

# 2016 MEETINGS AND ELECTIONS

## Table of Contents

|  |    |
|--|----|
| PART I INTRODUCTION OF THE CORPORATE CONCEPT AND THE COMMUNITY ASSOCIATION ..... | 1  |
| A. <i>The Purpose of the Community Association</i> .....                         | 1  |
| B. <i>The Legal Entity</i> .....   | 1  |
| C. <i>Responsibility of Individual Association Members</i> .....                 | 2  |
| D. <i>Responsibility for Maintenance</i> .....                                   | 2  |
| E. <i>Requirement of Good Faith</i> .....  | 2  |
| F. <i>Required Officers</i> .....  | 3  |
| G. <i>The Community Association Defined</i> .....                                | 3  |
| H. <i>Common Property and Appurtenances</i> .....                                | 4  |
| I. <i>Right to Use Property</i> .....  | 4  |
| J. <i>Applicable Law for Not-for-Profit Corporations</i> .....                   | 5  |
| K. <i>Powers of Associations</i> .....   | 5  |
| L. <i>Relevant Law Governing Joint Ownership Property</i> .....                  | 7  |
| M. <i>The Corporate Management Concept</i> .....                                 | 9  |
| <i>Exam and Knowledge Check Questions – Part 1</i> .....                         | 10 |
| PART II MEMBERSHIP MEETINGS .....  | 11 |
| A. <i>Annual Meeting</i> .....   | 11 |
| B. <i>Special meetings</i> .....   | 12 |
| C. <i>Notice of Meetings</i> .....   | 12 |
| D. <i>Voting Rights and Voting Certificates</i> .....                            | 15 |
| E. <i>Quorum</i> .....   | 20 |
| F. <i>Proxies and Absentee Ballots</i> .....                                     | 22 |
| G. <i>Members’ Right to Attend and Participate at Meetings</i> .....             | 27 |
| H. <i>Members’ Right to Audio and Video Record Meetings</i> .....                | 28 |
| I. <i>Manner of Voting</i> .....   | 29 |
| J. <i>Conducting Membership Meetings</i> .....                                   | 31 |
| <i>Knowledge Checks – Part II</i> .....  | 44 |
| PART III – BOARD MEETINGS .....  | 47 |
| A. <i>Definition of Board Meeting</i> .....                                      | 47 |
| B. <i>Board Size</i> .....   | 47 |
| C. <i>Purpose of Board Meetings</i> .....  | 48 |
| D. <i>Types of Meetings</i> .....  | 48 |
| E. <i>Notice of Meetings</i> .....   | 50 |
| F. <i>Open Meeting Requirements</i> .....  | 55 |
| G. <i>Quorum</i> .....   | 56 |
| H. <i>Board Members Attendance by Electronic Communications</i> .....            | 57 |
| I. <i>Agenda Requirements</i> .....  | 58 |
| J. <i>Agenda Requirements for Condominium and Cooperatives</i> .....             | 60 |
| K. <i>Owners’ Rights to Attend and Participate</i> .....                         | 60 |
| M. <i>Board Member Conflicts of Interest</i> .....                               | 61 |
| N. <i>Failure to Vote</i> .....  | 62 |
| <i>Knowledge Checks – Part III</i> .....   | 63 |

## F. Proxies and Absentee Ballots

A proxy is an amazing tool that a member may use to ensure his or her vote is counted when unable to vote in person. A proxy is the grant of authority to another person or entity to vote for the member who won't be able to vote in person. Another powerful tool is the absentee ballot, which also allows the member to vote when unable to vote in person, but the member does vote, rather than having someone else vote for him or her.

### 1. Definition of Proxy

A proxy is the grant of authority by a member to someone else to vote for the member. The right of corporate stockholders or members to vote by proxy in corporate matters is a fundamental right. This right is affirmatively conferred on members of condominium, cooperative and homeowners' associations by statute.

### 2. Form of the Proxy

In the manner provided by the Florida statute, a parcel or unit owner may appoint a proxy to vote or otherwise act for him by signing an appointment form, either personally or by his attorney-in-fact. This form can be found on the website at this link: General and/or Limited Proxy Form:

<http://www.myfloralicense.com/dbpr/lsc/documents/CO-6000-7SampleLimitedProxy62309.pdf>

An executed telegram or cablegram appearing to have been transmitted by such person, or a photographic, photo static, or equivalent reproduction of an appointment form, is probably sufficient. So long as the proxy contains the necessary elements, is in the proper form, and is in writing, the format is probably unimportant.



The image shows a sample 'Appointment of Proxy' form. At the top, it is titled 'Appointment of Proxy' in a decorative font. Below the title, there is a line of text: 'I, Manager/Member, hereby designate and appoint \_\_\_\_\_ to serve as my proxy:'. Underneath this line, there is a horizontal line for the signature of the 'Manager/Member'.



Mailgrams or even hand written notes are likely to be valid proxies. Proxies, however, may not be used by directors to vote at a board meeting, nor should they be used by the proxy holder to perform other acts on behalf of the member such as tape recording meetings.

|   |        |   |        |
|---|--------|---|--------|
| <b>A</b>                                      |        | <b>E</b>                                      |        |
| absentee ballots (Part Six).....              | 29     | election of board                             |        |
| appurtenances                                 |        | notice of meeting (Part Seven).....           | 89     |
| definition .(Part One).....                   | 4      | proxies (Part Seven).....                     | 89     |
| association members                           |        | elections                                     |        |
| responsibility .(Part One).....               | 2      | condominiums and cooperatives (Part Seven)    |        |
| <b>B</b>                                      |        | .....   | 97     |
| board meeting                                 |        | developer control and transition (Part Seven) |        |
| defined (Part Six).....                       | 49     | .....   | 83     |
| board meetings                                |        | homeowners' associations (Part Seven) .....   | 83     |
| emergency (Part Six) .....                    | 52     | process (Part Seven) .....                    | 104    |
| failure to notice and hold (Part Seven) ..... | 123    | recall meeting (Part Seven).....              | 116    |
| location(Part Six).....                       | 58     | regular or special (Part Seven).....          | 85     |
| notice to owners (Part Six) .....             | 54     | timeline (Part Seven) .....                   | 100    |
| organizational (Part Six).....                | 50     | <b>H</b>                                      |        |
| special (Part Six) .....                      | 51, 67 | homeowners' association                       |        |
| board members                                 |        | defined .....                                 | 10     |
| number(Part Seven) .....                      | 87     | mandatory .....                               | 10     |
| removal of (Part Seven).....                  | 115    | Homeowners' Association                       |        |
| term (Part Seven).....                        | 100    | Chapter 720, F.S. ....                        | 10     |
| term (Part Seven).....                        | 87     | <b>L</b>                                      |        |
| board of administration                       |        | limited common elements                       |        |
| unit owner representatives (Part Seven) ..... | 116    | definition .(Part One) .....                  | 4      |
| board of director                             |        | limiting debate (Part Six).....               | 43     |
| eligibility (Part Seven).....                 | 85     | <b>M</b>                                      |        |
| board of directors                            |        | management of a community association (Part   |        |
| defined (Part Four) .....                     | 77     | Four) .....                                   | 77     |
| filling vacancies (Part Seven).....           | 90     | meetings                                      |        |
| organizational meeting (Part Seven).....      | 90     | agenda (Part Six).....                        | 62     |
| recall by written agreement (Part Seven)...   | 124,   | attendance by speaker telephone (Part Six) .  | 60     |
| 133   |        | board meeting minutes (Part Seven) .....      | 122    |
| required officers (Part Seven).....           | 94     | board member attencance (Part Six) .....      | 60     |
| resignation and removal of officers (Part     |        | certified recall (Part Seven) .....           | 121    |
| Seven).....                                   | 94     | conducting (Part Six) .....                   | 33     |
| board workshop sessions (Part Six).....       | 52     | minutes (Part Six) .....                      | 44     |
| <b>C</b>                                      |        | notices to BOD meetings(Part Six).....        | 54     |
| community association                         |        | noticing recall (Part Seven).....             | 117    |
| definition.(Part One).....                    | 3      | parliamentary procedure (Part Six).....       | 39, 46 |
| legal entity.(Part One) .....                 | 1      | quorum(Part Six) .....                        | 59     |
| Condominium Act                               |        | meetings, conducting                          |        |
| Chapter 718, F.S.....                         | 8      | annual membership (Part Six).....             | 13     |
| Cooperative Act                               |        | meetings, recall                              |        |
| Chapter 719, F.S.....                         | 8      | process of electing replacements (Part Seven) |        |
| cooperative property                          |        | .....   | 119    |
| definition .(Part One).....                   | 4      | motions                                       |        |
| corporation not-for-profit                    |        | amending (Part Six) .....                     | 43     |
| powers.(Part Two) .....                       | 5      |   |        |

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