

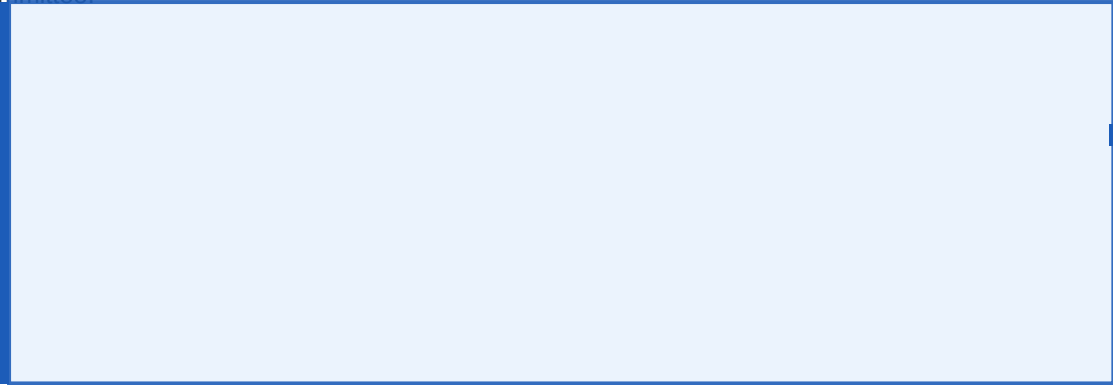
Section GUARDIAN STRIP - Sample Provision Excerpt (Public Preview)

GUARDIAN STRIP

(1)
Control of the guardian strip on all lakes rests solely with the Fayson Lakes Association.

(2)
No alterations may be made to the strip without written approval from the Board of Trustees or their assigned committee

ISSUE #1



MARKUP #1 ->



MARKUP #1 · POTENTIAL ISSUE FOR REVIEW

BOARD & COUNSEL REVIEW

Sec. GUARDIAN STRIP (p. 3): Potential Issue for Review: Uploaded documents do not include 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) - 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: 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:

GUARDIAN STRIP

(1) Control of the guardian strip on all lakes rests solely with the Fayson Lakes Association.

(2) No alterations may be made to the strip without written approval from the Board of Trustees or their assigned committee.

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 N.J.S.A. 46:8B-14(k) and N.J.S.A.