

Section C - Sample Provision Excerpt (Public Preview)

Special Assessments for Capital Improvements and Operating Deficits.
In addition to the regular assessments authorized above, the Association may levy a special assessment for the purpose of defraying, in whole or in part, the cost of any construction, reconstruction, repair or replacement of a capital improvement, which the Association required to maintain...

ISSUE #1



MARKUP #1 ->



MARKUP #1 · POTENTIAL ISSUE FOR REVIEW

BOARD & COUNSEL REVIEW

Sec. C (p. 4): Potential Issue for Review: Uploaded documents do not include 15-day prior written notice and 5-day pre-effective hearing procedure required before fining or suspending a member under Iowa Code § 504.622 - 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: Iowa Code § 504.622 (Revised Iowa Nonprofit Corporation Act, Iowa Code Ch. 504)

Statutory Comparison: Under Iowa Code § 504.622 (Revised Iowa Nonprofit Corporation Act, Iowa Code Ch. 504), an association may not discipline, fine, or suspend a member except pursuant to a written procedure providing not less than 15 days' prior written notice of the proposed action and the reasons therefor, and an opportunity for the member to be heard, orally or in writing, not less than 5 days before the...

CURRENT WORDING IN DOCUMENT:

Special Assessments for Capital Improvements and Operating Deficits. In addition to the regular assessments authorized above, the Association may levy a special assessment for the purpose of defraying, in whole or in part, the cost of any construction, reconstruction, repair or replacement of a capital improvement, which the Association required to maintain...

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 Iowa Code § 504.622 (Revised Iowa Nonprofit Corporation Act, Iowa Code Ch.