

HOA Meeting Checklist -- Kansas

Annual Meetings · Board Meetings · Quorum · Minutes

Use this checklist for every HOA meeting in Kansas. This reflects Kansas Uniform Common Interest Owners Bill of Rights Act, K.S.A. §§58-4601 et seq. 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: Notice of each annual and special unit-owner meeting must be given not less than</i> |
| ☐ Bylaws | ☐ Confirm quorum requirement
<i>Quorum: 20% of association votes, unless bylaws provide otherwise.</i> |
| ☐ Adopted meeting/election rules | ☐ Confirm agenda notice requirements
<i>Agenda: The notice for every annual and special unit-owner meeting must state the time, c</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>The notice for every annual and special unit-owner meeting must state the time, date, pla...</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

20% of association votes, unless bylaws...

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
<i>Owners may vote by proxy unless prohibited or limited by declaration/bylaws; absentee-ba</i> |

☐ 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?

20% of association votes, unless bylaws...

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 Kansas: Unless the bylaws provide otherwise, 20% of the votes constitutes a quorum at a unit-owner meeting, and a majority of the board votes constitutes a board quorum unless the bylaws specify a larger number. Sec. 58-4613 contains no automatic reduced-quorum or reconvening procedure when a quorum is absent.

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: Yes, except during statutory executive sessions. K.S.A. §58-4612(a).

☐ 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 Kansas, permitted categories: Attorney/legal matters; existing or potential litigation/mediation/arbitration/administrative proceedings; labor/personnel; currently negotiated contracts/leases/commercial transactions including bids; or preventing public disclosure where privacy would be violated. K.S.A. §58-4612(a)(1)-(5).

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

ADJOURNMENT

☐ Motion to adjourn made

☐ Adjournment time recorded

☐ All proxies and attendance records preserved

☐ Adjournment procedure followed

Unless the bylaws provide otherwise, 20% of the votes constitutes a quorum at a unit-owner meeting.

☐ 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

Owners present + valid proxies = total represented vs. required

☐ 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

Minutes retention: The association must retain minutes of all unit-owner and board meetings...

☐ Records available for member inspection as required

☐ Any required post-meeting notices sent

e.g. election results broadcast, assessment notices

☐ Action items assigned with owner and deadline

☐ Next meeting date confirmed and calendared

KANSAS QUICK REFERENCE

Governing statute	Kansas Uniform Common Interest Owners Bill of Rights Act, K.S.A. §§58-4601 et seq.
Member meeting notice	Notice of each annual and special unit-owner meeting must be given not less than 10 days and not more than 60 days before the meeting. Notice may be given by any method reasonably calculated to provide notice.
Agenda in notice	The notice for every annual and special unit-owner meeting must state the time, date, place, and agenda items, including the general nature of proposed declaration or bylaw amendments, budget proposals or changes, and proposals to remove an officer or board member. At a special meeting, only matters described in the notice may be considered.
Member quorum default	20% of association votes, unless bylaws provide otherwise.
Proxy rules	Owners may vote by proxy unless prohibited or limited by declaration/bylaws; absentee-ballot procedures also exist. K.S.A. §58-4614.
If quorum fails	Unless the bylaws provide otherwise, 20% of the votes constitutes a quorum at a unit-owner meeting, and a majority of the board votes constitutes a board quorum unless the bylaws specify a larger number. Sec. 58-4613 contains no automatic reduced-quorum or reconvening procedure when a quorum is absent.

Board meetings open	Yes, except during statutory executive sessions. K.S.A. §58-4612(a).
Board meeting notice	At least 5 days, unless the meeting is on a schedule previously given to owners or is an emergency; notice must state time, date, place, and agenda. K.S.A. §58-4612(e).
Board quorum default	Majority of board voting power, unless bylaws specify a larger number. K.S.A. §58-4613(b).
Executive session	Attorney/legal matters; existing or potential litigation/mediation/arbitration/administrative proceedings; labor/personnel; currently negotiated contracts/leases/commercial transactions including bids; or preventing public disclosure where privacy would be violated. K.S.A. §58-4612(a)(1)-(5).
Minutes retention	The association must retain minutes of all unit-owner and board meetings, other than executive sessions, for five years unless otherwise provided. The same subsection also requires retention of specified voting records for one year after the related election, action, or vote.
Citation	K.S.A. §§58-4601 et seq., particularly §§58-4611, 58-4612, 58-4613, 58-4614, 58-4616.

These reflect statutory defaults for Kansas 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.