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Q & A; A New Board Member Asks to See Old Minutes

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Q. *I was elected to the board of my self-managed co-op. After several meetings, I asked to see the minutes of the last five years so that I could better understand the building and its management. I was told that I did not have the right to see these minutes. It was my understanding that a board member has the right to see all corporate documents. Is that correct?*

A. “Every member of the board of directors of a cooperative apartment corporation has an absolute right to examine all of the books and records possessed by the cooperative going back to the cooperative’s formation,” said **Adam Leitman Bailey**, a real estate lawyer.

Mr. Bailey said that it does not matter what the director intends to do with the knowledge gained from the books and records. “They must nonetheless be made available to the director and, if the director chooses, the director’s attorney and accountant,” he said.

“In fact,” **Mr. Bailey** added, “if a director does not examine the books and records, there could be a successful lawsuit against the director for failing to perform the duties of the office.”