Section V - Sample Provision Excerpt (Public Preview)

BOARD OF DIRECTORS

A. General Powers. The property, affairs, and business of the Association shall be managed and controlled by its Board of Directors. The Board of Directors may by general resolution delegate to officers of the Association and to committees such powers as provided for in these By-Laws.

B. Composition.

ISSUE #1

MARKUP #1 ->

MARKUP #1 · MISSING STATUTORY DISPUTE RESOLUTION

BOARD & COUNSEL REVIEW

Sec. V (p. 3): Governing documents omit 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.

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:

BOARD OF DIRECTORS A. General Powers. The property, affairs, and business of the Association shall be managed and controlled by its Board of Directors. The Board of Directors may by general resolution delegate to officers of the Association and to committees such powers as provided for in these By-Laws. B. Composition.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

In accordance with 68 Pa.C.S. § 5321 - 5322 (UPCA), the Association establishes an Alternative Dispute Resolution (ADR) procedure for good-faith disputes between Unit Owners and the Association where all parties agree in writing to participate.