

Here Are Some Simple Steps to Take So You Have No Unpleasant Surprises After Closing

The Division of Real Estate's HOA Information & Resource Center issued some useful advice last week which got me thinking. It was advice about doing "due diligence" regarding a neighborhood's HOA so you are not blindsided after closing.

With over two decades of representing buyers in the purchase of homes, both with and without a homeowner's association, I have lots more to suggest than was in that release.

We advise all buyers to look for neighbors who are outdoors, perhaps mowing their lawn, getting their mail, or washing their car in the driveway. Introduce yourself in a friendly manner, explain that your looking at that neighbor's house which is for sale and would like to know how they like living in this neighborhood. Follow-up questions could include, "Are the homes built well? How's the HOA? Are the neighbors friendly? Any complaints? Are the schools good? Is

there much crime? By the way, do you know why the owners are selling that home?"



Don't interrogate the poor fellow, but use good judgment and be as warm and conversational as possible. You'll learn a lot that will serve you well if you end up buying that home. This is one task we want you to do yourself instead of us doing it for you as your agent.

Among the advice from the HOA Information & Resource Center was to request the covenants (or "CC&Rs") from the county clerk and recorder. That document is something we can get for you more easily (and free) from our contacts at any title company. We can also ask the listing agent for the covenants and other HOA documents. Keep in mind, however, that one of the earliest deadlines in any contract to buy and sell a home is the "Record Title" deadline and the "Association Documents" deadline, along with an opportunity for you to

object or terminate if you don't like what you read.

The covenants are recorded, so they will come to you with the title documents early in the transaction. Just as important as the covenants, however, is how they are enforced by the HOA board and the management company hired by the board.

The most useful HOA documents are the minutes of the last six months' board meetings and of the most recent annual meeting. These minutes will let you know what issues may be bothering the members. (Hopefully, you learned many of those from interviewing neighbors, as suggested above.)

Those minutes will also give you a sense of the financial health of the HOA and whether a dues increase or special assessment might be under discussion.

Other documents for you to study are the financial statements, the budget for the coming year, and the most recent reserve study, which lets you know whether they have the financial reserves to deal with future repairs such as replacing the perimeter fencing, or fixing/updating the common area amenities such as parks, playgrounds and trails.

In some cases, the listing agent may have obtained those HOA documents in advance. As your agent, even before submitting your offer, we can ask for them, first looking to see if they're already posted as "supplements" on the MLS.

Sometimes the "Sellers Property Disclosure" is also posted on the MLS, but if not, we can request that document for you, then ask follow-up questions about disclosed issues.

Every HOA in the state must be registered with the HOA Information & Resource Center. If they are not registered, they are unable to enforce the covenants or file a lien against a member who is delinquent on dues or fines.

The state legislature has not empowered the Center to license or otherwise regulate HOAs, including to receive and act on member complaints. It's really quite a sad situation. Even sadder is the condition of its registry of HOAs. I downloaded the Excel file and was shocked at the amount of duplication and errors in the data entry. See for yourself in the posting of this article at <http://RealEstateToday.substack.com>.

The link provided for finding a registered HOA takes you to the same form that is used for finding brokers and brokerages. You enter the name (or part thereof) for the HOA you're looking for, but it was very hit or miss when I tested it. Entering the ZIP code of the HOA in addition to a key word from its name was useful in finding a HOA.

It also shows if the HOA's registration is expired, which is the case for a subdivision in which I have a home under contract for my buyer. The phone number was for the clubhouse and a random HOA member picked up. I had to find an HOA document from my transaction folder to get the right contact info.

Should you move or stop receiving this newspaper, remember that you can get this column by email. Over 1,300 readers already do! It is published at RealEstateToday.substack.com.

How to Do Advanced Listing Searches on the MLS

Unless you're a licensed broker with access to the MLS, the number of criteria on which you can search is very limited. Typically, consumer-facing websites only allow you to search for price range, city or county, number of bedrooms and bathrooms, square footage, and a few other criteria.

But virtually every MLS field is searchable. However, only MLS members such as our agents can create a search that includes them.

Schools are very important to parents, and we can define a search area around a particular elementary school, middle school or high school.

North-facing driveways are a no-no for some buyers. We can specify "not north" in the field which states which way a home faces.

Main-floor living is important to many seniors, and we can specify one-story homes or, better, specify main-floor primary bedroom (or non-primary bedrooms), thereby allowing for 2-story homes which have main-floor bedrooms.

Is having the laundry on the same floor as the primary bedroom or simply not in the basement important to you? That can be speci-

fied too — and it's required of all listings that they indicate which floor the laundry and each bedroom and bathroom is on.

Do you want to see only those homes which *aren't* in an HOA? Or maybe you *want* an HOA that includes exterior maintenance of the home. No problem.

We can also search for key words within the listing's public remarks. Last week I mentioned how I searched for the phrase "outdoor kitchen" and found 67 such listings within 20 miles of downtown Denver. We can search for any word or phrase in the public remarks.


Searching by map is useful, and we can draw a line around a particular neighborhood or multiple non-contiguous neighborhoods in the same search.

We can search for homes with property taxes under a particular amount and/or for homes that do not have a Metropolitan Tax District with an additional tax levy.

The age of the home, 220V wiring in the garage for an EV, solar panels, type of heating and cooling — all these and more can be searched, but only by MLS members like my associates and me.

Price Reduced on Condo With Great Amenities

The 2-BR garden-level condo at 5725 W. Atlantic Pl. #101 is now priced at only \$275,000. It has both a 1-car garage and a reserved parking space. **It's fully furnished, too!** (Furniture will be removed if you don't want it). The low HOA dues include the pool area shown here, plus water, sewer, trash and insurance. Video at www.LakewoodCondo.online.




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"Concentrate on giving, and the getting will take care of itself." —Anonymous

