

**Electronic Transmission Preauthorization Consent Form  
("Consent Form")**

As of January 1, 2012, California Civil Code section 4910 prohibits a Board of Directors from conducting association business via electronic transmission, such as e-mail, except when an emergency exists. In order to conduct business via e-mail, the Board must unanimously consent to conduct emergency business via e-mail. **A copy of this unanimous written consent to conduct emergency business via e-mail must be filed with the minutes of the next Board meeting every time the Board acts by electronic transmission.**

An emergency exists if both of the following conditions apply:

- 1) There are circumstances that could not have been reasonably foreseen by the Board; and
- 2) The circumstances require immediate attention and possible action by the Board making it impracticable to provide a 4-day notice for an open Board meeting or a 2-day notice for an executive session Board meeting.

This form serves as your consent for the Board to conduct emergency business via electronic transmission, such as e-mail, in situations that meet both of the conditions listed above.

All Board members agree that prior to taking any action by electronic transmission, all Board members shall be sent an e-mail or other electronic transmission setting forth the item of business to be considered. Then, at least a quorum of the Board members must consider the facts that may make this item of business an emergency and determine whether an emergency exists.

Emergency action may only be taken if:

- 1) At least a quorum of the Board responds to the request for emergency action;
- 2) A majority of those responding agree that an emergency exists; and
- 3) A majority of those responding approve the item of business, unless the law or the Association's governing documents require a greater number of Board members to approve the item of business.

The minutes of the emergency meeting conducted by electronic transmission shall set forth the facts which the Board believes constitute an emergency.

_____	_____	_____
Printed Name	Signature	Date
_____	_____	_____
Printed Name	Signature	Date
_____	_____	_____
Printed Name	Signature	Date
_____	_____	_____
Printed Name	Signature	Date
_____	_____	_____
Printed Name	Signature	Date
_____	_____	_____
Printed Name	Signature	Date
_____	_____	_____
Printed Name	Signature	Date

*DISCLAIMER: The contents provided herein are the suggestions and opinions of Epsten Grinnell & Howell, APC on general legal issues involving California community associations and common interest developments. This content is for educational purposes only, is not intended for commercial use and may not be relied upon in addressing any specific legal issues. Specific policies and procedures that your association, management company and/or law firm have developed may differ and may fully satisfy all applicable laws. Copyright 2019 by EPSTEN GRINNELL & HOWELL, APC, unless otherwise indicated. These materials may not be reproduced or distributed without express permission of Epsten Grinnell & Howell, APC.*