

Section 6.1 - Sample Provision Excerpt (Public Preview)

Imposition of Regular Assessments. For the purpose of providing a general fund to enable the Association to perform and exercise the rights, powers and duties set out in Article V, all lots subject to this Declaration shall be and hereby are made subject to an annual assessment.

ISSUE #1



MARKUP #1 ->



MARKUP #1 · POTENTIAL ISSUE FOR REVIEW

BOARD & COUNSEL REVIEW

Sec. 6.1 (p. 5): Potential Issue for Review: Uploaded documents do not include Kansas Uniform Common Interest Owners Bill of Rights Act (UCIOBRA) procedures for 5-year record retention, 10-day owner inspection (K.S.A. § 58-4616), and open board meetings with owner comment periods (K.S.A. § 58-4610) - 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: K.S.A. §§ 58-4608, 58-4610 & 58-4616 (Kansas UCIOBRA)

Statutory Comparison: Under the Kansas Uniform Common Interest Owners Bill of Rights Act (K.S.A. §§ 58-4601 to 58-4623), which supersedes conflicting governing document provisions, associations must maintain specified financial and governance records for 5 years and provide owner inspection upon 10 days' notice (§ 58-4616), hold open board meetings with 5 days' advance notice and an owner comment period (§ 58-4610),...

CURRENT WORDING IN DOCUMENT:

Imposition of Regular Assessments. For the purpose of providing a general fund to enable the Association to perform and exercise the rights, powers and duties set out in Article V, all lots subject to this Declaration shall be and hereby are made subject to an annual assessment.

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: In accordance with the Kansas Uniform Common Interest Owners Bill of Rights Act, all Board meetings shall be open to Unit Owners with at least five (5) days' advance...