

Condominium Meetings and Elections During COVID-19 Pandemic

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Issue

Summarize the governor's executive order and related requirements in state law on condominiums and other common interest community associations conducting remote meetings and elections during the COVID-19 pandemic.

The Office of Legislative Research is not authorized to provide legal opinions, and this report should not be considered one.

Summary

Under state law, a common interest community association's declaration or bylaws may allow or prohibit remote meetings and elections or votes by ballot without a meeting ([CGS §§ 47-250 & -252](#)). In response to the COVID-19 pandemic, the governor recently issued an executive order that authorizes associations to conduct meetings or votes in this way despite any contrary provision in the association's declaration or bylaws.

Specifically, the order authorizes common interest community associations, and their boards and committees, to conduct meetings, elections, or votes by telephone, video, or another conferencing process or by ballot without a meeting ([EO 7HH](#), § 2, May 1, 2020). Under the order, these meetings or votes must be conducted in accordance with specified procedures in state law, explained below.

The order remains in effect until the end of the declared public health and civil preparedness emergency unless the order is modified, extended, or terminated before then.

Procedural Requirements for Common Interest Community Remote Meetings or Votes During COVID-19 Pandemic

Under the governor's executive order, common interest communities that conduct remote meetings or votes during the COVID-19 pandemic must continue to abide by certain procedural requirements in state law.

The following requirements apply to remote meetings:

1. the meeting notice must state the conference process to be used,
2. the notice must explain how unit owners may participate, and
3. the process must provide all unit owners the opportunity to hear or perceive the discussion and offer comments regarding any matter affecting the common interest community or the association ([CGS § 47-250\(a\)\(5\), \(b\)\(7\)](#)).

The following requirements apply to votes conducted without a meeting by unit owners:

1. the association must notify the unit owners that the vote will be taken by ballot,
2. the association must deliver a paper or electronic ballot to every unit owner entitled to vote, and
3. the ballot must state each proposed action or office to be filled and provide an opportunity to vote for or against the action or the candidate.

In addition, when delivering the ballots for a vote without a meeting, the association also must:

1. indicate the number of responses needed to meet the quorum requirements;
2. state the percentage of votes necessary to approve each matter other than election of directors;
3. specify the time and date by which a ballot must be delivered to the association to be counted, which must be at least three days after the association delivers the ballot; and
4. describe the time, date, and manner by which unit owners wishing to deliver information to all unit owners regarding the subject of the vote may do so.

A ballot is not revoked after delivery to the association by the voter's death, disability, or attempted revocation unless the declaration or bylaws provide otherwise. Approval by ballot without a meeting is valid only if the number of votes cast by ballot equals or exceeds the quorum required to be present at a meeting authorizing the action ([CGS § 47-252\(d\)](#)).

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