

## EMERGENCY MEETINGS

“Emergency” means any occurrence that:

- Could not have been reasonably foreseen;
- Affects the health, welfare and safety of the residents;
- Requires the immediate attention of, and possible action by, the executive board; **AND**
- Makes it impracticable to comply with notice requirements.

Prior to holding an emergency meeting, notice must be hand-delivered to each unit or posted in prominent places within the association.

In an emergency, **the executive board** may take action on an item which is not listed on the agenda.

## EXECUTIVE SESSION

The board must meet **privately** to:

- Consult with the attorney on matters relating to litigation if the contents of the discussion are privileged;
- Discuss the character, alleged misconduct, professional competence, or physical or mental health of a community manager or an employee of the association;
- Hold hearings for a violation of the governing documents, including failure to pay an assessment (an open hearing can be requested); and
- Discuss the alleged failure of a unit’s owner to adhere to a construction schedule.

Any matter discussed in executive session must be generally noted in the minutes of the next regular board meeting. Names of those accused of violations cannot be revealed.

An executive board may not meet in executive session to open or consider bids for an association project or enter into, renew, modify, terminate or take any other action regarding a contract.

State of Nevada  
Department of Business and Industry  
Real Estate Division  
Ombudsman for Owners in Common-  
Interest  
Communities and Condominium Ho-  
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## UNDERSTANDING ASSOCIATION MEETINGS



There are 2 types of categories of meetings that can be held within a CIC in Nevada:

- **Executive Board Meetings**
  - ⇒ Executive Session
  - ⇒ Emergency Meetings
- **Unit Owner Meetings**
  - ⇒ Special Meetings
  - ⇒ Annual Election/Budget Ratification

### REQUIREMENTS:

A **meeting of the executive board** must be audio recorded (not executive session) and held at least once every quarter, not less than once every 100 days, at least twice annually at a time other than during standard business hours (9a-5p).

A **meeting of the units’ owners** must be held at least once each year at a time and place stated in the bylaws. Board members attend as unit owners. Elections *must* take place at this meeting, while budget ratifications must take place annually, but *may* not take place at this meeting (neither requires a quorum).

## NOTICE:

Within **15 to 60 days** in advance of any **meeting of the units' owners**, the secretary or other officer specified in the bylaws shall cause notice of the meeting to be provided to all unit owners, stating the time and place of the meeting and *including* a copy of the agenda.

Not less than **10 days** before the date of a **meeting of the executive board**, unless the bylaws of an association require a longer period of notice, the secretary or other officer specified in the bylaws shall cause notice of the meeting to be provided to all unit owners, stating the time and place and including a copy of the agenda, **or** the date on which and locations where copies of the agenda may be conveniently obtained.

The association may send notice of a meeting via:

- U.S. Postal Service to the address on file;
- Email if provided;
- Newsletter or a similar publication sent to all unit owners;
- Hand delivery; or
- Any other means reasonably calculated to provide notice to the owner.

Meeting notices for both types of meetings must include notification of the right of a unit's owner to have a copy of the minutes or a summary of the minutes provided upon request (charges may apply) and speak to the association or executive board unless the executive board is meeting in executive session.

All meetings must follow some type of parliamentary procedure, and each meeting must follow its agenda.

## AGENDA:

The agenda for a **meeting of the units' owners** must consist of a clear and complete statement of the topics scheduled to be considered, including:

- Any proposed amendment to the declaration or bylaws;
- Any fees or assessments to be imposed or increased by the association;
- Any budgetary changes; and
- Any proposal to remove a member of the executive board .

The agenda of the **meeting of the executive board** must also comply with the above and include any association business to be voted upon. A period devoted to comments by units' owners and discussion of those comments must be scheduled for both the beginning (limited to agenda items) and end (open discussion) of each board meeting. The association may impose reasonable time limits on any speakers.

At least once every quarter, and not less than once every 100 days, the executive board shall review the following at a board meeting:

- (a) Current year-to-date financial statement;
- (b) Current year-to-date schedule of revenues and expenses for the operating & reserve account, compared to the budget for those accounts;
- (c) Current reconciliation of the operating & reserve accounts (the reserves and funding plan must be reviewed at least annually);
- (d) Latest account statements; and
- (e) Current status of any civil action or claim submitted to mediation.

If the executive board receives a written complaint from a unit owner alleging that the board has violated the law or governing documents of the association, the executive board shall, upon written request, place the subject of the complaint on the agenda of the next regularly scheduled meeting of the executive board.

## MINUTES:

The minutes of each **meeting of the executive board** must include: (a) The date, time and place of the meeting (*same for unit owners' meeting*); (b) Those members of the executive board who were present and those members who were absent (a quorum is always required); (c) The substance of all matters proposed, discussed or decided (*same for unit owners' meeting*); (d) A record of each member's vote on any matter decided (disclosures should be made pursuant to NRS 116.31084); and (e) The substance of remarks made by any unit's owner if the owner requests that the minutes reflect his or her remarks; a copy of prepared remarks can also be included (*same for unit owners' meeting*).

The executive board may establish reasonable limitations on materials, remarks or other information to be included in the minutes of its meetings.

Owners may audio-record both types of meetings, but must announce doing so prior to the start of the meeting.

The association shall maintain the minutes of *each* meeting until the common-interest community is terminated.

## **SPECIAL MEETINGS**

An association shall hold a special meeting **of the units' owners** to address any matter affecting the association if its president, a majority of the executive board or units' owners constituting at least 10%, (or lower if specified in the bylaws), of the total number of votes in the association request that such a meeting be called by written petition. If called by written petition, the executive board shall set the date for the special meeting so that it is held **not less than 15 or more than 60 days** after the date on which the petition is received.