

Section 8. - Sample Provision Excerpt (Public Preview)

Vacancies. Any vacancy occurring in the Board of Directors and any directorship to be filled by reason of increase in the number of Directors shall be filled by the Board of Directors. A Director elected to fill a vacancy must meet the qualifications of the Director whose vacancy such person is being elected to fill and will serve in office for the...

ISSUE #1



MARKUP #1 ->



MARKUP #1 · MANDATORY RESERVE & DEFICIT DISCLOSURE

BOARD & COUNSEL REVIEW

Sec. 8. (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:

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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...