

[(i)] (J) (1) "Lot" means any plot or parcel of land on which a dwelling is located or will be located within a development.

(2) "Lot" includes a unit within a condominium or cooperative housing corporation if the condominium or cooperative housing corporation is part of a development.

[(j)] (K) "Primary development" means a development such that the purchaser of a lot will pay fees directly to its homeowners association.

[(k)] (L) "Recorded covenants and restrictions" means any instrument of writing which is recorded in the land records of the jurisdiction within which a lot is located, and which instrument governs or otherwise legally restricts the use of such lot.

[(l)] (M) "Related development" means a development such that the purchaser of a lot will pay fees to the homeowners association of such development through the homeowners association of a primary development or another development.

[(m)] (N) "Unaffiliated declarant" means a person who is not affiliated with the vendor of a lot but who has subjected such property to a declaration required to be disclosed by this title.

11B-113.1.

(A) NOTWITHSTANDING LANGUAGE CONTAINED IN THE GOVERNING DOCUMENTS OF A HOMEOWNERS ASSOCIATION, THE HOMEOWNERS ASSOCIATION MAY PROVIDE NOTICE OF A MEETING OR DELIVER INFORMATION TO A LOT OWNER BY ELECTRONIC TRANSMISSION IF:

(1) THE BOARD OF DIRECTORS OR OTHER GOVERNING BODY OF THE HOMEOWNERS ASSOCIATION GIVES THE HOMEOWNERS ASSOCIATION THE AUTHORITY TO PROVIDE NOTICE OF A MEETING OR DELIVER INFORMATION BY ELECTRONIC TRANSMISSION;

(2) THE LOT OWNER GIVES THE HOMEOWNERS ASSOCIATION PRIOR WRITTEN AUTHORIZATION TO PROVIDE NOTICE OF A MEETING OR DELIVER INFORMATION BY ELECTRONIC TRANSMISSION; AND

(3) AN OFFICER OR AGENT OF THE HOMEOWNERS ASSOCIATION CERTIFIES IN WRITING THAT THE HOMEOWNERS ASSOCIATION HAS PROVIDED NOTICE OF A MEETING OR DELIVERED MATERIAL OR INFORMATION AS AUTHORIZED BY THE LOT OWNER.

(B) NOTICE OR DELIVERY BY ELECTRONIC TRANSMISSION SHALL BE CONSIDERED INEFFECTIVE IF:

(1) THE HOMEOWNERS ASSOCIATION IS UNABLE TO DELIVER TWO CONSECUTIVE NOTICES; AND

(2) THE INABILITY TO DELIVER THE ELECTRONIC TRANSMISSION BECOMES KNOWN TO THE PERSON RESPONSIBLE FOR SENDING THE ELECTRONIC TRANSMISSION.