

Section 8. - Sample Provision Excerpt (Public Preview)

Master Antennae Cable Service Easement.

I, the undersigned, hereby

grant for itself

a nonexclusive

easement

access, ingress, and egress

ISSUE #1

over the Property, for purposes of

installation, operation,

maintenance, repair,

removal of master antennae

or cable

inspection,

television

service

facilities, and equipment.

Such easement

shall be freely trans-

ferable by Developer to any...

MARKUP #1 ->

MARKUP #1 · STATUTORY EVICTION / LEASING VETO CONFLICT

BOARD & COUNSEL REVIEW

**Sec. 8. (p. 12): Covenant grants exclusive telecommunications/broadband access or prohibited revenue-sharing arrangements preempted by FCC multi-tenant rules.**

**Statutory / Legal Reference: 47 C.F.R. § 76.2000, 64.2500 & FCC Report and Order FCC 22-12, GN Docket No. 17-142 (2022)**

Statutory Comparison: Under 47 C.F.R. §§ 76.2000 and 64.2500 and the FCC 2022 Multi-Tenant Environment (MTE) Report and Order (FCC 22-12, GN Docket No. 17-142), clauses granting a cable, internet, or telecommunications operator exclusive access to a residential community, exclusive sale-and-leaseback of inside wiring, or graduated/exclusive marketing revenue-sharing arrangements are null, void, and unenforceable.

**CURRENT WORDING IN DOCUMENT:**

Master Antennae Cable Service Easement. I, the undersigned, hereby for myself a nonexclusive easement access, ingress, and egress over the Property, for purposes of installation, operation, maintenance, repair, removal of master antennae or cable inspection, television service facilities, and equipment. Such easement shall be freely transferable by Developer to any...

**SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):**

**The Association may enter into bulk-billing arrangements as permitted by law, but shall not enter into or enforce any contract granting an exclusive right to provide cable, internet, or telecommunications services, exclusive inside-wiring control, or graduated revenue-sharing arrangements prohibited under 47 C.F.R. §§ 76.2000, 64.2500 and FCC 22-12 (GN Docket No. 17-142).**