Section COMMON AREAS - Sample Provision Excerpt (Public Preview)

COMMON AREAS

* Children shall not play in the lobby, public halls, courtyard, stairways, fire escapes, garages, parking lot, laundry room, storage rooms or building elevators, and no one is permitted on the roof except in the case of a fire.

* The public halls and stairways of the building shall not be obstructed or used for any purpose other than ingress...

ISSUE #1

MARKUP #1 ->

MARKUP #1 · POTENTIAL ISSUE FOR REVIEW

BOARD & COUNSEL REVIEW

Sec. COMMON AREAS (p. 7): Potential Issue for Review: Uploaded documents do not include N.Y. Real Prop. Law § 339-kk statutory rent interception and tenant protection protocol for non-occupying owners delinquent for more than 60 days - look for this language in other governing documents, standalone board policies/resolutions, Rules & Regulations, or amendments that were not included in this review (and confirm any applicable statutory threshold).

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:

COMMON AREAS * Children shall not play in the lobby, public halls, courtyard, stairways, fire escapes, garages, parking lot, laundry room, storage rooms or building elevators, and no one is permitted on the roof except in the case of a fire. * The public halls and stairways of the building shall not be obstructed or used for any purpose other than ingress...

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

First look for this language in other governing documents, standalone policies/resolutions, or amendments not included in this review. If not already addressed in another document (and if applicable to this community), incorporate: Pursuant to N.Y. Real Prop.