

Section 3. - Sample Provision Excerpt (Public Preview)

TERMINATION OF MEMBERSHIP. The board of Directors, by affirmative vote of two-thirds () of all members of the Board, may suspend or expel a member for cause after an appropriate hearing in accordance with Article XI, Section 3. A member also may be suspended or expelled by a majority vote by those present at any regularly constituted meeting.

ISSUE #1



MARKUP #1 ->



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

BOARD & COUNSEL REVIEW

Sec. 3. (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:

TERMINATION OF MEMBERSHIP. The board of Directors, by affirmative vote of two-thirds () of all members of the Board, may suspend or expel a member for cause after an appropriate hearing in accordance with Article XI, Section 3. A member also may be suspended or expelled by a majority vote by those present at any regularly constituted meeting.

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.