

COMPARISON OF SUSPENSION AUTHORITY BETWEEN THE GCA AND THE POA

	GCA	POA
Utility Suspension: ex: water, electricity, gas	<ul style="list-style-type: none"> GCA allows for suspension of utilities paid for by the association, with a judgment of \$750+ Declaration also must allow it Notice as required by utility provider 	<ul style="list-style-type: none"> POA allows for suspension of services paid for by the association No judgment needed, but Declaration may provide differently Declaration also must allow it No statutory notice requirement, Declaration notice controls Check enforcement provisions for hearing requirement
Suspension of Services: ex: cable, internet, concierge	<ul style="list-style-type: none"> Declaration must allow it No judgment required under GCA, but Declaration may provide differently Notice as required by Declaration/Bylaws Check enforcement provisions for hearing requirement 	<ul style="list-style-type: none"> POA allows for suspension of services paid for as a common expense No judgment needed, but Declaration may provide differently Declaration also must allow it No statutory notice requirement, Declaration notice controls Check enforcement provisions for hearing requirement
Suspension of Amenities and Common Areas:	<ul style="list-style-type: none"> GCA allows for suspension of common element use, which includes common element amenities No judgment required under GCA, but Declaration may provide differently Declaration also must allow it Notice as required in Declaration/Bylaws Check enforcement provisions for hearing requirement 	<ul style="list-style-type: none"> POA allows for suspension of common area use, which includes common area amenities No judgment needed Declaration also must allow it Notice as required in Declaration/Bylaws Check enforcement provisions for hearing requirement
Suspension of Parking for Delinquency or Violation:	<ul style="list-style-type: none"> GCA allows for suspension of common element use Declaration also must allow it No judgment required under GCA, but Declaration may provide differently Notice as required in Declaration/Bylaws Cannot create hazardous or unsanitary condition or deny access to a unit 	<ul style="list-style-type: none"> POA allows for suspension of common area use Declaration also must allow it No judgment needed under POA, but Declaration may provide differently Notice as required in Declaration/Bylaws Cannot deny access to a lot
Towing to Enforce Suspension of Parking:	<ul style="list-style-type: none"> Not addressed in GCA Check governing documents to see if towing/booting allowed for delinquency/violations. If so, follow notice provision as contained in Declaration/Bylaws and state and municipal law If towing/booting not allowed for delinquency/violations, check for Board resolution authority and self-help powers 	<ul style="list-style-type: none"> Not addressed in POA Check governing documents to see if towing/booting allowed for delinquency/violations. If so, follow notice provision as contained in Declaration/Bylaws and state and municipal law If towing/booting not allowed for delinquency and/or violations, check for Board resolution authority and self-help powers
Suspension of Voting:	<ul style="list-style-type: none"> GCA allows for suspension of voting Declaration also must allow it Check Declaration and Bylaws to see if suspension is automatic or if notice is required 	<ul style="list-style-type: none"> POA allows for suspension of voting Declaration also must allow it Check Declaration and Bylaws to see if suspension is automatic or if notice is required
Rent Assignment:	<ul style="list-style-type: none"> Not addressed in GCA Declaration must allow it If so, follow document procedures 	<ul style="list-style-type: none"> Not addressed in POA Declaration must allow it If so, follow document procedures

