

Section 8 - Sample Provision Excerpt (Public Preview)

RESIGNATION ETC. OF ENTIRE BOARD. In case the entire executive board shall die or resign or otherwise cease to be members of the executive board any member of the association may call a special meeting of the association in the same manner that the president may call such meetings, and members of the executive board for the unexpired term may be elected at...

ISSUE #1



MARKUP #1 ->



MARKUP #1 · MISSING MANDATORY STATUTORY PROVISION

BOARD & COUNSEL REVIEW

Sec. 8 (p. 4): Governing documents omit the Conn. Gen. Stat. § 47-258(m) statutory prerequisites to commencing a lien foreclosure action (2-month common expense delinquency threshold, written demand/payment plan policy, and formal Executive Board vote).

Statutory / Legal Reference: Conn. Gen. Stat. § 47-258(m)

Statutory Comparison: Under Conn. Gen. Stat. § 47-258(m), an association may not commence an action to foreclose a lien on a unit unless: (1) the unit owner owes a sum equal to at least two months of common expense assessments; (2) the association has made a demand for payment in a record and complied with its collection/payment plan policy; and (3) the executive board has formally voted to commence a foreclosure...

CURRENT WORDING IN DOCUMENT:

RESIGNATION ETC. OF ENTIRE BOARD. In case the entire executive board shall die or resign or otherwise cease to be members of the executive board any member of the association may call a special meeting of the association in the same manner that the president may call such meetings, and members of the executive board for the unexpired term may be elected at...

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Pursuant to Conn. Gen. Stat. § 47-258(m), the Association shall not commence an action to foreclose a statutory assessment lien against a Unit unless the Unit Owner owes at least two (2) months of common expense assessments, the Association has...