

Section 1. - Sample Provision Excerpt (Public Preview)

Consistent with these bylaws, the Board shall:

a) Transact all Association business, set mandatory assessments, set pool fees, and make and amend rules and regulations for the use of the Association property. It may appoint clerks, agents, or employees as it deems necessary, also fixing their duties and compensation.

b) Fix, impose and remit penalties for...

ISSUE #1



MARKUP #1 ->



MARKUP #1 · MISSING MANDATORY STATUTORY PROVISION

BOARD & COUNSEL REVIEW

Sec. 1. (p. 1): Rule-making and amendment provisions omit the mandatory South Carolina statutory requirement that all governing documents, rules, regulations, and amendments be recorded in the county land records (rules by January 10 following adoption) to be enforceable under S.C. Code Ann. § 27-30-130.

Statutory / Legal Reference: S.C. Code Ann. § 27-30-130(A) - (B)

Statutory Comparison: Under S.C. Code Ann. § 27-30-130, governing documents must be recorded in the county clerk of court's or register of deeds' office to be enforceable, and any newly adopted or amended rules and regulations must be recorded no later than January 10th of the year following their adoption in order to continue to be enforceable.

CURRENT WORDING IN DOCUMENT:

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SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Consistent with these bylaws, the Board shall: a) Transact all Association business, set mandatory assessments, set pool fees, and make and amend rules and regulations for the use of the Association property. It may appoint clerks, agents, or employees as it deems necessary, also fixing their duties and compensation. b) Fix, impose and remit penalties for violations of these bylaws, or rules of...