



## OPEN BOARD MEETING REQUIREMENTS

For Condos and Planned Communities

**Notice.** After declarant turnover, members must be provided with at least 48-hour advanced notice of board meetings. Notice can be through any reasonable method as determined by the board (i.e. posting, mail, email, newsletter, etc.). If the Governing Documents require more than 48-hours, you should stick to that requirement because it complies with both the statute and the Governing Documents. *See* ARS 33-1248(D) for Condos and ARS 33-1804(D) for Planned Communities.

**Member Comment.** *Before* a board decides an issue on the agenda it must allow the member or the member's representative to speak on that issue. The board can place reasonable time restrictions on how much time the member takes but cannot prohibit member comment. Keep in mind the member cannot comment about issues outside the pending motion made by the board. *See* ARS 33-1248(A) for Condos and ARS 33-1804(A) for Planned Communities.

**Informal Meetings.** Anytime (after declarant turnover) a quorum of the board gets together, even informally, to discuss association business, it is subject to the open meeting laws, including the 48-hour notice requirement above. That said, a quorum of the board can meet without the members but it needs to satisfy the executive meeting requirements. *See* ARS 33-1248(E)(4) for Condos and ARS 33-1804(E)(4) for Planned Communities.

**Telephone Use.** Directors may attend board meetings telephonically but if they do if a speakerphone is available in the meeting room that allows board members and association members to hear all parties who are speaking during the meeting. *See* ARS 33-1248(E)(3) for Condos and ARS 33-1804(E)(3) for Planned Communities.

**Agenda.** The agenda of the open meeting must be made available to those that attend the meeting. *See* ARS 33-1248(E)(1) for Condos and ARS 33-1804(E)(1) for Planned Communities.

**Executive Board Meetings.** Executive board meetings are authorized but only if the executive board meeting requirements are met. *See* Executive Board Meeting Requirements Law Sheet.

**Emergency Meetings.** Emergency meetings are authorized but only if the emergency meeting protocols are met. *See* Emergency Meeting Requirements Law Sheet.