Section 4 - Sample Provision Excerpt (Public Preview)

An intra-fund, inter-fund, or external loan or advance is not an authorized use.
Activity and Guest Tags 10
While using Colony properties and facilities for general recreational activities such as swimming, boating, fishing, ball playing, tennis, picnicking, ice skating, etc., everyone must wear either an activity tag (in the case of members) or a guest tag...

ISSUE #1

MARKUP #1 ->

MARKUP #1 · POTENTIAL ISSUE FOR REVIEW — BOARD & COUNSEL REVIEW

Sec. 4 (p. 10): 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:
An intra-fund, inter-fund, or external loan or advance is not an authorized use. Activity and Guest Tags 10 While using Colony properties and facilities for general recreational activities such as swimming, boating, fishing, ball playing, tennis, picnicking, ice skating, etc., everyone must wear either an activity tag (in the case of members) or a guest tag...

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.