Section 1 - Sample Provision Excerpt (Public Preview)

Return to:
Pleasant View HO Association
PO BOx 16651
Missoula, MT 59808
B: 862 P: 612
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ISSUE #1

22:oula Gounly Blark & Recorde
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BYLAWS OF THE ENGLAND'S PLEASANT VIEW
HOMEOWNERS ASSOCIATION, INC.

MARKUP #1 ->

MARKUP #1 · POTENTIAL ISSUE FOR REVIEW

BOARD & COUNSEL REVIEW

Sec. 1 (p. 1): Potential Issue for Review: Uploaded documents do not include Montana 15-day prior written notice and 5-day pre-effective-date hearing opportunity before member discipline, suspension, or fining under Mont. Code Ann. § 35-2-521 - 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: Mont. Code Ann. § 35-2-521 & § 70-23-308

Statutory Comparison: Under Mont. Code Ann. § 35-2-521, a nonprofit HOA may not suspend, expel, or discipline a member except pursuant to a fair and reasonable procedure providing at least 15 days' prior written notice of the sanction and the reasons therefor, and an opportunity for the member to be heard orally or in writing at least 5 days before the effective date.

CURRENT WORDING IN DOCUMENT:
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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: No member may be fined or have membership rights suspended except pursuant to a fair and reasonable procedure conducted in good faith that provides at least fifteen...