

Section 4.6 - Sample Provision Excerpt (Public Preview)

A vote of any member may be cast by a proxy person. Each proxy must be filed in writing with the Secretary prior to the commencement of the meeting.

ISSUE #1



MARKUP #1 ->



MARKUP #1 · MISSING MANDATORY STATUTORY PROVISION

BOARD & COUNSEL REVIEW

Sec. 4.6 (p. 3): Governing documents omit the mandatory Maine Condominium Act (33 M.R.S. § 1603-103(c)) 30-day budget summary delivery and 14-to-30-day unit owner budget ratification meeting procedure.

Statutory / Legal Reference: 33 M.R.S. § 1603-103(c)

Statutory Comparison: Under 33 M.R.S. § 1603-103(c), within 30 days after adoption of any proposed budget by the executive board, the board must provide a summary to all unit owners and schedule a ratification meeting between 14 and 30 days after mailing the summary. Unless rejected by a majority of all unit owners (or a larger vote specified in the declaration), the budget is ratified regardless of quorum.

CURRENT WORDING IN DOCUMENT:

A vote of any member may be cast by a proxy person. Each proxy must be filed in writing with the Secretary prior to the commencement of the meeting.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Pursuant to 33 M.R.S. § 1603-103(c), within thirty (30) days after adoption of any proposed budget, the Executive Board shall provide a summary of the budget to all Unit Owners and set a date for a Unit Owner meeting not less than fourteen (14) nor more than thirty (30)...