

## COMPARISON OF SUSPENSION AUTHORITY BETWEEN THE GCA AND THE POA

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

