

ISSUE #1

MARKUP #1 ->

Section 1: [Condominium Bylaws Article VI, Section 12 (Aesthetics, Flags, and Exterior Displays)] Prohibition on Exterior

No Co-owner shall affix or display any flag, banner, sign, or bracket upon the exterior walls, trim, porch, balcony, or Limited Common Elements of any Unit without the prior written consent of the Board of Directors.

Section 2: [Condominium Bylaws Article XI, Section 3 (Financial Records and Audit)] Financial Compilation by Managi

The books and records of the Association shall be kept in accordance with generally accepted accounting principles and shall be compiled annually by the Association's managing agent. An audit by an independent Certified Public Accountant shall only be required if requested in writing by Co-owners holding at least fifty-one percent (51%) of the total value of the Condominium Project.

Section 3: [Condominium Bylaws Article XIX, Section 4 (Assessment of Fines)] Imposition of First-Offense Monetary F

Upon any violation of the Master Deed, Bylaws, or Rules and Regulations by a Co-owner or occupant, the Managing Agent shall levy a first-offense fine of \$50.00, a second-offense fine of \$100.00, and a third-offense fine of \$250.00. A Co-owner assessed a fine may request a reconsideration hearing at the next scheduled Board meeting after paying the fine under protest.

MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. Condominium Bylaws Article VI, Section 12 (Aesthetics, Flags, and Exterior Displays) (p. 1): Requiring prior Board consent to display the United States flag on a Unit exterior or Limited Common Element violates MCL 559.156a

Statutory / Legal Reference: Mich. Comp. Laws § 559.156a (Michigan Condominium Act - Display of United States Flag)

Statutory Comparison: Under Section 56a of the Michigan Condominium Act (MCL 559.156a), a developer or association of co-owners shall not prohibit a co-owner from displaying a single United States flag of a size not greater than 3 feet by 5 feet anywhere on the exterior of the co-owner's condominium unit or on limited common elements reserved for the exclusive use of the co-owner.

CURRENT WORDING IN DOCUMENT:

[Condominium Bylaws Article VI, Section 12 (Aesthetics, Flags, and Exterior Displays)] Prohibition on Exterior Flags and Brackets on Condominium Units and Limited Common Elements - No Co-owner shall affix or display any flag, banner, sign, or bracket upon the exterior walls, trim, porch, balcony, or Limited Common Elements of any Unit without the prior written consent of the Board of Directors.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Amend Section Condominium Bylaws Article VI, Section 12 (Aesthetics, Flags, and Exterior Displays) ([Condominium Bylaws Article VI, Section 12 (Aesthetics, Flags, and Exterior Displays)] Prohibition on Exterior Flags and Brackets on Condominium Units and Limited Common Elements - No Co-owner shall affix or display any flag, banner, sign, or bracket upon the exterior walls, trim, porch, balcony, or Limited Common Elements of any Unit without the prior written consent of the Board of Directors.) to conform with Mich. Comp. Laws § 559.156a (Michigan Condominium Act - Display of United States Flag) and the manual attorney audit recommendations for Weatherstone Condominium Association.