

## **Association Meetings during the Emergency Orders regarding Covid-19**

The Covid-19 pandemic has caused a disruption across all aspects of our daily lives, to include the operations of the Homeowner Association. With the various levels and directives from the Governor of the State of Virginia, the Office of the Common Interest Community Ombudsman, issued a directive on April 22, 2020 that permitted Homeowner Associations to meet electronically without having at least two board members present in the same location.

The Longhill Station Homeowners Association's Board of Directors has been in compliance with this mandate, announcing and holding board meetings via Zoom Pro virtual platform. The meeting notices are sent out via email and posted on the website.

The approved minutes of the meeting can only be sent out via email and posted to the portal maintained by Berkeley Realty Property Management as the website does not have a secure owner portal.

The Governor and the General Assembly have not expanded this amendment to allow virtual meetings of the membership. The Annual Meeting of the Membership has been postponed until the Emergency Order(s) allow the meeting to be held virtually and/or lift the sanctions to the point where public facilities are opening their meeting rooms to rentals.

Please contact the manager, Diane Clarcq, at 757.229.6810, ext. 209 or email at [dclarcq@berkeley-realty.com](mailto:dclarcq@berkeley-realty.com) to ensure your email address is current and in the management system. Thank you for your understanding as we work thru these administrative tasks together.

## Office of the Common Interest Community Ombudsman

# Board Meetings May Be Held Via Fully Electronic Methods

On April 22, 2020, the General Assembly approved language amendments proposed by Governor Northam to HB 29 and HB 30 to address difficulties associations are facing when trying to hold board meetings during the current public health emergency.

Under the provisions of the new law effective April 24, 2020, if the Governor has declared a state of emergency pursuant to Va. Code § 44-146.17, association governing boards may meet electronically without having a member physically present at one location. This is permitted only if the emergency makes it impracticable or unsafe for the board to assemble in one place; the purpose of the meeting is to discuss or transact business of the association required by statute or necessary to continue operations of the association; and the governing board distributes minutes of the meeting the same way it provided notice of the meeting.

In order to convene a meeting under this new law, the governing board must give notice to members using the best method available given the nature of the emergency, and that notice must be given at the same time it is given to the governing board. The governing board must also make arrangements for association members to access the meeting through electronic means, including videoconferencing if practicable. If possible, the members should be provided an opportunity to comment.

Minutes of any such electronic meeting should include the nature of the emergency, the fact that the meeting was held electronically, and the type of electronic meeting method used.

Please contact the CIC Ombudsman ([email](#)) if you have questions or require additional information.

- [HB 29, Item 4-0.01, paragraph 2g](#)
- [HB 30, Item 4-0.01, paragraph 2g](#)