

Section 3.2 - Sample Provision Excerpt (Public Preview)

AUTHORITY. The Board of Directors of the Association shall have the general management of its affairs and shall elect all officers of the Association. In addition to the powers and authorities by these bylaws expressly conferred upon it, the Board of Directors may exercise all of such powers of the Association and do all such lawful acts and things as are...

ISSUE #1



MARKUP #1 ->



MARKUP #1 · POTENTIAL ISSUE FOR REVIEW · RESERVE / SIRS

BOARD & COUNSEL REVIEW

Sec. 3.2 (p. 3): Potential Issue for Review: Uploaded documents do not include MCIOA requirement to fund adequate replacement reserves and re-evaluate reserve adequacy at least once every third year - 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: Minn. Stat. § 515B.3-114(a)(2) & 515B.3-1141

Statutory Comparison: Under Minn. Stat. §§ 515B.3-114(a)(2) and 515B.3-1141, the association must include adequate replacement reserves in its annual budget and must re-evaluate the adequacy of its budgeted replacement reserves at least every third year after the recording of the declaration.

CURRENT WORDING IN DOCUMENT:

AUTHORITY. The Board of Directors of the Association shall have the general management of its affairs and shall elect all officers of the Association. In addition to the powers and authorities by these bylaws expressly conferred upon it, the Board of Directors may exercise all of such powers of the Association and do all such lawful acts and things as are...

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 Minn. Stat.