



Consumer Tips

From
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Homeowners Associations

You have just gotten a letter from your homeowners' association informing you that you owe the association \$2,000 to help build a swimming pool for the neighborhood. You pay your regular homeowners dues. Do you have to pay this additional fee as well? Homeowners are sometimes caught off guard by assessments from their homeowners' association because they are unaware that the association has the power to assess members. To understand more about the powers of homeowners associations and your rights as a homeowner, read these tips.

- Before you buy a home, ask if there is a homeowners association. Request a copy of the bylaws and covenants and read them carefully to understand the rights and powers of the homeowners association as well as your responsibilities as a homeowner.
- Talk to neighbors about the homeowners' association. Are they happy with the homeowners' board and the management company hired by the board?
- Make sure you understand what fees you'll be required to pay and how these fees may change due to assessments. In most cases, a homeowners association may assess its members to pay for construction or repair of common facilities. Be aware that you will be obligated to pay the fees even if you don't use the facilities.
- Make sure you understand the homeowners associations' oversight powers. For example, you may have to seek association approval of any architectural changes you wish to make to your home.
- Subdivisions with homeowners' associations established after January 1, 1999 are governed by the North Carolina Planned Community Act. However, no state or federal agency oversees homeowners associations. If you are unhappy with a decision made by the homeowners association board, your only recourse may be to ask the board to review the problem.