

ISSUE #1

MARKUP #1 ->

Section 1: [Design Guidelines, Section 11.4] Design Guidelines Amendments Adopted by Modification Committee Without County Recording - The Architectural Review / Modification Committee, with the approval of the Board of Directors, may amend, supplement, or revise these Design Guidelines and the Schedule of Fining Penalties from time to time, and such revisions shall be binding upon all Owners upon placement in the Community Library on the Association's Resident Central website portal.

The Architectural Review / Modification Committee, with the approval of the Board of Directors, may amend, supplement, or revise these Design Guidelines and the Schedule of Fining Penalties from time to time, and such revisions shall be binding upon all Owners upon placement in the Community Library on the Association's Resident Central website portal.



True
HOA

MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. Design Guidelines, Section 11.4 (p. 1): Design Guidelines and Penalty Schedules Posted Only on Resident Portal Without Recording by January 10 Are Unenforceable

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

Statutory Comparison: Under S.C. Code Ann. § 27-30-130(B) and § 27-30-120(4), all HOA rules, regulations, design guidelines, and amendments must be recorded in the county clerk of court's or register of deeds office (Beaufort and Jasper Counties for Sun City Hilton Head) by January 10 of the year following their adoption or amendment in order to be legally enforceable against homeowners.

CURRENT WORDING IN DOCUMENT:

[Design Guidelines, Section 11.4] Design Guidelines Amendments Adopted by Modification Committee Without County Recording - The Architectural Review / Modification Committee, with the approval of the Board of Directors, may amend, supplement, or revise these Design Guidelines and the Schedule of Fining Penalties from time to time, and such revisions shall be binding upon all Owners upon placement in the Community Library on the Association's Resident Central website portal.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Amend Section Design Guidelines, Section 11.4 ([Design Guidelines, Section 11.4] Design Guidelines Amendments Adopted by Modification Committee Without County Recording - The Architectural Review / Modification Committee, with the approval of the Board of Directors, may amend, supplement, or revise these Design Guidelines and the Schedule of Fining Penalties from time to time, and such revisions shall be binding upon all Owners upon placement in the Community Library on the Association's Resident Central website portal.) to conform with S.C. Code Ann. § 27-30-130(B) and the manual attorney audit recommendations for Sun City Hilton Head Community Association, Inc..