

HOA Meeting Checklist -- Arkansas

Annual Meetings · Board Meetings · Quorum · Minutes

Use this checklist for every HOA meeting in Arkansas. This reflects Arkansas has no comprehensive HOA/planned-community meeting statute. Ordinary HOAs organized as nonprofits are governed by the Arkansas Nonprofit Corporation Act of 1993, Ark. Code Title 4, Ch. 33. where it applies -- always verify against your governing documents, which may set a stricter rule. This is a governance aid, not legal advice.

PHASE 1 - BEFORE THE MEETING

DETERMINE MEETING TYPE

- | | |
|--|--|
| ☐ Annual / membership meeting | ☐ Regular board meeting |
| ☐ Special membership meeting | ☐ Special board meeting |

REVIEW GOVERNING DOCUMENTS

- | | |
|---|--|
| ☐ Declaration / CC&Rs | ☐ Confirm notice deadline & method
<i>Notice: 10-60 days before the meeting; if mailed by a method other than first-class or re...</i> |
| ☐ Bylaws | ☐ Confirm quorum requirement
<i>Quorum: 10% of the votes entitled to be cast, unless the chapter, articles, or bylaws pro...</i> |
| ☐ Adopted meeting/election rules | ☐ Confirm agenda notice requirements
<i>Agenda: Annual/regular-meeting notice must describe matters requiring member approval</i> |

PREPARE & SEND NOTICE

- | | |
|---|--|
| ☐ Notice sent by required method
<i>Mail / hand delivery / electronic as bylaws permit</i> | ☐ Notice includes: election information (if applicable) |
| ☐ Notice sent within required window | ☐ Notice includes: proxy instructions (if applicable) |
| ☐ Notice includes: date, time, location | ☐ Affidavit / proof of notice prepared |
| ☐ Notice includes: agenda items
<i>Annual/regular-meeting notice must describe matters requiring member approval under speci...</i> | |

Watch out: Do not copy last year's notice without checking whether the meeting involves an election, amendment, budget change, or director removal - those may require different notice language or a longer window.

BUILD THE QUORUM WORKSHEET

TOTAL VOTING INTERESTS

VOTES NEEDED FOR QUORUM

NOTICE SENT DATE

MINUTES RECORDER

QUORUM REQUIREMENT

10% of the votes entitled to be cast, u...

MEETING DATE / TIME

NOTICE METHOD

ELECTION REQUIRED?

Yes / No

VERIFY PROXIES (MEMBERSHIP MEETINGS)

- | | |
|---|---|
| ☐ Each proxy is signed | ☐ No conflicting / duplicate proxies |
| ☐ Each proxy is dated | ☐ Proxies logged in a proxy register |

☐ Each proxy identifies the meeting

☐ Proxy validity / expiration checked

Proxy voting permitted unless prohibited/limited by articles/bylaws; default validity 11 ...

☐ Proxy is from an eligible voting interest

ELECTION PREPARATION (IF APPLICABLE)

☐ Candidate eligibility confirmed

☐ Who counts ballots - identified in advance

☐ Nomination procedure followed

☐ Tie procedure established

☐ Voting method determined (secret / open ballot)

☐ Ballot / proxy forms prepared

PHASE 2 - AT THE MEETING

OPENING

☐ Call meeting to order - record exact time

☐ Identify presiding officer

☐ Confirm proof of notice

☐ Identify minutes recorder

ESTABLISH QUORUM -- BEFORE ANY VOTE

OWNERS PRESENT

VALID PROXIES

TOTAL REPRESENTED

REQUIRED FOR QUORUM

QUORUM ACHIEVED?

10% of the votes entitled to be cast, u...

Yes / No

If quorum is not met: do NOT conduct member business. Call the meeting to order, announce the quorum calculation, and follow the applicable adjournment procedure. In Arkansas: The nonprofit statute provides a board-quorum rule but does not establish a general reduced-quorum or automatic reconvening procedure when a board meeting lacks quorum.

CONDUCT THE MEETING

☐ Follow the prepared agenda

☐ Do not vote on matters outside the agenda

Especially amendments, assessments, director removal

☐ State each motion clearly before voting

☐ Do not conduct member business at a board meeting

☐ Record who made and seconded each motion

☐ Member speaking rights observed

Open meetings: No general statutory open-meeting requirement for nonprofit boards was l

☐ Record the exact vote count and result

EXECUTIVE / CLOSED SESSION (BOARD MEETINGS)

☐ Valid statutory basis identified before closing

☐ Entry time recorded in minutes

☐ Exit time recorded in minutes

☐ Formal vote (if any) taken in open session after reconvening

☐ Post-session summary entered in minutes where required

Executive session is not a general privacy button. "We'd rather discuss this privately" is not a statutory basis. In Arkansas, permitted categories: No statutory nonprofit executive-session categories were located — governed by bylaws.

IF NO QUORUM -- ADJOURNMENT

- ☐ Quorum calculation announced and recorded
- ☐ Motion to adjourn made and passed
- ☐ New date / time / place announced or noted for re-notice

- ☐ All proxies and attendance records preserved
- ☐ Adjournment procedure followed

The nonprofit statute provides a board-quorum rule but does not establish a general reduced-quorum rule.

ADJOURNMENT

- ☐ Motion to adjourn made
- ☐ Adjournment time recorded

- ☐ Ballots / proxies retained
- Do not discard - needed if results are challenged*

PHASE 3 - AFTER THE MEETING

DRAFT MINUTES -- PROMPTLY

- ☐ Association name, meeting type, date, time, location
- ☐ Presiding officer and minutes recorder identified
- ☐ Proof of notice recorded
- ☐ Quorum calculation recorded
- ☐ Each motion stated precisely
- ☐ Maker and seconder of each motion
- ☐ Vote count and result for each motion
- ☐ Election results recorded
- ☐ Executive session entry / exit times and any required summary
- ☐ Adjournment time recorded

Minutes are an official record, not a transcript. Record what was decided, not every word spoken. Avoid personal commentary. Good example: "Motion by Smith, seconded by Jones, to approve the landscaping contract for \$12,000. Passed 4-1." Bad example: "There was a long discussion and people seemed pretty divided."

RECORDS & FOLLOW-UP

- ☐ Minutes approved at next appropriate meeting
- ☐ Ballots and proxies retained
- ☐ Records available for member inspection as required
- ☐ Any required post-meeting notices sent
- ☐ Action items assigned with owner and deadline
- ☐ Next meeting date confirmed and calendared

e.g. election results broadcast, assessment notices

Minutes retention: Ark. Code §4-33-1601 (Arkansas Nonprofit Corporation Act, "Corporate r...

ARKANSAS QUICK REFERENCE

Governing statute	Arkansas has no comprehensive HOA/planned-community meeting statute. Ordinary HOAs organized as nonprofits are governed by the Arkansas Nonprofit Corporation Act of 1993, Ark. Code Title 4, Ch. 33.
Member meeting notice	10-60 days before the meeting; if mailed by a method other than first-class or registered mail, at least 30 days.
Agenda in notice	Annual/regular-meeting notice must describe matters requiring member approval under specified statutory provisions; special-meeting notice must describe the matter(s) for which the meeting is called.
Member quorum default	10% of the votes entitled to be cast, unless the chapter, articles, or bylaws provide a higher or lower quorum.
Proxy rules	Proxy voting permitted unless prohibited/limited by articles/bylaws; default validity 11 months unless otherwise provided, never exceeding 3 years.
If quorum fails	The nonprofit statute provides a board-quorum rule but does not establish a general reduced-quorum or automatic reconvening procedure when a board meeting lacks quorum.
Board meetings open	No general statutory open-meeting requirement for nonprofit boards was located — governed by bylaws.

Board meeting notice	Regular board meetings may be held without notice unless the articles or bylaws provide otherwise; special board meetings require at least two days' notice to each director unless the articles, bylaws, or the statutory exception provides otherwise.
Board quorum default	Majority of directors in office immediately before the meeting begins, unless otherwise provided by the chapter, articles, or bylaws.
Executive session	No statutory nonprofit executive-session categories were located — governed by bylaws.
Minutes retention	Ark. Code §4-33-1601 (Arkansas Nonprofit Corporation Act, "Corporate records"): a corporation "shall keep as permanent records minutes of all meetings of its members and board of directors, a record of all actions taken by the members or board of directors without a meeting, and a record of all actions taken by a committee of the board of directors in place of the board of directors." This is PERMANENT retention, not a finite period (e.g. 7 years) — applies to both member-meeting and board-meeting minutes. §4-33-1602 separately governs member inspection/copying rights but is not the retention provision.
Citation	Ark. Code §§4-33-701, 4-33-705, 4-33-722, 4-33-724, 4-33-820, 4-33-822, 4-33-824.

These reflect statutory defaults for Arkansas and apply only when your governing documents do not specify otherwise -- your declaration and bylaws generally control. This checklist is a governance aid, not legal advice. For contested elections, amendments, director removal, or disputed voting rights, have the association's attorney review the procedure before the meeting.