

Section 3(b) - Sample Provision Excerpt (Public Preview)

No radio, television aerial, satellite, disk or similar devices shall be attached to or hung from the exterior of the Building and no sign, notice, advertisement or illumination shall be inscribed or exposed on or at any door or window or other part of the Building except such as shall have been approved in writing by the Board of Managers, nor shall...

ISSUE #1



MARKUP #1 ->



MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. 3(b) (p. 6): Fining provision permits the Board or managing agent to impose summary or automatic monetary fines without prior written notice and a reasonable opportunity to be heard.

Statutory / Legal Reference: N.Y. Real Prop. Law § 339-j

Statutory Comparison: The FCC Over-the-Air Reception Devices rule (47 C.F.R. § 1.4000, as expanded by the 2021 OTARD Report and Order, FCC 21-10) preempts community association restrictions that prohibit, charge application fees for, require prior architectural approval for, or impose sub-1-meter (39.37-inch) diameter caps on the installation, maintenance, or use of television broadcast antennas, direct-broadcast...

CURRENT WORDING IN DOCUMENT:

No radio, television aerial, satellite, disk or similar devices shall be attached to or hung from the exterior of the Building and no sign, notice, advertisement or illumination shall be inscribed or exposed on or at any door or window or other part of the Building except such as shall have been approved in writing by the Board of Managers, nor shall...

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

No radio, television aerial, satellite, disk or similar devices shall be attached to or hung from the exterior of the Building and no sign, notice, advertisement or illumination shall be inscribed or exposed on or at any door or window or other part of the Building except such as shall have been approved in writing by the Board of Managers, nor shall anything be projected from any door or window...