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HOUSE BILL NO. 1041

House Amendments in [] — February 12, 2018

A *BILL to amend and reenact § 55-509.3:2 of the Code of Virginia, relating to the Virginia Property Owners' Association Act; lot owner rights.*

Patron Prior to Engrossment—Delegate Convirs-Fowler

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:

1. That § 55-509.3:2 of the Code of Virginia is amended and reenacted as follows:

§ 55-509.3:2. Statement of lot owner rights.

A. Every lot owner who is a member in good standing of a property owners' association shall have the following rights:

1. The right of access to all books and records kept by or on behalf of the association according to and subject to the provisions of § 55-510, including records of all financial transactions;

2. The right to cast a vote on any matter requiring a vote by the association's membership in proportion to the lot owner's ownership interest, except to the extent that the declaration provides otherwise, *and to be informed of the count and outcome of such vote;*

3. The right to have notice of any meeting of the board of directors, to make a record of such meetings *meeting [by audio or visual means, to share the recording of such meeting with other lot owners who are members of the association]*, and to participate in such meeting in accordance with the provisions of subsection F of § 55-510 and § 55-510.1;

4. The right to have (i) notice of any proceeding conducted by the board of directors or other tribunal specified in the declaration against the lot owner to enforce any rule or regulation of the association and (ii) the opportunity to be heard and represented by counsel at the proceeding, as provided in § 55-513, and the right of due process in the conduct of that hearing; and

5. The right to serve on the board of directors if duly elected and a member in good standing of the association, except to the extent the declaration provides otherwise.

B. The rights enumerated in this section shall be enforceable by any such lot owner pursuant to the provisions of § 55-515.

ENGROSSED

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