



# Illinois Department of Financial and Professional Regulation

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## Division of Real Estate

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## How Does A Board Convene A Closed Session And What May It Discuss?

### How does a board convene a closed session?

A “closed session” is a portion of an open board meeting during which the board discusses – but does not vote on – certain sensitive matters specified by Illinois law, without any owners present. A closed session occurs when the board votes to go into closed session at any time during a board meeting.

### What may a board discuss in closed session?

There are only six matters that may lawfully be addressed in closed session: (1) discussing pending or likely litigation by or against the association; (2) discussing the appointment, employment, engagement, or dismissal of an employee, independent contractor, agent, or other provider of goods and services; (3) interviewing a potential employee, independent contractor, agent, or other provider of goods and services; (4) discussing violations of the association’s rules and regulations; (5) discussing an owner's unpaid assessments; and (6) consultation with the association's legal counsel. Minutes of the board meeting should not reflect the matters discussed in closed session, and any vote on matters discussed in closed session must take place in an open portion of a board meeting.

### Please note a recent law change.

As a result of a recent change in Illinois law, some or all of the members of a condominium or common interest community association board may also meet privately (that is, without holding a Board meeting) for those same six purposes listed above.

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