

**HOA Governing Documents and
State HOA Law
What you should know!**

HOA governing documents and State HOA law are very weak on enforcement from the homeowner's perspective. In fact, you will find little if anything written on enforcement (mediation is a weak option). Resolving problems between HOA homeowners and HOA Boards and property management companies is left to our courts: a costly, time consuming, and litigious process out of reach for most homeowners. Pursuing your homeowner's rights will involve your hiring a lawyer with your limited funds and the HOA using your HOA funds (dues), their unlimited financial resources (**if they need more they can make assessments and a Board doesn't require home owner approval for litigation unless their authority is limited in the HOA governing documents or if the litigation involves a construction defects law suite**), and the HOA's lawyer to argue the case in court.. Yes, an uneven playing field. Furthermore, if you lose you most likely will pay thousands of dollars for the HOA's legal costs. Until Colorado HOA law changes to provide for an out of court, low cost, accessible binding dispute resolution process we urge homeowners to avoid the court system. The Colorado HOA Forum advocates an out of court binding dispute resolution process (not mediation that has been in Colorado law for decades and not worked for home owners) to resolve HOA complaints: see our web site on how this can be implemented at no cost to the HOA, HOA Boards, or the taxpayer. This would make our very comprehensive and definitive HOA laws enforceable for home owners. The Colorado HOA Forum should not be used as a legal source or for legal advice.

**Developed by: Colorado HOA Forum
www.coloradohoaforum.com**

Buying a home in an Homeowner's Association (HOA) is different. Learn what you should know BEFORE buying your home.

**Colorado
HOA Home Buyer's
Maintenance Guide**

Find out what the HOA will maintain and your maintenance responsibilities, this affects your current and future amount of HOA dues

If you don't maintain you can be fined



Not so quick! Do your homework.

HOA POST- PURCHASE home buying problems can be mitigated by becoming an informed consumer BEFORE YOU BUY A HOME

Colorado HOA Forum: a home owner's advocacy organization dedicated to improving HOA governance through legislative reform
Contact us/Join for Free
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Determine what the HOA will maintain and what you will be responsible for prior to closing on the home.



A valuable checklist for HOA home buyers that will mitigate post purchase problems

Read the HOA Governing Documents, Understand the Controls, Covenants, and Restrictions before Closing on the Home!

**An HOA Home Buyer's Maintenance Worksheet is a available on our web site
web site www.coloradohoaforum.com
Your HOA governing documents will define maintenance**

HOA Home Buyer's Maintenance Guide

Who does what: the HOA or You?



The Basics:

Your realtor should work with you to obtain the HOA's maintenance responsibilities and HOA governing documents: Your HOA dues pay for maintaining the community. This guide will allow you to make a determination on the value received for dues paid.

Walk the community and observe how well maintained. This will if your HOA dues are being spent wisely.

Visit neighbors and ask questions about quality of services performed by the HOA

HOA Reserve Fund:

The reserve fund is used to maintain the community, validate adequacy.

Identify any existing HOA citations on the property related to maintenance

Get a home inspection to identify problems for which the HOA is responsible and if you expect the HOA to fix the problem, get it in writing.

Research the HOA property management company: they usually run the HOA!

Insurance:

Your HOA most likely carries an association insurance policy. Find out what the HOA policy covers related to your home as this can result in reduce homeowners insurance rates.

Inquire about rate discounts if you use the same insurance company as the HOA.

Golf Course: if the HOA owns the golf course and/or restaurant your HOA dues may be subsidizing them, can be increased to make up for losses or pay for capital improvement. You may be required to join the golf club or pay a restaurant fee even if not used.

Exterior Maintenance

Address Numbers on Homes
Exterior Painting of Home
Doorbells and Chimes

HOA Home Buyer's Maintenance

Who does what: the HOA or You?

- Doors including molding, frames, locks
- Street Light posts
- Lighting mounted on homes
- Entryway lights
- Electric Supply boxes Attached to Homes
- Cable Boxes (outside home)
- Water Faucets (outside home)
- Home Foundations
- Gas Lines from Meter to Home
- Gutters and downspouts including extensions
- Outdoor pest control (moles, voles, etc.)
- Cement: porch, driveway, side-walks
- Porch patio and deck additions
- Retaining walls/ Party Walls
- Roof of House including vents
- Television receiving devices (outside home)
- Water seepage—underground source
- Drainage problems
- Windows on homes
- House painting

Ask Questions?



Interior Responsibilities

- Attic vents and screens
- Firebox and flue cleaning and repair
- Fire and burglar alarms
- Flooring
- Normal settling and cracks
- Roof leaks
- Vents
- Walls, non-supporting
- Painting

Utilities: (condos and single family home differ)

- Air conditioning including condenser
- Furnaces and heating
- Hot water heaters including water lines
- Lines from exterior walls into home (phone, gas electric)
- Sewer Systems
- Garbage pick-up and recycling: separation requirements, different containers, etc.



Grounds and Common Areas:

- Fences and Gates , Entranceways
- Lawn service

HOA Home Buyer's Maintenance

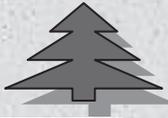
Who does what: the HOA or You?



- Trimming shrubs and trees
- Tree trimming/Replacement/Types
- Snow Removal Policy
- Sidewalk snow removal
- Driveway snow removal
- Streets, parking lot, and park lights
- Mail boxes
- Street and parking lots paving/repair
- Permissible outdoor/security lighting

Miscellaneous Maintenance

- Garages including doors
- Cable TV service and Internet
- Clubhouse exercise rooms, pool, meeting rooms, and other amenities
- Fees in addition to HOA dues
- Entry gate remotes/keys: provided?
- Golf course and broken windows
- Insect control
- On site property manager to resolve issues?
- Sewage system repairs?
- Water main pipe repairs
- Insect spraying



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Ask Questions?



Get Informed Before You Buy



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