

VIRGINIA ACTS OF ASSEMBLY -- 2015 SESSION

CHAPTER 430

An Act to amend and reenact § 55-79.76 of the Code of Virginia, relating to the Virginia Condominium Act; meetings of the unit owners' association; quorum.

[S 1390]

Approved March 23, 2015

Be it enacted by the General Assembly of Virginia:

1. That § 55-79.76 of the Code of Virginia is amended and reenacted as follows:

§ 55-79.76. Meetings of unit owners' associations; quorums.

~~(a)~~ A. Unless the condominium instruments otherwise provide, a quorum shall be deemed to be present throughout any meeting of the unit owners' association until adjourned if persons entitled to cast more than 33 1/3 percent of the votes are present at the beginning of such meeting. The bylaws may provide for a larger percentage, or for a smaller percentage not less than 10 percent.

~~(b)~~ B. Unless the condominium instruments specify a larger majority, a quorum shall be deemed to be present throughout any meeting of the executive organ if persons entitled to cast one-half of the votes in that body are present at the beginning of such meeting.

C. *On petition of the unit owners' association or any unit owner entitled to vote, the circuit court of the city or county in which the condominium or the greater part thereof is located may order an annual meeting of the unit owners' association be held for the purpose of the election of members of the executive organ, provided that:*

1. No annual meeting as required by § 55-79.75 has been held due to the failure to obtain a quorum of unit owners as specified in the condominium instruments; and

2. The unit owners' association has made good faith attempts to convene a duly called annual meeting of the unit owners' association in three successive years, which attempts have proven unsuccessful due to the failure to obtain a quorum.

The court may set the quorum for the meeting and enter other orders necessary to convene the meeting.

A unit owner filing a petition under this subsection shall provide a copy of the petition to the executive organ at least ten business days prior to filing.