

Homeowner Associations

Our attorneys have decades of experience partnering with property managers and governing boards to ensure the smooth operation and governance of homeowners' associations. We advise associations, property managers and boards of directors in a variety of matters, including maintenance issues, disputes, and contract negotiations. Our attorneys assist in developing policies and procedures, reviewing and revising contracts, and preparing and updating governing documents. When necessary, we work to address litigation matters quickly to ensure the best possible resolution.

We are up to date on FHA and HUD regulations and assist condominium associations with FHA certification and recertification. We also advise builders, brokers and management companies on regulatory issues, such as making the appropriate disclosures required by RESPA and MREC and other applicable federal and state laws.

Our services include:

Development

- Advise clients and conduct meetings for transfers of board control upon conclusion of development
- Assist developers when adding additional builders or developers
- Assist clients when changing builders or developers
- Advise clients on municipal ordinances governing the development and operations of residential subdivisions and homeowners associations
- Prepare documents related to development amenities and advise clients regarding issues related to amenities
- Advise developers on special concerns related to mixed use developments
- Prepare documents addressing special concerns of mixed use developments

Entity Formation

- Form nonprofit corporations, including preparing appropriate filings appropriate documents with the Secretary of State
- Prepare Declarations of Covenants, Conditions, Easements and Restrictions, rules and regulations and other governing documents
- Preparing formation documents to be filed with the Secretary of State
- Preparing other formation documents including, bylaws, corporate resolutions, and obtaining EIN's

PROFESSIONALS

Brad Goss
Partner

Lisa A. Johnson
Partner

Elizabeth H. Lum
Partner

Management and Governance

- Negotiate and prepare management agreements for management companies and homeowners associations
- Assist management companies and homeowners associations with maintenance issues
- Assist management companies and homeowners associations with resolving disputes
- Advise homeowners associations as to whether governing documents may be amended and prepare amendments to existing governing documents
- Advise management companies and homeowners associations on routine matters such as holding meetings, maintaining corporate formalities governance issues and interpretation of governing documents
- Assist clients with holding members meetings, directors or trustees meetings, preparing notices of meetings, minutes of meetings, resolutions documenting corporate actions of the homeowners association
- Assist clients with holding elections, preparing notices of elections and ballots
- Advise clients regarding compliance with applicable state, federal and local disability, fair housing, and civil rights laws as they relate to the operations of the homeowners association or enforcement of the governing documents

Enforcement

- Advise management companies and homeowners associations on the enforcement of the governing documents and rules and regulations
- Prepare and file liens, and enforcement actions to collect liens, including foreclosures
- Advise clients on owner's association enforcement actions and remedies and interpretation of governing documents

Other Services

- Registered agent services
- Maintain good standing status of homeowners associations by filing annual reports
- Assist Condominium Associations with obtaining FHA certification and recertification

Experience

Successfully Represented a Condominium Association Against a Commercial Tenant at Trial

Successfully Represented a Condominium Association Against Unit Owner at Trial

Blog Posts

Municipal Regulation of Short-Term Rentals

In the Dirt: A Real Estate Legal Update, April 12, 2023

Backyard Event Rentals: Problems Posed for Homeowner Associations

In the Dirt: A Real Estate Legal Update, April 6, 2023

Private Requirements for Short-Term Rentals

In the Dirt: A Real Estate Legal Update, March 2, 2023

Homeowner's Association Treatment and Enforcement of Solar Panels

In the Dirt: A Real Estate Legal Update, February 21, 2023

Common Considerations for Homeowner Associations Regarding Short-Term Rentals

In the Dirt: A Real Estate Legal Update, January 31, 2023

Long-Term Impact of Solar Panels on Property

In the Dirt: A Real Estate Legal Update, January 19, 2023

HOA Regulation of Solar Panels – Common Limitations and Provisions

In the Dirt: A Real Estate Legal Update, January 9, 2023

New Missouri Law Affects Municipal Control over Home Occupations

In the Dirt: A Real Estate Legal Update, December 20, 2022

Homeowner Association Regulation of Holiday Decorations

In the Dirt: A Real Estate Legal Update, December 12, 2022

Missouri Legislature Addresses Solar Panels: Changes Coming for Homeowner Associations

In the Dirt: A Real Estate Legal Update, July 6, 2022

Homeowner Associations and Service Animals in Common Areas Part 2: FHA Considerations

In the Dirt: A Real Estate Legal Update, February 15, 2022

Homeowner Associations and Service Animals in Common Areas Part 1: ADA Considerations

In the Dirt: A Real Estate Legal Update, February 8, 2022

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