

E K M A R K & E K M A R K, L.L.C.

ATTORNEYS AT LAW

In our day and age of e-mail, we must remember that this form of electronic communication creates legal documents, just as if they were written on letterhead, signed, and sent to the recipient via postal mail. The informal nature of e-mails often results in informal and candid communication.

With that in mind, we need to recognize that any e-mail that refers to association business may be considered a part of the association's records, and may be used as evidence for or against the association in the future.

Therefore, remain courteous and professional in your e-mails. A good litmus test when drafting an e-mail is to ask, "Would I type this message on my letterhead, sign, date and mail this via postal mail?" This type of self-reflecting inquiry will help us maintain a formal and professional approach to making communities better.

The information contained in this Homeowners Association Tip of the Week© is for informational purposes only and is not specific legal advice or a substitute for specific legal counsel. Readers should not act upon this information without seeking professional counsel.

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