



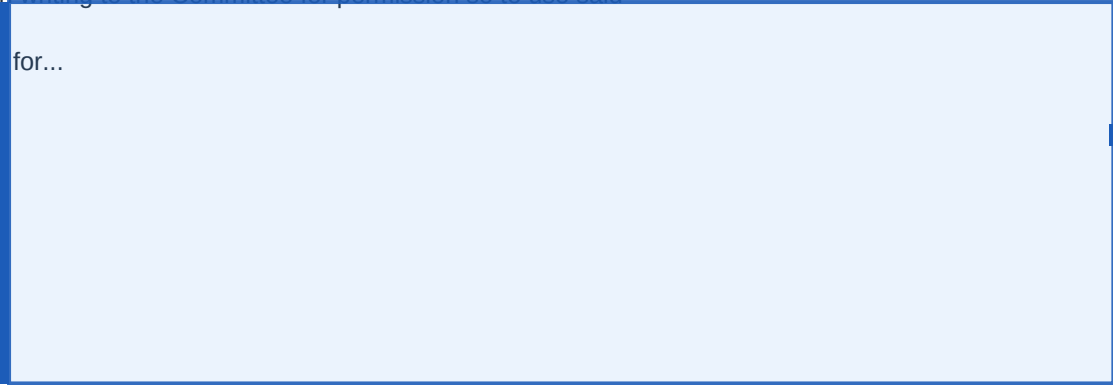
Section RULES GOVERNING BUILDING ON SEVERAL CONTIGUOUS LOTS HAVING - Sample Provision Excerpt (Public)

RULES GOVERNING BUILDING ON SEVERAL CONTIGUOUS LOTS HAVING ONE OWNER.

Whenever two or more contiguous lots in the Development shall be owned by the same person, and such owner shall desire to use two or more of said lots as a site for a single dwelling house, he Shall apply in writing to the Committee for permission so to use said

ISSUE #1

If permission for...



MARKUP #1 ->

MARKUP #1 · MISSING MANDATORY STATUTORY PROVISION

BOARD & COUNSEL REVIEW

Sec. RULES GOVERNING BUILDING ON SEVERAL CONTIGUOUS LOTS HAVING (p. 9): Governing documents omit the mandatory 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.

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:

RULES GOVERNING BUILDING ON SEVERAL CONTIGUOUS LOTS HAVING ONE OWNER. Whenever two or more contiguous lots in the Development shall be owned by the same person, and such owner shall desire to use two or more of said lots as a site for a single dwelling house, he Shall apply in writing to the Committee for permission so to use said lots. If permission for...

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Pursuant to Ind. Code § 32-25.5-5, prior to initiating any non-exempt civil legal proceeding, the claimant (whether the Board or a Member) shall serve a written claim notice describing the nature of the claim and proposed resolution, allow ten (10) days for a...