

Section BOARD OF MANAGERS - Sample Provision Excerpt (Public Preview)

BOARD OF MANAGERS
Board of Managers
Administration
Power of Attorney to Board
of Managers
Acquisition of Units by Board

ISSUE #1

Right to Grant Permits,
Licenses and Easements
OBLIGATIONS, RESPONSIBILITIES,
COVENANTS and RESTRICTIONS
All Owners, Tenants and
Occupants Subject to
Condominium Documents
Which Run With the Land
Units to Be...

MARKUP #1 ->



MARKUP #1 · MISSING MANDATORY STATUTORY PROVISION

BOARD & COUNSEL REVIEW

Sec. BOARD OF MANAGERS (p. 5): Governing documents omit the N.Y. Real Prop. Law § 339-kk statutory rent interception and tenant protection protocol for non-occupying owners delinquent for more than 60 days.

Statutory / Legal Reference: N.Y. Real Prop. Law § 339-kk; N.Y. Gen. Bus. Law § 352-e(2-d)

Statutory Comparison: Under N.Y. Real Prop. Law § 339-kk, if a non-occupying owner fails to make common charge or assessment payments within 60 days after the expiration of any grace period, the board may provide written notice to both the non-occupying owner and the rental tenant directing that rental payments be made directly to the association until the delinquency is satisfied.

CURRENT WORDING IN DOCUMENT:

BOARD OF MANAGERS Board of Managers Administration Power of Attorney to Board of Managers Acquisition of Units by Board of Managers Right to Grant Permits, Licenses and Easements OBLIGATIONS, RESPONSIBILITIES, COVENANTS and RESTRICTIONS All Owners, Tenants and Occupants Subject to Condominium Documents Which Run With the Land Units to Be...

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Pursuant to N.Y. Real Prop. Law § 339-kk, if a non-occupying Owner fails to make all payments due for common charges, assessments, or late fees within sixty (60) days after the expiration of the grace period, the Board shall provide written notice to the...