

# Homeowner Associations: Created to Serve Members, They Are Often Reviled

Fortunately, buyer agents can search for "No HOA" on our MLS, [www.recolorado.com](http://www.recolorado.com), because having no homeowners association is one of the most popular search criteria that buyers give us.

HOAs have definitely earned a negative reputation among buyers — and among sellers — and not just because most management companies impose unreasonable fees for the provision of HOA documents and for the transfer of ownership, as described in my Sept. 1st column, which you can read online at [www.JimSmithColumns.com](http://www.JimSmithColumns.com).

Before I go into the reasons so many people resist buying into a subdivision with an HOA, let's discuss the positive reasons that HOAs were created and the good they do for communities.

First we need to distinguish between HOAs that **must** be created to manage common expenses — for example, a condo complex — and those where there may be no common expenses — for example, certain single family home subdivisions.

A condo building must have an HOA because no one owns the building itself, and some entity must be created to insure and maintain the building, separate from the individual units within that building. This includes electricity for interior and exterior common space lighting, grounds maintenance, snow removal, trash removal, and recycling. It will certainly include sewer, and will include water if each unit is not separately metered.

I was recently informed by a unit owner in Denver's Windsor Gardens, which has thousands of individually

## Lions Club Selling Just 300 Raffle Tickets for a Harley

The Golden Lions Club, of which I'm a member, is once again raffling off a Harley-Davidson Road King motorcycle. Here's a picture of it. You can see the bike itself on display at the Buffalo Rose Saloon, 1119 Washington Avenue, in downtown Golden.



There are already five of these motorcycles on the road that were won in previous Golden Lions Club raffles. Maybe this is your year! Only 300 tickets at \$100 each are being sold, and 1 in 300 is your longest odds — it could be even better since state law requires that a winner be drawn at **8 pm on Oct. 29** even if all tickets are not sold.

You can purchase your ticket from Lion Ed Dorsey, who can be reached by phone at 303-829-5195 or by email at [GoldenLionsClubHarley@yahoo.com](mailto:GoldenLionsClubHarley@yahoo.com), or from any club member, including me.

Whoever wins this Harley is not the only winner. The rest of us win, too, because all proceeds of the raffle are spent on community betterment projects, a short list of which can be viewed at [www.GoldenLionsRaffle.org](http://www.GoldenLionsRaffle.org).

owned condos, that the condo association pays a single property tax bill for the complex and then collects property taxes from the individual owners.

### REAL ESTATE TODAY



By **JIM SMITH**, Realtor®

Subdivisions of single family homes usually, but not always, contain common areas or amenities that required the creation of an HOA to manage them. That HOA was typically created by the developer, with a provision in the covenants to turn management of the HOA over to elected homeowners once a certain number of homes were purchased.

Sometimes, though, that is not the case. Several years ago I lived in Cottonwood Lane, a Fairmount subdivision without a single developer, where there were no covenants and where no HOA had been created. A neighbor kept his humongous RV in his driveway and we could do nothing legally to get him to store it elsewhere.

That's one of the benefits of an HOA — unless **you** own the RV and don't want to pay for storing it elsewhere. Covenants are designed to "protect property values" for all members by preventing individual members from engaging in practices which would bring down neighbors' property values.

HOA's are created to enforce those covenants. Some subdivisions have been created with covenants

but no HOA. Without an HOA, you'd have to initiate a civil action (lawsuit) against a neighbor to make him or her abide by the covenants, and many of those covenants expired after, say, 30 years and required a majority vote of all homeowners to reinstitute them.

When a subdivision has, say, 50 or fewer homeowners, it is common for the HOA to be self-managed, but larger subdivisions with developer-created HOAs almost always have a management company which collects the dues, pays the bills for various maintenance functions, and performs management functions on behalf of the HOA board of directors.

There is almost always an "architectural review committee" consisting of fellow homeowners, which is tasked with creating and updating the paint palette for the neighborhood (and approving exceptions to it) and approving or denying requests for other exterior changes. This irritates many homeowners, but again it is justified in terms of protecting the "look and feel" of the neighborhood and preserving home values.

Most irksome to homeowners are those fellow HOA members who appoint themselves as enforcers of the covenants and file complaints with the HOA for any little violation they spot. Rita and I have received letters about covenant violations from our HOA triggered by the complaint of one such neighbor. The management company also has an inspector cruise the neighborhood regularly scanning for all kinds of violations.

## Price Reduced on This Golden Real Estate Listing

### Enjoy Mountain Living Just 20 Minutes From Golden



This home at **30829 Robinson Hill Road** is one of my favorite listings, located as it is just 9 miles west of downtown Golden and within one mile of Jeffco's largest open space park, Centennial Cone. The home's 2-acre level lot sits on a plateau above Golden Gate Canyon Road. You'll love the mountain views from every window! If you like home theaters, this home has one of the best you'll find, wired for 7-speaker surround sound and with tiered seating that is included. (The seller is in the business of building home theaters.) That full-width covered porch faces due south, which makes the house an excellent example of passive solar design, shielding the front windows from the high summer sun but allow solar gain from the low winter sun. That large south-facing roof would be perfect for a solar PV installation, too! A large (16'x20') deck on the far side (off the dining room) is not covered and provides great outdoor space year-round. The oversized 3-car garage has added electric capacity and could power one or more electric cars! **Take the video tour on the website.**



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