

House File 430 - Introduced

HOUSE FILE _____
BY ISENHART

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to boards of administration for horizontal
2 property.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 2229YH 83
5 tm/nh/5

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1 1 Section 1. Section 499B.15, Code 2009, is amended by
1 2 adding the following new subsection:
1 3 NEW SUBSECTION. 1A. If the form of administration is a
1 4 board of administration, board meetings must be open to all
1 5 apartment owners except for meetings between the board and its
1 6 attorney with respect to proposed or pending litigation where
1 7 the contents of the discussion would otherwise be governed by
1 8 the attorney-client privilege. Notices of all board meetings
1 9 must be posted in a conspicuous place on the property at least
1 10 forty-eight hours in advance of a meeting. In the
1 11 alternative, if notice is not posted in a conspicuous place on
1 12 the property, notice of each board meeting must be mailed or
1 13 delivered to each apartment owner at least seven days before
1 14 the meeting. Minutes of meetings of the board of
1 15 administration must be maintained in written form or in
1 16 another form that can be converted into written form within a
1 17 reasonable time. The official records of the board of
1 18 administration must be open to inspection and available for
1 19 photocopying at reasonable times and places. Any action taken
1 20 by a board of administration at a meeting that is in violation
1 21 of any of the provisions of this subsection is not valid or
1 22 enforceable.

EXPLANATION

1 23
1 24 This bill relates to boards of administration for
1 25 horizontal property.
1 26 The bill provides a new requirement for bylaws that govern
1 27 horizontal property. The bill provides that the bylaws must
1 28 provide that if the form of administration is a board of
1 29 administration, board meetings must be open to all apartment
1 30 owners. Notices of all board meetings must be posted in a
1 31 conspicuous place on the property at least 48 hours in advance
1 32 of a meeting. In the alternative, if notice is not posted in
1 33 a conspicuous place on the property, notice of each board
1 34 meeting must be mailed or delivered to each apartment owner at
1 35 least seven days before the meeting. Minutes of meetings of
2 1 the board of administration must be maintained in written form
2 2 or in another form that can be converted into written form
2 3 within a reasonable time. The official records of the board
2 4 of administration must be open to inspection and available for
2 5 photocopying at reasonable times and places. Any action taken
2 6 by a board of administration at a meeting that is in violation
2 7 of any of these provisions is not valid or enforceable.
2 8 LSB 2229YH 83
2 9 tm/nh/5