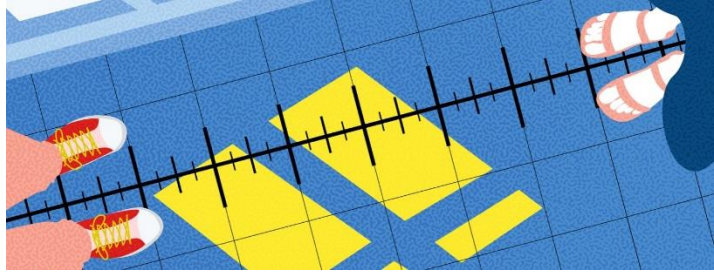


Social Distancing in the age of Social Media...

Connor Wilden, Orten Cavanagh & Holmes, LLC

Unfortunately, while it is becoming ever-more important for Coloradans to participate in [Social Distancing](#), the duties and obligations of running your association do not go away. As libraries, recreational centers, and other locations that provide meeting rooms for associations, postpone or cancel reservations, associations *still* have the responsibility to hold annual meetings and perform its other various obligations.

What should you do if your association cannot or should not have a physical meeting? What alternatives are there for homeowner associations to fulfill their obligations remotely in 2020?



Virtual Meetings – Modern problems require modern solutions

Unsurprisingly, there is no shortage of virtual meeting services on the internet that an association can use to hold required meetings without having homeowners be present in person.

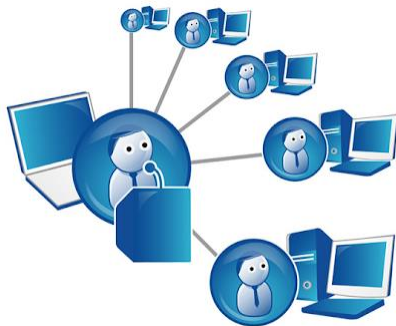
Services – Coming together without ever leaving the comfort of your home

- Conference calls

If your association is small, conference calls may be an easy way to conduct remote annual meetings. However, if the association is too large, conference calls may become impractical (and expensive).

- Virtual meetings

For larger associations, services such as [Zoom](#), [GoToMeeting](#), [Google Hangout](#), [Discord](#) and a [litany](#) of others offer a wide range of services and pricing. Notably, many of these services



have specific log-in requirements which *may be* sufficient to meet quorum requirements because they can automatically tally specific homeowners in attendance. While several of these services offer free plans, if you have a larger association, be ready to pay for these services.

Quorum Requirements – Required regardless of meeting method.

Holding association meetings remotely or virtually does not remove any associated quorum requirements. If your association has decided to use an above-mentioned method that does not include an automatic attendance taker, the association should send out a proxy. That way, even

if the homeowners are unable to make the remote or virtual meeting, they will still count towards quorum. Please note - Facebook live viewer count does not satisfy *any* quorum requirements.

Vote by Mail – But sometimes modern problems can be solved with old school methods too

If any of the above methods are not viable options for your association, voting by mail or submitting proxies by mail is likely still a valid option. Such options may not be as convenient for the homeowners



in the association; however, they could permit the Association to address immediate needs. As there are more recommendations against face-to-face meetings, a written, mail-in ballot may become the best option unless prohibited in the association's governing documents, or conditioned so that unanimous consent of the members is required for a vote outside a meeting.

Please note that there are specific statutory requirements for mail-in ballots, so consult your association's attorney before proceeding.

Disclaimer

Of course, what is actually required for each association will depend entirely on what is contained in *that* association's governing documents. There may be specific provisions which permit or prohibit any of the above actions. Please review your governing documents to ensure that any of the information above does not conflict with any provisions contained therein.