

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding in Article 2 of Chapter 4.2 of Title 55 a section*  
3 *numbered 55-79.72:3 and by adding in Article 1 of Chapter 26 of Title 55 a section numbered*  
4 *55-509.3:1, relating to the Condominium and Property Owners' Association Acts; statement of unit*  
5 *and lot owner rights.*

6 [S 1008]

7 Approved

8 **Be it enacted by the General Assembly of Virginia:**

9 **1. That the Code of Virginia is amended by adding in Article 2 of Chapter 4.2 of Title 55 a**  
10 **section numbered 55-79.72:3 and by adding in Article 1 of Chapter 26 of Title 55 a section**  
11 **numbered 55-509.3:1 as follows:**

12 **§ 55-79.72:3. Statement of unit owner rights.**13 *Every unit owner who is a member in good standing of a unit owners' association shall have the*  
14 *following rights:*15 *1. The right of access to all books and records kept by or on behalf of the unit owners' association*  
16 *according to and subject to the provisions of § 55-79.74:1, including records of all financial*  
17 *transactions;*18 *2. The right to cast a vote on any matter requiring a vote by the unit owners' association*  
19 *membership in proportion to the unit owner's ownership interest, except to the extent that the*  
20 *condominium instruments provide otherwise;*21 *3. The right to have notice of any meeting of the executive organ, to make a record of such meetings*  
22 *by audio or visual means, and to participate in such meeting in accordance with the provisions of*  
23 *§ 55-79.75;*24 *4. The right to have (i) notice of any proceeding conducted by the executive organ or other tribunal*  
25 *specified in the condominium instruments against the unit owner to enforce any rule or regulation of the*  
26 *unit owners' association and (ii) the opportunity to be heard and represented by counsel at the*  
27 *proceeding, as provided in § 55-79.80:2, and the right of due process in the conduct of that hearing;*  
28 *and*29 *5. The right to serve on the executive organ if duly elected and a member in good standing of the*  
30 *unit owners' association, except to the extent that the condominium instruments provide otherwise.*31 *The rights enumerated in this section shall be enforceable by any such unit owner pursuant to the*  
32 *provisions of § 55-79.53.*33 **§ 55-509.3:1. Statement of lot owner rights.**34 *Every lot owner who is a member in good standing of a property owners' association shall have the*  
35 *following rights:*36 *1. The right of access to all books and records kept by or on behalf of the association according to*  
37 *and subject to the provisions of § 55-510, including records of all financial transactions;*38 *2. The right to cast a vote on any matter requiring a vote by the association's membership in*  
39 *proportion to the lot owner's ownership interest, except to the extent that the declaration provides*  
40 *otherwise;*41 *3. The right to have notice of any meeting of the board of directors, to make a record of such*  
42 *meetings by audio or visual means, and to participate in such meeting in accordance with the provisions*  
43 *of subsection F of § 55-510 and § 55-510.1;*44 *4. The right to have (i) notice of any proceeding conducted by the board of directors or other*  
45 *tribunal specified in the declaration against the lot owner to enforce any rule or regulation of the*  
46 *association and (ii) the opportunity to be heard and represented by counsel at the proceeding, as*  
47 *provided in § 55-513, and the right of due process in the conduct of that hearing; and*48 *5. The right to serve on the board of directors if duly elected and a member in good standing of the*  
49 *association, except to the extent the declaration provides otherwise.*50 *The rights enumerated in this section shall be enforceable by any such lot owner pursuant to the*  
51 *provisions of § 55-515.*

ENROLLED

SB1008ER