

E K M A R K & E K M A R K, L.L.C.
ATTORNEYS AT LAW

A question often arises as to whether certain meetings of board or committee members constitute “board meetings” that must be open to association members and duly noticed under the law. In general, if a majority of the board members are congregating anywhere to discuss association business, this constitutes a board meeting, and must be noticed and open to association members. Likewise, if the board appoints a committee and a majority of the board is part of that committee, a meeting of the committee may be considered a board meeting, and should, therefore, be noticed and open to association members. This is true even if non-board members are also serving on the committee.

A general rule of thumb to remember is if a majority of the board members are gathering in any capacity to address association business, this gathering constitutes a board meeting, which must be open and duly noticed to the association members.

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.

If you do not want us to contact you by e-mail, you may unsubscribe from our online community by replying to this e-mail with the word “Remove” in the subject line.

6720 North Scottsdale Road, Suite 261 * Scottsdale, Arizona 85253
Telephone 480/922-9292 * Fax 480/922-9422
e-mail curtis@ekmarklaw.com
www.ekmarklaw.com