

The link below will take you to a very informative 2-minute video on exactly what an Executive Meeting of the Board is. This video is provided by the Adams-Stirling Professional Law Corporation which specializes in HOA laws and rulings.

https://youtu.be/UasbZ_k285Q

With this video we hope you will have a better understanding of what Executive meetings are for and what can and can't be discussed. Additionally, below find written information that is echoed by the video.

Purpose. Executive sessions of the board of directors are provided by statute so boards can address [confidential issues](#) as enumerated by the statute. Accordingly, members do not have a right to attend the meetings or to review [executive session minutes](#). As provided for in [Civil Code §4935](#), boards may go into executive session for the following matters:

1. [Legal Issues](#). Boards may go into executive session to "[consider litigation](#)."
2. [Formation of Contracts](#). Boards may consider matters relating to the [formation of contracts](#) with third parties.
3. [Disciplinary Hearings](#). Boards should meet in executive session for all [disciplinary hearings](#). The accused member is entitled to attend the executive session for that portion of the meeting dealing with member's hearing.
4. [Personnel Issues](#). [Personnel matters](#) includes anything involving employees including, but not limited to, hiring, firing, raises, disciplinary matters, performance reviews, and adopting or amending employee policies. Filling [officer](#) or [director](#) vacancies and appointing or removing [committee members](#) do not qualify as personnel matters. They need to be done in [open session](#).
5. [Payment Plan](#). Board may meet with members in executive session to discuss requests by delinquent members for [payment plans](#).
6. [Foreclosure](#). The decision to [initiate foreclosure](#) shall be made only by the board of directors of the association and may not be delegated to an agent of the association. The board must approve the decision by a majority vote of the directors in executive session.
2. [Disability Request](#). A seventh topic not listed in the Davis-Stirling Act which requires confidentiality is when a disabled person requests reasonable accommodation for their disability. California Code of Regulations 12176(b)(1) requires, "All information concerning an individual's disability, request for an accommodation, or medical verification or information must be kept confidential and must not be shared with other persons..."

Form of Meeting. Executive session meetings can be held by any of the following methods:-

3. [In Person](#). Directors can meet in person at a physical location.
4. [Email](#). Email meetings are [prohibited](#) except for [emergency](#)
5. [Telephone-Video](#). Directors can meet via [telephone or video conference](#).
6. [Unanimous Written Consent](#). A "unanimous written consent" may be used for [emergency actions](#).

Who May Attend. As noted above, members do not have a right to attend executive session meetings. However, that does not mean the meetings are limited to directors only. Directors, managers, recording secretaries, the association's attorney, members subject to disciplinary action as well as witnesses (but only for that portion of the meeting involving the disciplinary hearing), and others invited by the board (such as vendors bidding on a project) may attend executive session meetings.