

Section 3. - Sample Provision Excerpt (Public Preview)

REMOVAL. Any officer or agent elected or appointed by the Board of Directors may be removed by the Board of Directors whenever in its judgment the best interest of the Association would be served thereby or with or without cause, by an affirmative vote of a 2/3 majority of the Board of Directors of the Association at a regular or special meeting called for...

ISSUE #1



MARKUP #1 ->



MARKUP #1 · MANDATORY RESERVE & DEFICIT DISCLOSURE

BOARD & COUNSEL REVIEW

Sec. 3. (p. 3): Governing documents omit the mandatory MCIOA requirement to fund adequate replacement reserves and re-evaluate reserve adequacy at least once every third year.

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:

REMOVAL. Any officer or agent elected or appointed by the Board of Directors may be removed by the Board of Directors whenever in its judgment the best interest of the Association would be served thereby or with or without cause, by an affirmative vote of a 2/3 majority of the Board of Directors of the Association at a regular or special meeting called for...

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Pursuant to Minn. Stat. §§ 515B.3-114 and 515B.3-1141, the Association shall include in its annual budgets replacement reserves projected by the Board to be adequate to fund the replacement of all common elements that the Association...