Section I - Sample Provision Excerpt (Public Preview)

Guide maintenance and beautification of common areas in the Association;
2. Recommend contractors for maintenance work, as necessary;

ISSUE #1

MARKUP #1 ->

MARKUP #1 · POTENTIAL ISSUE FOR REVIEW

BOARD & COUNSEL REVIEW

Sec. I (p. 3): 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:
Guide maintenance and beautification of common areas in the Association; 2. Recommend contractors for maintenance work, as necessary;

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.