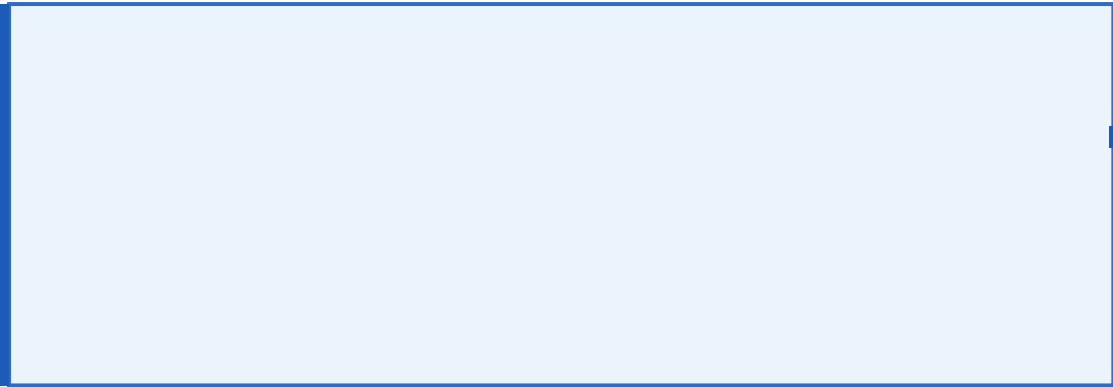


Section II - Sample Provision Excerpt (Public Preview)

Declaration

The Association, together with the Owners whom are the owners of Units constructed upon the Tract hereby expressly declare that said Units and Tract shall be deemed to be a part of the Property and shall be a Horizontal Property Regime in accordance with the provisions of the Act.

ISSUE #1



MARKUP #1 ->



MARKUP #1 · POTENTIAL ISSUE FOR REVIEW

BOARD & COUNSEL REVIEW

Sec. II (p. 5): Potential Issue for Review: Uploaded documents do not include pre-litigation Grievance Resolution Procedure (written claim notice, 10-day response, face-to-face negotiation meeting, and impasse mediation) required by Ind. Code § 32-25.5-5 - look for this language in other governing documents, standalone board policies/resolutions, Rules & Regulations, or amendments that were not included in this review (and confirm any applicable statutory threshold).

Statutory / Legal Reference: Ind. Code § 32-25.5-5-1 to 32-25.5-5-17

Statutory Comparison: Under Ind. Code § 32-25.5-5, neither the board nor a member may initiate a civil lawsuit regarding a non-exempt HOA dispute unless the claimant has first served a formal written claim notice, allowed 10 days for a response, participated in an in-person negotiation meeting within 10 days thereafter, and offered mediation upon impasse.

CURRENT WORDING IN DOCUMENT:

Declaration The Association, together with the Owners whom are the owners of Units constructed upon the Tract hereby expressly declare that said Units and Tract shall be deemed to be a part of the Property and shall be a Horizontal Property Regime in accordance with the provisions of the Act.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

First look for this language in other governing documents, standalone policies/resolutions, or amendments not included in this review. If not already addressed in another document (and if applicable to this community), incorporate: Pursuant to Ind.