



UPDATE

Community associations have been around in California for decades. But just because your community was originally developed during a time when shag carpets and avocado-colored appliances were popular doesn't mean that your community's governing documents need to be stuck in that era. You have remodeled your home to bring it into the twenty-first century, and you can do the same with your community's governing documents.

Depending upon how active the state legislature has been amending the statutes that govern associations, your community's governing documents could need some updating in as little as seven years following the date they were originally recorded. And if it's been fifteen or more years since your documents went into effect, they are overdue for an update.

That's where our UPDATE program comes in. Harle, Janics & Kannen can provide you with draft documents that would, if approved, update your community's CC&Rs and association bylaws to accomplish these goals:

- Make them consistent with the requirements of the Davis-Stirling Common Interest Development Act and Nonprofit Mutual Benefit Corporation Law.
- Delete obsolete references to the developer entity and other outdated provisions that clutter up the document.
- Reallocate relative maintenance responsibilities of your association and homeowners in a way that works better and makes more sense than the allocation in your existing documents.
- Add to, delete, or otherwise modify the use restrictions in your CC&Rs in a way that your association's experience has shown would work better for your community.
- Tighten the eligibility requirements for service on your association's board of directors so that only owners in good standing may serve.

If your association's documents don't need a complete overhaul, but you are only interested in a few specifically targeted changes, we can take care of that for you as well.

Whether you opt for the comprehensive UPDATE of your community governing documents, or a more specifically targeted approach, our services including preparation of a form of ballot to be used for the member vote, as well as ballot return instructions for members.