

Do You Know?

Q: What is a homeowner's association?

A: It is a not for profit entity registered with the State of New Jersey initially set up by the builder/developer of the association. It is managed by a duly elected Board of Directors or sometimes referred to as Board of Trustees. Its purpose is to maintain all common areas and to govern the community in accordance with the provision of the governing legal documents. The legal documents for the association may be viewed through the management office. The legal entity is financially supported by all members of the association. Membership to the association is both automatic and mandatory.

Q: What is a "management company," what do they do, and how do I reach them?

A: A management company is hired by the Board of Directors to run the day to day operations of the association. Some of the services the management company provides would include: collection of maintenance fees, supervision of subcontractors, obtaining bids for subcontracted services, providing financial statements and collection reports, as well as a general administrative services and communications with residents, contractors and board members. The management company operates at the direction of the Board of Directors and does not make any decisions. The management company is employed by the association but reports directly to the Board and all decisions are made by a majority vote of the Board of Directors. The management company may be reached online through the Management Office

Q: What are the Bylaws?

A: The Bylaws are the guidelines for the operation of the non-profit corporation. The Bylaws define the duties of the various offices of the Board of Directors, the terms of the Directors, the membership's voting rights, required meetings and notices of meetings, and the principal office of the Association, as well as other specific items that are necessary to run the Association as a business. The Bylaws for the association may be viewed online within the Resource Center page of this site.

Q: What are the CC&Rs?

A: The Covenants, Conditions and Restrictions (CC&Rs) are the governing legal documents that set up the guidelines for the operation of the planned community as a non-profit corporation. The CC&Rs were recorded by the County recorder's office of the County in which the property is located and are included in the title to your property. Failure to abide by the CC&Rs may result in a fine to a homeowner by the Association. The governing legal documents for the association may be viewed online

within the Resource Center page of this site.

Q: What is the Board of Directors?

A: The Homeowner's Association again is a corporation and therefore a governing body that is required to oversee its business. The Board of Directors is elected by the homeowners, or as otherwise specified in the bylaws. The limitations and restrictions of the powers of the Board of Directors is outlined in the Association governing documents found within the Resource Center page of this site.

Q: Are there any other rules?

A: Most associations have developed Rules and Regulations as provided for in the CC&Rs and adopted by the Board of Directors. Rules are established to provide direction to the homeowners for common courtesies with regard to parking, vehicles, pets and pool use hours, etc. In addition, your Association will adopt Architectural Guidelines with procedures for submitting requests to make exterior changes to your home. Such changes may include patio covers, decks, landscaping, exterior color changes or extensive interior changes and additions. These rules and guidelines are set up to maintain the aesthetic value and integrity of the community on behalf of all owners, and hopefully protect the market value of your investment as well. Violations of these rules may result in action by the Board of Directors and a fine. In addition, if you proceed with an exterior improvement or change, without written approval of the Board of Directors, or Architectural Committee, as applicable, you will be required to remove or correct the alteration and/or be fined for the violation. For more information about this topic visit the Resource Center page of this site.

Q: If I am having a problem with a neighbor for a violation of the Policies and Guidelines, what can I do?

A: If residents cannot resolve a situation between themselves, then turn to your Association. Should you have a situation that does not appear to be resolved through neighborly means, and you are willing to actively participate in the enforcement provided by the Policies and Guidelines, you may complete a Covenant Violation form online. The Violation form may be found within the Management Office page on this site. If the situation is deemed in violation of the Policies and Guidelines, the Board of Directors will institute the enforcement policy. Your continued assistance may be required.

Q: Are Board Meetings open to all residents? If so, where and when are they held?

A: Yes. As a member in good standing of the Association you will receive notice of the time and place of any regular board meetings.

Q: If I want to serve on a committee, how do I find out what committees are active and how I can get involved?

A: Feel free to contact the management office who will inform you of the status of current committees organized and committee contact information. If you are interested in volunteering, please contact the committee chair contact you.

Q: What is my assessment?

A:The assessment is the periodic amount due from each homeowner to cover the operating expenses of the common area and provide for reserve funds for replacement of common facilities in future years. Your assessments are due on the first of the month. Statements will be sent for assessments as a reminder of the amount due

Q: How is the amount of my assessment determined?

A:The New Jersey Division of Community Affairs typically requires an initial budget from the developer for each community. This budget is set upon specific guidelines for utilities, landscaping, administration, etc. Reserve funds are monies set aside for future expenses due to the life expectancy of certain items: lighting, street resurfacing, pool equipment, etc. These amounts are then divided by the number of units built in a given phase of the development. Subsequent budgets are developed by the Board of Directors and adjusted periodically to meet anticipated expenses.

Q: Will my assessment go up?

A:There is no concrete answer to this. Typically the Civil Code provides for annual increases, but not to exceed 20 percent per year without the vote of the membership. The Board of Directors may approve an increased budget, increasing your assessment up to this percentage in order to cover increased costs of operating and maintaining the common area and sufficient reserve funds.

Q: What happens if I don't pay my assessment?

A:The maintenance and management services incurred by the Association are dependent upon timely receipt of the assessments due from each homeowner. Late payments will result in a late charge as assessments are due on the first of the month. In addition, the CC&Rs allows the Association to charge late charges and interest and proceed with a lien on your property, or foreclosure proceeding for nonpayment of assessments.

