. Civ. Code §§ 4910, 4920, 4935 (Open Meeting Act - Ban on Action Without Meeting)

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:
suspend the voting rights and right to use of the recreational facilities of a member during any period in which such member shall be in default in the payment of any assessment levied by the Association.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):
suspend the voting rights and right to use of the recreational facilities of a member during any period in which such member shall be in default in the payment of any assessment levied by the Association. [STATUTORY VOTING RIGHTS PROTECTION]: 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.