



Andy Mowery <pohoaandy@gmail.com>

FW: Today's Presentation

j.tunna@icloud.com <j.tunna@icloud.com>

Wed, Dec 6, 2023 at 3:44 PM

To: Poudre Overlook HOA at FtC <atftcpoudreoverlook@gmail.com>

Cc: pohoaandy@gmail.com

Dear POHOA Board,

I am writing about a statement I made at yesterday's meeting that was challenged by another member in the audience. In February this year I attended and on-line training course given by Altitude Community Law on the subject of HOA governing documents. I raised a question about when documents become effective and followed up by email with the specific question below on bylaws. You can see the response agrees with my statement yesterday.

Of course, this is just one lawyer's opinion and others may differ. I suggest you put this question to our attorney to see what he thinks.

Regards,

John

From: Elina B. Gilbert <EGilbert@altitude.law>**Sent:** Thursday, February 2, 2023 5:03 PM**To:** 'John Tunna' <j.tunna@icloud.com>**Subject:** RE: Today's Presentation

John, the affective day is when the amendment gets signed and dated (which should occur after it obtains the requisite approval).

Elina B. Gilbert :: *Shareholder in Charge of Practice*

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From: John Tunna <j.tunna@icloud.com>
Sent: Thursday, February 2, 2023 3:51 PM
To: Elina B. Gilbert <EGilbert@altitude.law>
Subject: Re: Today's Presentation

Hi Elina,

Thanks. My question is about bylaw amendments. We recently voted to approve one at a special members' meeting. We are now sending out a notice to all members. So is the effective date the date of the meeting or when the notice goes out?

I appreciate your help.

Regards,

John

On Feb 2, 2023, at 3:34 PM, Elina B. Gilbert <EGilbert@altitude.law> wrote:

Good afternoon, John. The Bylaws become affective when they are signed and dated.

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From: j.tunna@icloud.com <j.tunna@icloud.com>
Sent: Thursday, February 2, 2023 1:01 PM
To: Elina B. Gilbert <EGilbert@altitude.law>
Subject: Today's Presentation

Hi Elina,

I learned a lot from your presentation today. Thanks for partly answering my question online about the effective date of documents. You didn't mention bylaws. When is an amended bylaw effective? Is it when a quorum of members present at a meeting vote to approve the amendment or when all members in the association have been notified by mail?

Regards,

John