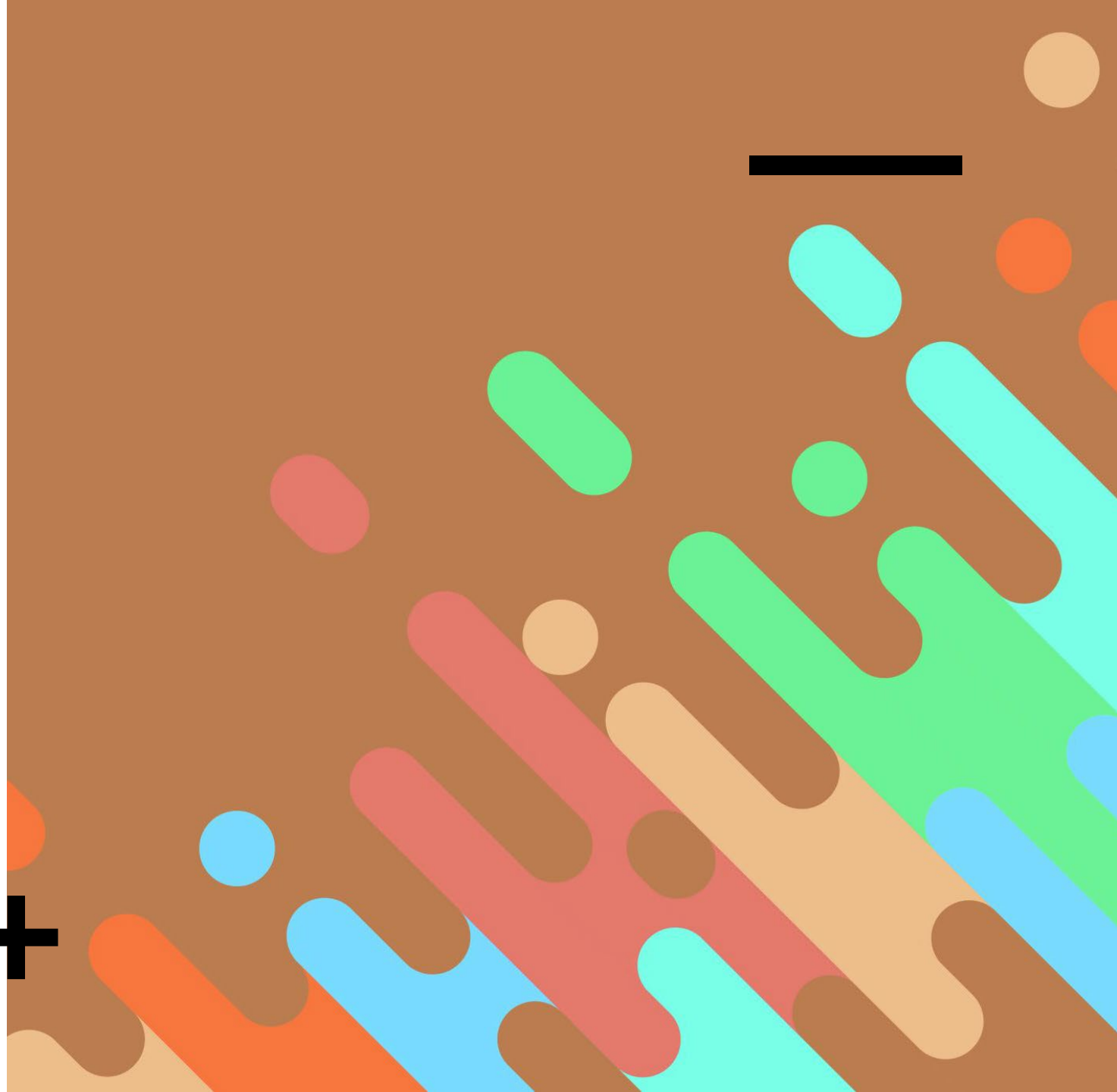


HOA Business in the Digital Age

Angie Bagby, attorney

August 25, 2022



OVERVIEW

Notices

Meetings

Voting

ELECTRONIC NOTICES in Washington

*Permitted notwithstanding
contrary provisions in governing
documents*



Written consent

2 bounceback rule

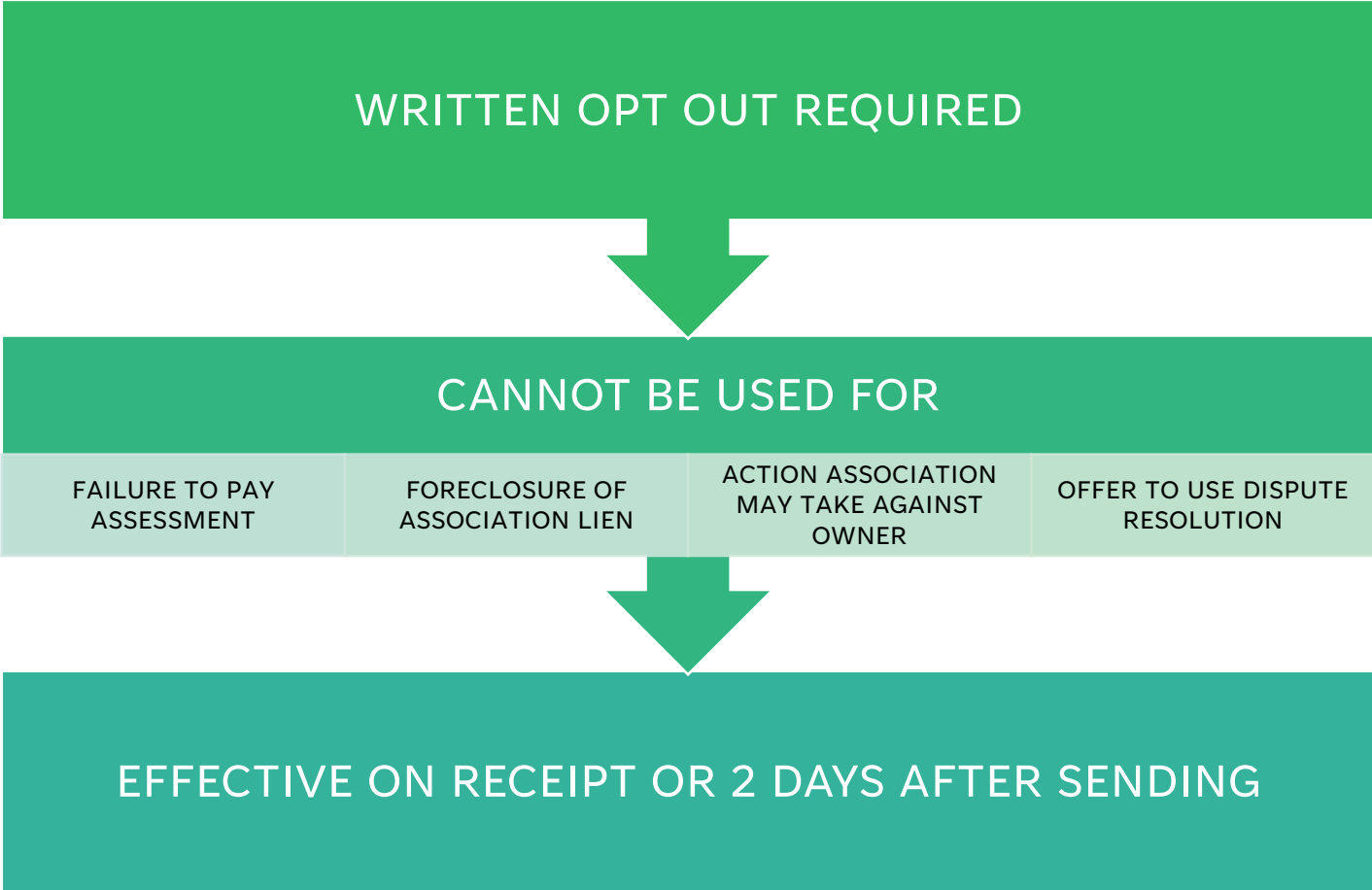
Good faith effort

Applies to all types of notices



ELECTRONIC NOTICES in Oregon

Permitted notwithstanding contrary provisions in governing documents



PROS AND CONS OF ELECTRONIC MEETINGS

PROS

- Cost savings (expert travel time, room rentals, etc.)
- Accessible for more owners
- Safety considerations
- Easier to maintain order

CONS

- Less engagement and interaction
- Technology challenges

ELECTRONIC MEETING STATUTES

Washington

- Meetings can be held electronically “except as restricted by the declaration or bylaws.”

Oregon

- Meetings can be held electronically as long as:
 - Members can communicate and hear each other simultaneously
 - All members must have access to necessary materials
 - Included in notice of the meeting

CONDUCTING THE ELECTRONIC MEETING

Do people need to
pre-register?

Who runs the tech?

Who runs the
meeting?

Will anyone need to
share a screen?

Who needs to be
muted/unmuted,
can people unmute
themselves?

Are you going to
allow recording?

Are you going to
allow “chat”?

How will people
who want to speak
be recognized?

Will you use a
hybrid option?



ELECTRONIC VOTING

During a meeting

- Polling
- Roll Call
- Link to electronic ballot
- Proxies

Outside of a meeting

- Secrecy considerations
- Surveymonkey or other online ballots

Digital Signatures

A record or signature may not be denied legal effect or enforceability solely because it is in electronic form (ORS 84.019; RCW 1.80.060)

Notaries can use digital signatures

“Original signatures” include electronic signatures for recorded documents



Questions?

