



SECTION 4: SUSPENSION OF VOTING RIGHTS

The Association shall have the right to suspend the voting rights of any member for any period during which an assessment levied by the Association against the member’s Lot remains unpaid, upon the member’s violation of any of the covenants and restrictions of Prairie Fields Subdivision or upon the member’s violation of any Bylaws of the Association. Notwithstanding the foregoing, no member’s voting rights shall be suspended until written notice of such suspension is served upon such member. Such written notice shall be deemed delivered when deposited in the United States mail addressed to the member at his or her address as it appears on the records of the corporation, with postage prepaid. Any voting rights so suspended shall remain suspended until the unpaid assessments are paid in full or until the violation of the covenants and restrictions and/or the By- laws are cured.

ARTICLE II: MEETINGS OF MEMBERS

SECTION 1. ANNUAL MEETING

An annual meeting shall be held on the fourth Thursday of each January for the purpose of electing directors and for the transaction of such other business as may come before the meeting. Notwithstanding the foregoing, the Board of Directors may elect to conduct the election of Board members, and the voting on any other matter by the Members, by ballot rather than holding an actual meeting, pursuant to the procedures set forth in Article II, Section 5 herein.

SECTION 2. SPECIAL MEETINGS

Special meetings of the members may be called either by the President, the Board of Directors, or by the voting members having, in the aggregate, not less than ten percent (10%) of the total votes of the Association, for the purpose or purposes stated in the notice of the meeting.

SECTION 3. PLACE OF MEETING

The Board of Directors may designate any place as the place of the meeting for any annual meeting or for any special meeting called by the board of directors. Any special meeting called by the President or the members shall likewise be held at any place designated in the notice of the meeting as set forth in Article II Section 4 below.

SECTION 4. NOTICE OF MEETING

Written notice stating the place, date, and time of the meeting of members shall be delivered to each member entitled to vote at such meeting not less than ten nor more than ninety (90) days before the date of such meeting. In case of a special meeting, the purpose for which the meeting is called shall be stated in the notice. Such notice may be delivered by any means permitted by the Illinois General Not For Profit Act. If mailed, the notice of a meeting shall be deemed delivered when deposited in the United States mail addressed to the member at his or her address as it appears on the records of the corporation, with postage prepaid. When a meeting is adjourned to another time or place, notice need not be given of the adjourned meeting if the time and place thereof are announced at the meeting at which the adjournment is taken.

SECTION 5. INFORMAL ACTION BY MEMBERS

(a) Any action required to be taken at a meeting of the members of the corporation, or any other action which may be taken at a meeting of members, may be taken without a meeting if a



Sec. 2 (p. 2): 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 IL law.

Statutory / Legal Reference: 805 ILCS 105/ (General Not For Profit Corporation Act); 765 ILCS 160/ (Common Interest Community Association Act)

Statutory Comparison: Under 805 ILCS 105/ (General Not For Profit Corporation Act); 765 ILCS 160/ (Common Interest Community Association Act), 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."

CURRENT WORDING IN DOCUMENT:

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SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Amend Section 2 to preserve member voting rights, meeting notices, and records inspection rights in compliance with 805 ILCS 105/ (General Not For Profit Corporation Act); 765 ILCS 160/ (Common Interest Community Association Act).