



Section 17.3 - Sample Provision Excerpt (Public Preview)

- Certification and Attestation...
- Private Amenitie.....
- General.....
- Conveyance of Private Amenities
- Shared Costs...
- Mortgage Provisions
- Notice to Association.....
- Other Provisions for First Lien Holders
- No Priority.....
- Notice to Association....
- Failure of Mortgagee to Respond
- Construction of Article XV
- HUD/VA Approval.....
- Changes in Common...

ISSUE #1

MARKUP #1 ->

MARKUP #1 · POTENTIAL ISSUE FOR REVIEW

BOARD & COUNSEL REVIEW

Sec. 17.3 (p. 4): Potential Issue for Review: 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 - look for this language in other governing documents, standalone policies, or amendments that were not included in this review.

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:

Certification and Attestation... Private Amenitie..... General..... Conveyance of Private Amenities Shared Costs... Mortgage Provisions... Notices of Action..... Other Provisions for First Lien Holders No Priority..... Notice to Association.... Failure of Mortgagee to Respond Construction of Article XV HUD/VA Approval..... Changes in Common...

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: SECTION: MANDATORY PUBLIC RECORDING OF RULES & AMENDMENTS (S.C. Code Ann.