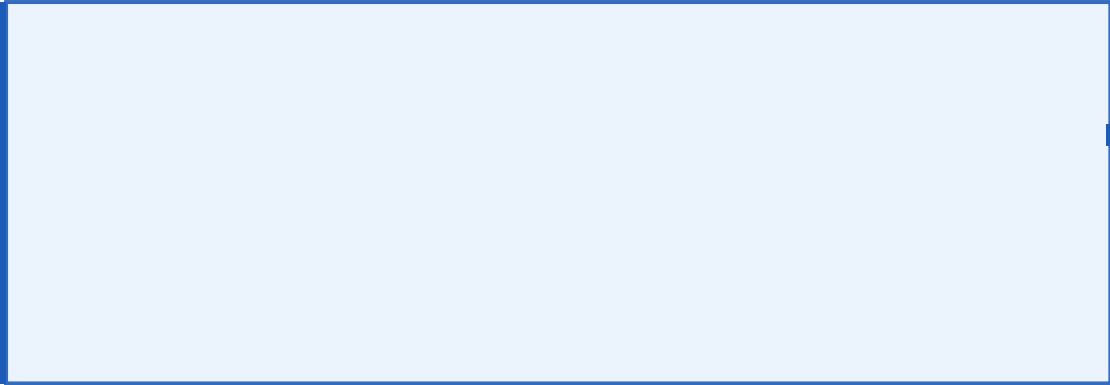


Section 3.8 - Sample Provision Excerpt (Public Preview)

Fiduciary Duty

Each Director shall stand in a fiduciary relation to the RSCA and shall perform his or her duties as a Director, including that Director's duties as a member of any committee of the Board upon which the Director may serve, in good faith, in a manner the Director reasonably believes to be in the best interests of this Corporation, and with...

ISSUE #1



MARKUP #1 ->



MARKUP #1 · POTENTIAL ISSUE FOR REVIEW

BOARD & COUNSEL REVIEW

Sec. 3.8 (p. 3): Potential Issue for Review: Uploaded documents do not include Pennsylvania Act 84 / Act 115 Alternative Dispute Resolution (ADR) procedures and notice of unit owner complaint rights with the PA Office of Attorney General Bureau of Consumer Protection - 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: 68 Pa.C.S. § 5321 - 5322 (UPCA)

Statutory Comparison: Under 68 Pa.C.S. § 5321 - 5322 (UPCA), associations are encouraged to establish internal alternative dispute resolution (ADR) procedures in their bylaws for good-faith unit owner disputes, as completion of an established bylaw ADR procedure is a statutory prerequisite before a unit owner in good standing may file a complaint with the Pennsylvania Office of Attorney General Bureau of Consumer...

CURRENT WORDING IN DOCUMENT:

Fiduciary Duty Each Director shall stand in a fiduciary relation to the RSCA and shall perform his or her duties as a Director, including that Director's duties as a member of any committee of the Board upon which the Director may serve, in good faith, in a manner the Director reasonably believes to be in the best interests of this Corporation, and with...

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: In accordance with 68 Pa.C.S.