

What Are Governing Documents?

The Declaration is the primary foundation of the governing documents. Required by the *Ohio Revised Code, 5311*, the Declaration establishes NSV III as a Corporation. It contains the *Conditions, Covenants and Use Restrictions, (CC&R)*, maintenance requirements, and defines control and use of the common elements, among other things.

The Bylaws outline management requirements for NSV III, Inc. They also contain provisions for eligibility requirements to be a Board member, election requirements, Board powers, Fiduciary duties and obligations.

A Code of Ethics informs Board members of what is expected of them, and also to *allow unit owners to know what to expect from the Board*.

Condo Rules and Regulations, as adapted by the Board, are a condensed form of Policies and Rules & Regulations for all unit owners and occupants. These Board-generated "house rules" emphasize the Restrictions set forth in the Declaration, in simpler terms. *Board-generated Rules & Regulations must not contradict the Ohio Revised Code, Recorded NSV III, Inc. Declaration, Bylaws, or local, state or federal laws and codes.*

If house rules do contradict the Declaration, the Declaration presides as the ultimate authority. To change any portion of the Declaration, an *amendment* must first be made, for all Association members (unit owners) to review prior to being asked to vote to approve or disapprove by the percentage specified in the Declaration. Any amendment must be recorded with the Franklin County Records office, and distributed to the membership.

Bylaws should not conflict with the Declaration, and are also recorded along with the Declaration at the County Records Office. Bylaws may be amended by the same method as the Declaration. "House Rules" are not Recorded.

Enforcement procedures for violations are contained in the house rules & regulations, as set by codes, laws and NSV III, Inc. Governing Documents.

Governing Documents are very important to maintaining property values and the classic uniform appearance and harmonious lifestyle of Condominium Communities. Failure by either the Owner's Association (the Board), or by Unit Owners/Occupants to comply with the documents "shall be grounds to commence a civil action for damages or injunctive relief" against either (per Ohio Revised Code, Section 5311.19, Compliance with deed restrictions, declarations, bylaws and administrative rules and regulations).

Please help our community be an attractive and pleasant place to call home by becoming familiar with our Governing Documents.