

Section 4. - Sample Provision Excerpt (Public Preview)

Action Taken Without a Meeting. The Directors shall have the right to take any action in the absence of a meeting which they could take at a meeting by obtaining the written approval of all the Directors. Any action so approved shall have the same effect as though taken at a meeting of the Directors.

ISSUE #1



MARKUP #1 ->



MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

**Sec. 4. (p. 9): Provision authorizes holding regular Board of Directors meetings "without notice" or taking Board action by written consent outside a noticed open meeting, conflicting with undefined.**

Statutory / Legal Reference: S.C. Code Ann. § 27-30-110 to 27-30-310 (South Carolina HOA Act) & S.C. Code Regs. Ch. 28 (SC Dept. of Consumer Affairs HOA Rules); undefined

Statutory Comparison: Under undefined and S.C. Code Ann. §§ 27-30-110 to 27-30-310 (South Carolina HOA Act) & S.C. Code Regs. Ch. 28 (SC Dept. of Consumer Affairs HOA Rules), all meetings of the Board of Directors at which a quorum gathers to conduct association business must be open to all members with advance notice posted or delivered to owners, and owners must be afforded a reasonable opportunity to speak on...

**CURRENT WORDING IN DOCUMENT:**

Action Taken Without a Meeting. The Directors shall have the right to take any action in the absence of a meeting which they could take at a meeting by obtaining the written approval of all the Directors. Any action so approved shall have the same effect as though taken at a meeting of the Directors.

**SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):**

**Require all regular and special Board meetings to be open to all members with advance notice and agenda posting in accordance with undefined, and restrict action without a meeting to narrow emergency circumstances permitted by S.C. Code Ann. §§ 27-30-110 to 27-30-310 (South Carolina HOA Act) & S.C. Code Regs. Ch. 28 (SC Dept.**