

Section 1: [Consolidated Master Deed & Bylaws Article II (Assessments)] Annual Assessments, January 31 Due Date, &

MARKUP #1 ->

All Co-owners are obligated to pay annual assessments levied by the Board of Directors to meet common expenses of the Condominium Project (set at \$265.00 per unit for the 2026 calendar year). Annual assessments are due and payable no later than January 31 of each year; any assessment not paid by January 31 shall be assessed a late fee of \$10.00 per month until paid in full. Unpaid assessments, late fees, fines, interest, and collection costs including actual attorneys' fees constitute a lien upon the Unit enforceable by judicial action or foreclosure by advertisement pursuant to the Michigan Condominium Act.

Section 2: [Bylaws Article VI (Restrictions - Leasing of Units)] Leasing Notice, Copy of Lease Submission, and Tenant

A Co-owner desiring to rent or lease a Unit for a term longer than thirty (30) consecutive days shall disclose that fact in writing to the Association at least ten (10) days before presenting a lease form to a potential lessee, and at the same time shall supply the Association with a copy of the exact lease form for its review for compliance with the Condominium Documents. Tenants and non-co-owner occupants shall comply with all conditions of the Condominium Documents.

ISSUE #1

Section 3: [Bylaws Article VI (Restrictions - Signs, Antennas, and Solar)] Restrictions on Exterior Signs, Antennas, and

No signs or other advertising devices of any kind shall be displayed which are visible from the exterior of a Unit or on the Common Elements, including 'For Sale' signs, without written permission from the Association, except one (1) standard real estate sign during active marketing. No exterior radio or television antenna, satellite dish, or rooftop energy collector shall be installed without prior written approval of the Board of Directors.

Section 4: [Bylaws Article VIII & Article IX (Quorum, Voting, and Amendments)] Quorum Adjustments and Board Autho

The presence in person or by proxy (or written vote) of Co-owners qualified to vote as set forth in the Bylaws shall constitute a quorum for holding a meeting of the members of the Association. The Board of Directors may amend the Master Deed and Bylaws without the consent of Co-owners or mortgagees where such amendment does not materially alter or change the rights of a Co-owner or mortgagee, as permitted by MCL 559.190.

Section 5: [Bylaws Article XIX (Remedies for Default and Fines)] Assessment of Fines and Recovery of Attorneys' Fees

Any default by a Co-owner in complying with the Master Deed, Bylaws, or Rules and Regulations shall entitle the Association to recover the costs of the proceeding and such reasonable attorneys' fees as may be determined by the court, and the Board of Directors may levy monetary fines against a defaulting Co-owner after notice and an opportunity to appear before the Board and offer evidence in defense of the alleged violation.

MARKUP #1 · CONFLICTS WITH FED LAW

BOARD & COUNSEL REVIEW

Sec. 3 (p. 1): Blanket ban, sub-1-meter size cap, or prior approval requirement on satellite dishes or antennas is preempted by federal FCC OTARD regulations.

Statutory / Legal Reference: 47 C.F.R. § 1.4000 (FCC OTARD Rule)

Statutory Comparison: The FCC Over-the-Air Reception Devices rule (47 C.F.R. § 1.4000, as expanded by the 2021 OTARD Report and Order, FCC 21-10) preempts community association restrictions that prohibit, charge application fees for, require prior architectural approval for, or impose sub-1-meter (39.37-inch) diameter caps on the installation, maintenance, or use of television broadcast antennas, direct-broadcast satellite dishes 1 meter or less in diameter, and fixed wireless broadband antennas (including hub and relay antennas) situated on property within the exclusive use or control of the owner/tenant.

CURRENT WORDING IN DOCUMENT:

[Bylaws Article VI (Restrictions - Signs, Antennas, and Solar)] Restrictions on Exterior Signs, Antennas, and No signs or other advertising devices of any kind shall be displayed which are visible from the exterior of a Unit or on the Common Elements, including 'For Sale' signs, without written permission from the Association, except one (1) standard real estate sign during active marketing.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Provided that this restriction shall not prohibit or require prior approval for any owner or occupant installing an antenna, fixed wireless broadband hub/relay device, or satellite dish of one meter (39.37 inches) or less in diameter within areas under the owner's or occupant's exclusive use or control, in accordance with FCC OTARD regulations (47 C.F.R. § 1.4000).