

Section 4.02 - Sample Provision Excerpt (Public Preview)

Villagewood Manor Homeowners Assoc. Architectural Standards Installation Guidelines for: outside antennae, cable, phone service, other above surface utilities. A completed Variance Request is required before installation and must be submitted to the Property Manager and approved according to the existing Architectural Standards before any installation is...

ISSUE #1



MARKUP #1 ->



MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. 4.02 (p. 8): 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:
Villagewood Manor Homeowners Assoc. Architectural Standards Installation Guidelines for: outside antennae, cable, phone service, other above surface utilities. A completed Variance Request is required before installation and must be submitted to the Property Manager and approved according to the existing Architectural Standards before any installation is...

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):
Villagewood Manor Homeowners Assoc. Architectural Standards Installation Guidelines for: outside antennae, cable, phone service, other above surface utilities. A completed Variance Request is required before installation and must be submitted to the Property Manager and approved according to the existing Architectural Standards before any installation is started.