

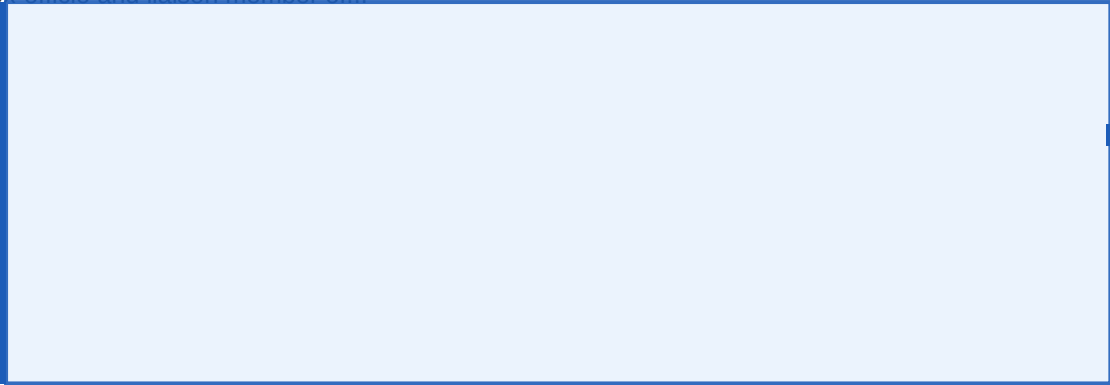
Section 2 - Sample Provision Excerpt (Public Preview)

Duties of the Officers:

A.

The President shall exercise the duties usually devolving upon that office. With the approval of the Board of Directors, the President shall have the power to appoint such committees, that are desired including the membership thereof and the President or his designee Board of Director shall be an ex-officio and liaison member of

ISSUE #1



MARKUP #1 ->



MARKUP #1 · MISSING STATUTORY DISPUTE RESOLUTION

BOARD & COUNSEL REVIEW

Sec. 2 (p. 3): Governing documents omit a mandatory Alternative Dispute Resolution (ADR) procedure for housing-related disputes as required by N.J.S.A. 46:8B-14(k) and N.J.S.A. 45:22A-44(c).

Statutory / Legal Reference: N.J.S.A. 45:22A-21 et seq. (PREDFDA); N.J.S.A. 45:22A-44(c); Bell Tower Condo. Ass'n v. Haffert, 423 N.J. Super. 507 (App. Div. 2012)

Statutory Comparison: Under N.J.S.A. 46:8B-14(k) (Condominium Act) and N.J.S.A. 45:22A-44(c) (PREDFDA), every association must provide a fair and efficient procedure for the resolution of housing-related disputes between individual unit owners and the association (or between unit owners) as a readily available alternative to litigation, and offering impartial ADR is a condition precedent to imposing fines.

CURRENT WORDING IN DOCUMENT:

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SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Pursuant to N.J.S.A. 46:8B-14(k) and N.J.S.A. 45:22A-44(c), the Association establishes a fair and efficient Alternative Dispute Resolution (ADR) procedure before a neutral evaluator or committee independent of the Executive Board for all housing-related...