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CAI secures major win for Massachusetts Condominium Associations: Electronic meetings and voting bill passes

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Boston, MA On the last day of formal sessions for the 2023-2024 Massachusetts legislative session, the House and Senate passed a comprehensive housing bill (H4977) The Affordable Homes Act which added Section 24 to Chapter 183A allowing for electronic meetings and voting in condominiums. Governor Healey signed the bill (H 4977) and the amendment to G.L. C. 183A on August 6, 2024, and it became effective immediately. This is a tremendous victory for Massachusetts condominiums and one that CAI Massachusetts Legislative Active Committee (MALAC) has supported for the past few years.

How will this impact association meetings and elections?

Since the onset of the pandemic, amending MGL c. 183A to add provisions relative to electronic meetings and voting in condominiums has been a top priority for the MALAC. With the passage of this legislation, all condominiums in Massachusetts will now be able to hold unit owner and board meetings via online or other remote means. In addition, the legislation also permits associations to conduct elections and other voting online or by using other electronic methods.

Many condominium documents specify that board and unit owner meetings must be held in person, and any vote at a meeting must be in writing. As such, up until now, if a board or unit owner meeting were to be held online or remotely, or if voting were to take place electronically, for such acts to occur, it would likely require an amendment to the condominium documents, with the approval of a super-majority of the unit owners. This was often difficult to obtain.

Recognizing this issue, and the fact that allowing for online meetings and voting would increase participation, MALAC drafted legislation to allow for all condominiums to conduct meetings and voting by electronic means without having to amend their documents. This change to the law will increase the efficiency of board and owner meetings by streamlining the meeting process; and will increase unit owner participation and engagement by allowing owners who would not be able to participate in person to attend meetings.

As of the date the Affordable Homes Act was passed, 25 states around the country allowed electronic voting in condominiums and 21 allowed virtual association meetings. In New England, neighboring states of Maine and Connecticut were among those states with statutes allowing flexible meeting options.

Special thanks to legislators, sponsors and CAI MALAC members and advocates.

The MALAC would like to give an extra special thank you to senator Rebecca Rausch, representative James Arciero, and representative Kevin Honan, for their sponsorship and advocacy on behalf of this important legislation. This would not have happened without their leadership and support!

In addition, thank you to members of the MALAC who have worked tirelessly on behalf of condominium associations around the state and those of you who joined in recent advocacy efforts to urge the Governor to sign the bill.

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