

Section I - Sample Provision Excerpt (Public Preview)

Basis
In accordance with Article XIV of the By-Laws of the Packanack Lake Community Association (PLCA), the following organization operating Rules and Procedures have been formulated by the Board of Governors for all members, with the approval of the Board of Directors, in order that the Community Association will function for the benefit and welfare of it

ISSUE #1

MARKUP #1 ->



MARKUP #1 · POTENTIAL ISSUE FOR REVIEW

BOARD & COUNSEL REVIEW

Sec. I (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:

Basis In accordance with Article XIV of the By-Laws of the Packanack Lake Community Association (PLCA), the following organization operating Rules and Procedures have been formulated by the Board of Governors for all members, with the approval of the Board of Directors, in order that the Community Association will function for the benefit and welfare of it...

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.