Section 10. - Sample Provision Excerpt (Public Preview)

Action by Members. Any action required or permitted to be taken at any meeting of members may be taken without a meeting, if a consent in writing, setting forth such action, is signed by all the members entitled to vote on the subject matter thereof and any other members entitled to notice of a meeting (but not to vote thereat) have waived in writing any rights which they may have to dissent from such action, and such consent and waiver are filed with the records of the Corporation.

ISSUE #1

MARKUP #1 ->

MARKUP #1 · MISSING MANDATORY STATUTORY PROVISION — BOARD & COUNSEL REVIEW

Sec. 10. (p. 4): Governing documents omit the statutory records examination and copying protocol and narrow confidentiality carveouts under Ohio law.

Statutory / Legal Reference: Ohio Rev. Code § 5311.091 (Ohio Condominium Act)

Statutory Comparison: Under Ohio Rev. Code § 5311.091 (Ohio Condominium Act), any member of the association may examine and copy the books, records, financial statements, and minutes of the association, subject only to the specific statutory exclusions for executive session minutes, personnel records, legal communications, and individual owner delinquency files.

CURRENT WORDING IN DOCUMENT:

Action by Members. Any action required or permitted to be taken at any meeting of members may be taken without a meeting, if a consent in writing, setting forth such action, is signed by all the members entitled to vote on the subject matter thereof and any other members entitled to notice of a meeting (but not to vote thereat) have waived in writing any rights which they may have to dissent from such action, and such consent and waiver are filed with the records of the Corporation.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Pursuant to Ohio Rev. Code § 5311.091 (Ohio Condominium Act), any Member may examine and copy the books, records, financial statements, and minutes of the Association, excluding only those confidential records enumerated in Ohio Rev. Code § 5311.091 (Ohio Condominium Act)(B).