

Can LCPOA Members Record Open LCPOA Board Meetings?

No. Individual board members and homeowners do not have a legal right to record LCPOA board meetings. That is because our Board has established a clear rule: No audio or video recording during our open POA meetings. This is announced at the start of each meeting.

How can you get information about the board meeting if you cannot attend? Official written minutes and a public 60-minute wrap-up are emailed and/or posted for the LCPOA community to review on both Powerstone's website and the new LCPOA.com website.

Under California's Davis-Stirling Open Meeting Act (Civil Code 4925), association members have the right to attend open board meetings and speak during designated times. However, the law does **not** give members the right to make audio or video recordings.

HOA board meetings are private meetings for association members; not public meetings. Unlike government meetings governed by the Brown Act, the Davis-Stirling Act does not authorize member recordings. Because of this, boards may adopt rules that prohibit attendees from recording meetings. LCPOA has adopted that rule and has firmly stated no AV recording of any type is allowed.

Recordings that are not subject to criminal penalties under the State's Penal Code can still be subject to fines under an association's rules and regulations, i.e., what is permissible by the state can still be restricted by an association. For example, a city might allow three dogs per household, but an association can, under its own authority, restrict households to one dog. The same applies to recording meetings; boards can adopt rules restricting recordings and penalizing violators. Many attendees at our open meetings have the expectation of privacy. Many have withheld their consent to be recorded.

Many boards restrict recordings to encourage open discussion, protect members' privacy, and prevent recordings from being used to intimidate participants or posted publicly without consent. Despite LCPOA's "no recording" rules, both zoom and in-person attendees have 'secretly' recorded our meetings and posted them on social media with an apparent attempt to humiliate our volunteers and Board majority. This ultimately and unfortunately led to the abandonment of the use of Zoom for our open meetings.