Section 8 - Sample Provision Excerpt (Public Preview)

One third (1/3) of the Board of Directors shall be elected at the second annual general meeting of the corporation and shall serve for a term of three (3) years. The members of the Board of Directors shall upon election immediately enter upon the performance of their duties and shall continue in office until expiration of their term.

ISSUE #1

MARKUP #1 ->

MARKUP #1 · MISSING MANDATORY STATUTORY PROVISION

BOARD & COUNSEL REVIEW

Sec. 8 (p. 4): Governing documents omit mandatory New York procedures for weekday examination of chronological receipts/expenditures and payment vouchers and delivery of an annual financial report.

Statutory / Legal Reference: N.Y. Not-for-Profit Corp. Law §§ 519, 621

Statutory Comparison: Under N.Y. Not-for-Profit Corp. Law §§ 519, 621, the Board or managing agent must keep detailed, accurate records in chronological order of the receipts and expenditures arising from the operation of the property, make such records and authorizing vouchers available for examination by any owner/shareholder at convenient hours of weekdays, and render a written annual report summarizing all...

CURRENT WORDING IN DOCUMENT:

One third (1/3) of the Board of Directors shall be elected at the second annual general meeting of the corporation and shall serve for a term of three (3) years. The members of the Board of Directors shall upon election immediately enter upon the performance of their duties and shall continue in office until expiration of their term.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Pursuant to N.Y. Not-for-Profit Corp. Law §§ 519, 621, the Board and Managing Agent shall keep detailed, accurate records in chronological order of the receipts and expenditures arising from the operation of the Property.