

PLEASE NOTE THAT THE FOLLOWING IS A SAMPLE ONLY. SPECIAL CARE MUST BE TAKEN THAT ANY RESOLUTION ADOPTED BY THE BOARD DOES NOT CONFLICT WITH EXISTING GOVERNING DOCUMENTS AND PROPERLY STATES THEIR CURRENT PROVISIONS.

SAMPLE RESOLUTION FOR DELAY IN RESTORATION OF RESERVE FUNDS

RE: DELAY IN RESTORATION OF RESERVE FUNDS

WHEREAS, the amount of \$ _____ was transferred from the reserve fund to the general operating account on _____, 20____, pursuant to a Resolution of the Board.

WHEREAS, the Resolution, in accordance with Section 1365.5 of the *Civil Code*, requires that the transferred funds are to be restored within one (1) year of the date of the transfer;

WHEREAS, Section 1365.5 of the California *Civil Code* provides that the Board may delay restoration of the reserve funds on making a finding, supported by documentation, that a temporary delay would be in the best interests of the Association; and

WHEREAS, based upon attached documents [e.g., *correspondence from the Association's CPA and/or attorney*], the Board has determined that a temporary delay in restoring the reserve funds until _____, 20____ is necessary and in the best interests of the Association.

BE IT RESOLVED that restoration of the reserve funds transferred to the general operating accounts on _____, 20____, shall be temporarily delayed until _____, 20____.

[INSERT CERTIFICATE OF SECRETARY HERE]