
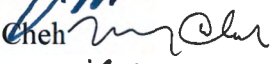



COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE OF THE WHOLE
1350 Pennsylvania Avenue, NW
Washington, DC 20004

MEMORANDUM

TO: Nyasha Smith, Secretary to the Council

FROM: Phil Mendelson, Chairman 
Councilmember Mary M. Cheh 
Councilmember Anita Bonds 

DATE: October 15, 2020

RE: **Request to Place Measure on the Agenda for October 20, 2020 Legislative Meeting**

The following measure is placed on the agenda for the October 20, 2020 Legislative Meeting:

- **Common Interest Community Virtual Meeting Emergency Declaration Resolution of 2020**
- **Common Interest Community Virtual Meeting Emergency Amendment Act of 2020**
- **Common Interest Community Virtual Meeting Temporary Amendment Act of 2020**

Under District law, a condominium association must hold at least one annual meeting per year. That meeting consists of all unit owners in a condominium association. An annual meeting commonly occurs near the end of the calendar year and is held for voting on any matters requiring a vote of the entire community, as well as electing executive board members and officers. In 2014, the Council adopted amendments to the Condominium Act to allow for virtual meetings of executive boards of condominium associations. However, there was no corresponding allowance for virtual meetings of the full association. Meetings of the entire condo association require votes of the entire association, while meetings of the executive board only require the votes by the usually much smaller board members. Similarly, a quorum for a board is usually a majority of the board, while a quorum for the association would be a certain proportion of the total unit owners, depending on the specific condominium association's instruments or bylaws.

Due to the ongoing public health emergency, in person meetings of the entire association may not be allowed under the Mayor's guidelines, or even in a smaller association, such a meeting may not be advisable. However, under the Condominium Act, there is no mechanism for a virtual meeting or remote voting for an association. The proposed emergency and temporary legislation would allow for virtual meeting procedures for the association and would be in effect for the duration of the emergency and temporary measures' applicability.

The emergency act also contains a provision to remove a discrepancy in a temporary act (D.C. Law 23-130) to ensure that there is no misunderstanding the Council's express intent (in an emergency act adopted September 22nd) that the Mayor's public health emergency authority extends through December 31, 2020.

The draft measures are attached. Please call me or Mr. Evan Cash if you have any questions at (202) 724-7002.

cc: All Councilmembers
Council Officers