

**HOUSE . . . . . No. 00376**

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The Commonwealth of Massachusetts

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PRESENTED BY:

*John W. Scibak*

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*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to meetings of condominium or homeowners associations.

\_\_\_\_\_  
PETITION OF:

NAME: \_\_\_\_\_

| DISTRICT/ADDRESS: \_\_\_\_\_

# HOUSE . . . . . No. 00376

By Mr. John W Scibak of South Hadley, petition (accompanied by bill, House, No. 00376) of [petitioners] for legislation to further regulate condominium or homeowners associations meetings. Joint Committee on Housing.

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE  
□ HOUSE  
□ , NO. 1240 OF 2009-2010.]

## The Commonwealth of Massachusetts

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**In the Year Two Thousand Eleven**  
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An Act relative to meetings of condominium or homeowners associations.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

- 1 SECTION 1. Chapter 183A of the General Laws, as appearing in the 2006 Official  
2 Edition, is hereby amended by inserting at the end of section ten the following paragraphs:-
- 3 (o) All unit owners shall be given reasonable notice of all regularly scheduled open meetings of  
4 the organization of unit owners;
- 5 (p) All meetings of the organization of unit owners, including meetings of the board of directors  
6 or other governing body shall be open to all unit owners and/or any person designated by a  
7 member in writing as the member's representative and all members or designated representatives

8 so desiring shall be permitted to attend and speak at an appropriate time during the deliberations  
9 and proceedings.

10 (q) A meeting of the board of directors or other governing body of the organization of unit  
11 owners or a committee of the organization of unit owners may be held in closed session only for  
12 the following purposes:

13 (1) Discussion of matters pertaining to reputation, character, physical condition or mental  
14 health rather than the professional competence of an employee and personnel;

15 (2) Protection of the privacy or reputation of individuals in matters not related to the  
16 organization of unit owner's business;

17 (3) Consultation with legal counsel;

18 (4) Consultation with staff personnel, consultants, attorneys, or other persons in connection  
19 with pending or potential litigation;

20 (5) Investigative proceedings concerning possible or actual criminal misconduct;

21 (6) Consideration of the terms or conditions of a business transaction in the negotiation stage  
22 if

23 the disclosure could adversely affect the economic interests of the organization of unit  
24 owners;

25 (7) Compliance with a specific constitutional, statutory, or judicially imposed requirement

26 protecting particular proceedings or matters from public disclosure

27 (r) If a meeting is held in closed session under paragraph (q) of this section:

28 An action may not be taken and a matter may not be discussed if it is not permitted by

29 paragraph (q) of this section; and

30 A statement of the time, place, and purpose of a closed meeting, the record of the vote of

31 each board or committee member by which the meeting was closed, the authority

32 under this section for closing a meeting, and the outcome, shall be included in the

33 minutes of the next meeting of the board of directors or the committee of the organization of

34 unit owners.