

Community Association Meetings During the Coronavirus Pandemic (Or Any Other Time of Crisis)

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If you watch or read the news lately, the coronavirus seems to be everywhere. And that's the problem, right? With the uncertainty of what might be coming, community association boards and managers may want to take actions to help protect their residents and limit the spread of this virus. Rethinking close quarters gatherings – such as social events and meetings – may be prudent or even mandated to help residents keep the recommended “social distance.” This coronavirus may run its course soon, but another type of crisis could be around the corner. Boards and managers should have contingency plans in place for meetings so that they and the owners can continue to conduct business.

Owner Meetings. Owner meetings are the association's annual meeting, trustee elections, and any other meeting where owners are voting. To reduce in-person attendance at an owner meeting, encourage the use of absentee ballots or implement electronic voting, if permissible. Better yet, many association by-laws include a provision permitting a ballot by mail in lieu of a meeting. If your by-laws do not include this type of authority, achieving it may be a quick and simple Radburn Law amendment away. Keep in mind that an association is required to have an annual (or biennial) meeting of owners even if the trustee election is conducted separately. Of course, when holding an annual meeting is not reasonable or prohibited, boards should opt for delay until circumstances permit. Virtual meetings (real-time meetings held over the Internet using integrated audio and video, chat tools, and application sharing) for owners are more complicated, but with appropriate by-laws amendments may be possible.

Board Meetings. All binding votes of a community association board (not including four exceptions) must be made at a meeting which is open to attendance by owners. While the law requires that board meetings be held at a location within the community, if available, or at a local meeting room, offering the option of virtual attendance may be appropriate to limit the number of in-person attendees and keep association business running. Fortunately, technology makes virtual meetings simple and not too costly. Nothing in the law prohibits or permits offering attendance by virtual board meeting, but appropriate by-laws amendments can clarify this authority, and written procedures can help owners to know what to expect. At a minimum, all attendees should be able to hear board discussions and there must be a way for owners to ask questions (at the appropriate time if permitted). Be careful with virtual meeting capacity; you may be used to few people attending your meetings in person but demand for virtual attendance could be much higher and all who want to attend virtually should be

able to do so. You may also find virtual meetings are popular and it may be difficult to discontinue some version of them once the crisis situation is averted.

Ultimately, public health and safety will be paramount and overrule even statutory requirements for meeting procedures. In a health crisis like coronavirus, the situation can change from day to day. Boards and managers should be guided by local, state, and federal authorities ([such as the CDC](#)) and board decisions should be reasonable based on that guidance. If you have not yet spoken to your county health department, call today to make contact and confirm your association will be notified if the current recommendations change.

Boards and managers should also be guided by their association governing documents and should always check with association legal counsel to determine recommended guidance in conducting meetings. We all hope the current coronavirus situation moves on quickly without more impact to public health or the economy; but if it sticks around for a while, or to prepare for the next crisis situation, boards and managers should consider these meeting options to keep business running.

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