

Section II - Sample Provision Excerpt (Public Preview)

Offices
The principal office of the association in the State of California shall be located in the City of Walnut Creek, County of Contra Costa, at such addresses, as shall from time to time be fixed by the Board of Directors, and the Board of Directors is hereby granted full power and authority to change said principal office from one location to another...

ISSUE #1



MARKUP #1 ->



MARKUP #1 · MISSING MANDATORY STATUTORY PROVISION

BOARD & COUNSEL REVIEW

Sec. II (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:

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SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Offices The principal office of the association in the State of California shall be located in the City of Walnut Creek, County of Contra Costa, at such addresses, as shall from time to time be fixed by the Board of Directors, and the Board of Directors is hereby granted full power and authority to change said principal office from one location to another within the City of Walnut Creek, County...