

REAL Board Meetings Are Truly Open

Casually claiming “You nearly gave me a heart attack” in reaction to a surprise birthday party is merely a figure of speech. But if a doctor warns you that you are at a high risk of a heart attack, he is using a technical term with a very specific medical meaning. Similarly, a Texas homeowners association board should refrain from casual reference to any of its sessions as an “open meeting” unless the session complies fully with the “Open Board Meetings” rules under the Texas Residential Property Owners Protection Act (“the Act”). The very purpose of those rules – protection of homeowners – is at stake.

All homeowners – not merely those who have signed up for censored e-mailings – must be given advance notice of every regular or special board meeting. Advance notice must include the general subject of the meeting, including a general description of matters that are to be discussed in executive session. Minutes of each regular or special board meeting must be recorded and made available to homeowners. Moreover, all CPMCA Board meetings must be held in accordance with CPMCA bylaws, including parliamentary rules of procedure. Deviation from any of these basic rules is a material violation of the rights and interests of homeowners.

The Act specifically provides an exemption for a quorum of board members attending a social event, but even then only if any discussion of association business is incidental to the social function. No exemption at all is granted to so-called “workshops,” particularly those in which the sole purpose is discussion of association business. In fact, the Act very explicitly requires full compliance with the open meeting rules for any board session that considers amendment of bylaws or any increase of homeowner assessments.

REAL Responsiveness meets homeowners’ interests without fabricating loopholes around basic protections of homeowner rights.

REAL Experience relies on standing rules and bylaws without making up its own definitions and rules for open board meetings.

Real Accessibility conducts association business effectively without setting up walls to keep homeowners in the dark.

And REAL Leadership brings homeowners in on all critical decisions without looking for ways to exclude homeowners from actions that will have lasting impact on our property and our lives.