

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

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

4 [S 1390]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 55-79.76 of the Code of Virginia is amended and reenacted as follows:**8 **§ 55-79.76. Meetings of unit owners' associations; quorums.**

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

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

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

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

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

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

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

ENROLLED

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