



BARKER · MARTIN

Board Action in the Digital Age

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Meetings

- Board meetings must be open to all unit owners except
 - Consultation with legal counsel
 - Personnel matters
 - Negotiation of contracts with third parties
 - Collection of unpaid assessments

Electronic Notices

- Any notice may be given by email, fax, or any other form of electronic communication acceptable to the board except for the following notices:
 - Failure to pay an assessment
 - Foreclosure of an association lien
 - Offer to use the dispute resolution program
- Unit owners must be given the opportunity to opt out of electronic notice

Electronic Ballots

- Can be email, fax, posting to a website, or any other means acceptable to the board
- The vote is effective when it is transmitted to an address designated by the board for that purpose
- Same procedure as for written ballots

Pro and Cons

- Pros
 - Saves time, no more stuffing envelopes
 - Saves cost of paper, postage and related fees
- Cons
 - Cost of technology
 - Is your electronic system reliable?

Websites

- Post your governing documents
- Maintenance or repair requests
- Updates on new rules
- Social events
- ARC requests- forms
- Beware— maintain security of your owners' private information

What is a meeting?

- Hitting “reply to all” on an email addressed to all board members?
- Having a conference call with a quorum of board members about non-association business?
- Chatting with all board members in an online chat room at a designated time?
- A chance meeting with the board members at the mailboxes? What if the discussion turns to association business?



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