Section VII - Sample Provision Excerpt (Public Preview)

A volunteer Officer or Director of the Corporation shall not be personally liable to the Corporation or its members for monetary damages for a breach of fiduciary duty as an Officer or Director, except for liability:
(a) for any breach of an Officer's or Director's duty of loyalty to the Corporation or its members;
(b) for acts or omissions not in good...

ISSUE #1

MARKUP #1 ->

MARKUP #1 · POTENTIAL ISSUE FOR REVIEW

BOARD & COUNSEL REVIEW

Sec. VII (p. 3): Potential Issue for Review: Uploaded documents do not include written Solar Energy Policy Statement and 30-day application review window required by the Michigan Homeowners' Energy Policy Act (2024 PA 68 / HB 5028) - 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: Michigan Homeowners' Energy Policy Act (2024 PA 68 / HB 5028, MCL 559.307 - 559.311)

Statutory Comparison: Under 2024 PA 68 (HB 5028), every homeowners association must adopt a written solar energy policy statement setting forth the association's standards for rooftop solar energy systems (which may not increase installation costs by more than $1,000 or reduce production by more than 10%) and must approve or deny applications in writing within 30 days.

CURRENT WORDING IN DOCUMENT:
A volunteer Officer or Director of the Corporation shall not be personally liable to the Corporation or its members for monetary damages for a breach of fiduciary duty as an Officer or Director, except for liability:
(a) for any breach of an Officer's or Director's duty of loyalty to the Corporation or its members;
(b) for acts or omissions not in good...

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 Michigan Homeowners' Energy Policy Act (2024 PA 68), the Board shall maintain and make available to all Members a written Solar Energy Policy...