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## NOTICE AND COMMENT OUTLINE \*

Whenever your association is adopting, amending or repealing a bylaw or rule, and any other time that your documents specify that the Executive Board may take a certain action "after Notice and Comment," you must observe the following procedure:

1. Prepare a notice of the Executive Board meeting at which comments will be received and at which the Executive Board will vote on the proposed action.
  - a. If the proposed action is the adoption, amendment or repeal of a bylaw or rule, the notice must include a copy of the proposed rule, bylaw, or amendment.
  - b. For all other proposed actions, the notice must include a summary of the proposed action.
  - c. The notice should advise unit owners that they may comment either orally or in writing.
  - d. The notice must also contain:
    - i. The date, time, and location of the meeting;
    - ii. The address to which written comments can be sent;
    - iii. The meeting agenda including the proposed amendment or action; and

\* This outline has been prepared to provide readers with information concerning the law of condominiums and community associations in Connecticut. It is not meant to be a substitute for competent professional advice. Readers are encouraged to consult with legal counsel before taking action.

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- iv. The date on which the Executive Board will vote on the proposed action.
2. There are specific time frames for sending out notices:
- a. If the proposed action is the adoption, amendment or repeal of a bylaw or rule, notice must be sent at least 10 days before the meeting, or any longer period specified in your documents.
  - b. For all other proposed actions, the notice must be sent at least 5 days before the meeting, or any longer period specified in your documents.
  - c. We recommend that notices be delivered by the following methods:
    - i. Mailed by United States mail, postage prepaid, to each unit owner at the address appearing on the Association's records.
    - ii. Sent via electronic mail if the unit owner has provided an electronic address to the Association and requested that notices be sent by this means.
  - d. The individual who sends out the notices should fill out a Proof of Notice and file it with the Association's permanent records. The Proof of Notice should be signed and dated by the individual who sent out the notices. The Proof of Notice should also have exhibits of: a copy of the notice, a copy of the mailing addresses used, and a copy of any electronic addresses used.
3. At the Executive Board meeting, before a vote is taken, unit owners must be given an opportunity to share their comments.
- a. Copies of written comments should be distributed to all directors. If they are not too lengthy, it is useful to read them aloud so that the unit owners in attendance will know what written comments have been made.
  - b. Each unit owner who wishes to make a statement should be given an opportunity to do so.
  - c. The Executive Board may impose reasonable time limits for oral comments.

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4. Once the Executive Board has received all written and oral comments, it can then proceed to vote on the proposal. While the directors are required to receive all of the comments, they are still free to vote as each of them believes is in the best interest of the Association.
5. The Executive Board must notify the unit owners of its decision on the proposed action. If the Executive Board adopts an amendment to the bylaws or to the rules, it must also provide them with a copy of the amendment as adopted.

A sample Notice and a sample Proof of Notice are attached.

SAMPLE NOTICE FOR NOTICE AND COMMENT

WINDY HILLS CONDOMINIUM ASSOCIATION, INC.  
NOTICE OF SPECIAL BOARD MEETING

A special meeting of the Executive Board will be held as follows:

Date: Monday, May 16, 2015

Time: 8:00 P.M.

Location: East Westwich Volunteer Fire Department  
23 Westwich Road  
East Westwich, Connecticut 06000

Purpose: The Executive Board has proposed an amendment to the Rules and Regulations of Windy Hills Condominium concerning the use of the tennis courts. A copy of the proposed amendment is attached to this Notice as Exhibit A.

Under Section 24.1 of the Windy Hills Declaration, unit owners are allowed to comment on the proposed rule before the Executive Board votes.

Interested unit owners are invited to attend the meeting and comment on the propose rule. If you would prefer to make your comments in writing, please send them to:

Windy Hills Condominium Association, Inc.  
c/o Mary Smith, Manager  
XYZ Management Company  
12 Main Street  
East Westwich, Connecticut

After considering the comments offered by unit owners, the Executive Board will then vote on whether to approve the proposed amendment.

Meeting Agenda:

1. Attendance
2. Proof of notice of meeting
3. Unit owner comment period
4. Discussion and vote on proposed amendment to the Rules by the Executive Board

5. Adjournment

Please be sure to mail your comments so that they will reach the Association prior to the board meeting.

Dated \_\_\_\_\_  
At the Direction of the Secretary

SAMPLE  
PROOF OF NOTICE

I hereby certify that on May 1, 2015, I sent a copy of the Notice, attached to this Proof as Exhibit A, to all of the unit owner members of the Association. I sent the Notice by First Class mail, postage prepaid to the unit owner members listed on Exhibit B at the addresses listed on Exhibit B. I sent the Notice by email to the unit owner members listed on Exhibit C at the email addresses listed on Exhibit C.

Dated \_\_\_\_\_.

\_\_\_\_\_  
Mary Smith, Manager

EXHIBIT A

[INSERT COPY OF NOTICE]

EXHIBIT B

[INSERT COPY OF UNIT OWNER NAMES AND MAILING ADDRESSES]

EXHIBIT C

[INSERT COPY OF UNIT OWNER NAMES AND EMAIL ADDRESSES]