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RIGHTS OF CO-OWNERS UNDER CONDOMINIUM ACT

House Bill 5156

Sponsor: Rep. Andrew Raczkowski

**Committee: Local Government and Urban
Policy**

Complete to 12-9-99

A SUMMARY OF HOUSE BILL 5156 AS INTRODUCED 12-2-99

House Bill 5156 would amend the Condominium Act to revise the rights of co-owners with regard to their associations' boards of directors meetings, and to provide for closed board meetings in some circumstances.

Specifically, under House Bill 5156, bylaws would have to contain provisions to specify the following:

*Co-owners could attend all meetings of the board of directors of the association of co-owners and would have the right to speak on a designated agenda item.

*Written notice of a board meeting would be posted in a conspicuous place on the condominium property not less than 14 days before the meeting (except in the case of an emergency). The notice would include all agenda items for the meeting, and in particular, when the notice of a meeting at which regular assessments against co-owners were to be considered, the notice would contain a specific statement that assessments would be considered and also would describe the nature of the assessments.

*In the event of an emergency board meeting without notice, the directors would provide the details of the emergency at the next regular board meeting.

House Bill 5156 also specifies that the condominium's board of directors could meet in a closed session only for the following purposes: a) certain personnel matters (dismissal, suspension, disciplining, hearing complaints or charges, and evaluations) if the employee requests a closed hearing; b) a strategy and negotiation session connected with the negotiation of a collective bargaining agreement if either party requests a closed hearing; c) to consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, but only if an open meeting would have a detrimental financial effect on the litigating or settlement position of the association; and, d) to review the specific content of an application for employment if the candidate

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requests that the application remain confidential. However, the bill would require open sessions for all interviews for employment.

MCL 559.154

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