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ATTORNEYS AT LAW

A question often arises as to whether certain meetings of board or committee members constitute “board meetings” that must be open to association members and duly noticed under the law. In general, if a majority of the board members are congregating anywhere to discuss association business, this constitutes a board meeting, and must be noticed and open to association members. Likewise, if the board appoints a committee and a majority of the board is part of that committee, a meeting of the committee may be considered a board meeting, and should, therefore, be noticed and open to association members. This is true even if non-board members are also serving on the committee.

A general rule of thumb to remember is if a majority of the board members are gathering in any capacity to address association business, this gathering constitutes a board meeting, which must be open and duly noticed to the association members.

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6720 North Scottsdale Road, Suite 261 \* Scottsdale, Arizona 85253  
Telephone 480/922-9292 \* Fax 480/922-9422  
e-mail [curtis@ekmarklaw.com](mailto:curtis@ekmarklaw.com)  
[www.ekmarklaw.com](http://www.ekmarklaw.com)