

Section 1. - Sample Provision Excerpt (Public Preview)

Association no exterior television or radio antennas shall be placed or maintained upon any of the properties. These use restrictions shall apply to any additional land annexed to the properties by Declarant pursuant to Article XI, Section 4.

ISSUE #1



MARKUP #1 ->



MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. 1. (p. 12): Voting rights suspension clause lacks New York statutory notice, hearing due process, or delinquency safeguards (N.Y. Real Prop. Law § 339-j).

Statutory / Legal Reference: N.Y. Real Prop. Law § 339-j; N.Y. Not-for-Profit Corp. Law (N-PCL), Real Prop. Law Art. 9-B & 13 NYCRR Parts 18, 20, 21 & 22 (NY AG Real Estate Finance Bureau Offering Plan Regulations); N.Y. Bus. Corp. Law (BCL) §...

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:

Association no exterior television or radio antennas shall be placed or maintained upon any of the properties. These use restrictions shall apply to any additional land annexed to the properties by Declarant pursuant to Article XI, Section 4.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Association no exterior television or radio antennas shall be placed or maintained upon any of the properties. These use restrictions shall apply to any additional land annexed to the properties by Declarant pursuant to Article XI, Section 4.