

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 55-510 of the Code of Virginia, relating to the Property Owners'*
3 *Association Act; notice of meetings.*

4 [H 1595]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 55-510 of the Code of Virginia is amended and reenacted as follows:**

8 § 55-510. Access to association records; meetings of the board of directors; notice of meetings.

9 A. The association shall keep detailed records of receipts and expenditures affecting the operation
10 and administration of the association. All financial books and records shall be kept in accordance with
11 generally accepted accounting practices.12 B. Subject to the provisions of subsection C of this section, all books and records kept by or on
13 behalf of the association, including, but not limited to, the association's membership list and addresses,
14 which shall not be used for purposes of commercial solicitation, and salary information of employees of
15 the association, shall be available for examination and copying by a member in good standing or his
16 authorized agent. This right of examination shall exist without reference to the duration of membership
17 and may be exercised only during reasonable business hours or at a mutually convenient time and
18 location and upon five days' written notice.19 C. Books and records kept by or on behalf of an association may be withheld from inspection and
20 copying to the extent that they concern:

21 1. Personnel matters or a person's medical records;

22 2. Communications with legal counsel or attorney work product;

23 3. Transactions currently in negotiation and agreements containing confidentiality requirements;

24 4. Pending litigation;

25 5. Pending matters involving formal proceedings for enforcement of the association documents or
26 rules and regulations promulgated pursuant thereto;

27 6. Disclosure of information in violation of law; or

28 7. Meeting minutes or other records of an executive session of the board of directors held in
29 accordance with subsection E of this section.30 D. The association may impose and collect a charge, reflecting the actual costs of materials and
31 labor, prior to providing copies of any books and records to a member in good standing under this
32 section.33 E. All meetings of the board of directors shall be open to all members of record. Minutes shall be
34 recorded and shall be available as provided in subsection B of this section. The board of directors may
35 convene in closed session to consider personnel matters, consult with legal counsel; discuss and consider
36 contracts, potential or pending litigation and matters involving violations of the declaration or rules and
37 regulations adopted pursuant thereto for which a member, his family members, tenants, guests or other
38 invitees are responsible; or discuss and consider the personal liability of members to the association
39 upon the affirmative vote in open meeting to assemble in closed session. The motion shall state
40 specifically the purpose for the closed session. Reference to the motion and the stated purpose for the
41 closed session shall be included in the minutes. The board of directors shall restrict the consideration of
42 matters during the closed portions of meetings only to those purposes specifically exempted and stated
43 in the motion. No contract, motion or other action adopted, passed or agreed to in closed session shall
44 become effective unless the board of directors, following the closed session reconvenes in open meeting
45 and takes a vote on such contract, motion or other action which shall have its substance reasonably
46 identified in the open meeting. The requirements of this section shall not require the disclosure of
47 information in violation of law.48 F. Meetings of the association shall be held in accordance with the provisions of the bylaws at least
49 once each year after the formation of the association. The bylaws shall specify an officer who shall, at
50 least fourteen days in advance of any annual or regularly scheduled meeting, and at least seven days in
51 advance of any other meeting, send to each member notice of the time, place, and purposes of such
52 meeting. Notice shall be sent by United States mail to all members at the address of their respective lots
53 and to such other addresses as any of them may have designated to such officer; or notice may be hand
54 delivered by the officer, provided the officer certifies in writing that notice was delivered to the member.