

# E K M A R K & E K M A R K, L.L.C.

ATTORNEYS AT LAW

When a community association board holds a meeting, the board typically will prepare an agenda prior to the meeting. However, unlike public entities, planned community and condominium association boards are not under any statutory obligation to post the agenda prior to a board meeting.

The only reason a planned community or condominium association would be required to post the agenda is if it is required by the association's governing documents. Unless required by their governing documents, planned community and condominium boards only need to post notice of the board meeting at least forty-eight hours in advance of such meeting.

Moreover, a planned community or condominium board is not under any legal obligation to limit discussion at the board meeting to items on the agenda. While it is helpful to stick to the agenda to keep order at the meeting, if something comes up at the meeting and the board wishes to consider an item that is not on the agenda, the board can generally do so.

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