



April 2018 - The Sharper Focus



Thank you for reading our newsletter to all homeowners in Associations managed by Sharper Management. The goal of this newsletter is to touch on general ideas and helpful topics as they relate to living in a common interest community. We hope you find this information useful.

How Associations Work - Understanding Governing Documents for HOAs



Living in a homeowners association, you've likely heard people use terms such as "Bylaws," "Rules" or "CC&Rs." What do they mean? An Association is actually a registered non-profit corporation in the state of Minnesota - and to be so, they have an important set of legal governing documents. Much like our country has a Declaration of Independence, Constitution, Bill of Rights, etc to function as a nation, an association has a similar document framework to act as a common interest community. The purpose of this article is to give you, as a member of a homeowner association, a basic understanding of this set of documents.

Although all HOAs are slightly different, their governing documents will typically all contain the following:

- * Articles of Incorporation
- * Declaration of Covenants, Conditions and Restrictions *CC&Rs)
- * Bylaws
- * Rules and Regulations

Articles of Incorporation

A homeowner's association is a non-profit organization and must file paperwork with the Secretary of State's Office before a developer sells any property within the HOA. Everyone who purchases property in the HOA becomes a member of the Association. The Articles of Incorporation are typically brief and contain basic information such as an Association's name, location, and purpose.

The Declaration of Covenants, Conditions and Restrictions (CC&Rs)

After a developer has established an association and incorporates it, then they must file an important document with the County that lays out the rights and responsibilities of the association and the people within it. It is truly the "meat" of the association's set of governing documents - and

it sets the framework for every other document after it. Some of the common components of the Declarations include:

- * Definition of Unit boundaries
- * Identifying "common areas" and components
- * Listing of maintenance responsibilities (ex: owners maintain inside of "unit" and association "common areas")
- * Overall rights of owners (ex: unit leasing or pet)
- * Owner restrictions (ex: residential use only and not business)
- * Overall rights of association (ex: rule creation)
- * Insurance requirements
- * Assessment procedures and requirements (special assessments, monthly assessments/"dues")
- * Association's powers to collect dues

The Declaration of Covenants is, in essence, the contract between owners and the Association. It is an incredibly important and powerful legal document.

Bylaws

Once an association has been formed and the Declarations laid out, it then adopts a set of bylaws. Bylaws are important for owners. The primary function of the Bylaws is to give direction on how the Association will be governed. Here are some examples of critical components of the Bylaws:

- * Board of Directors structure (term length, number, qualifications, etc.)
- * Responsibilities of the Board (policy creation and enforcement, budget setting, etc.)
- * Officer positions and responsibilities (President, Treasurer, Secretary, etc.)
- * Voting procedures and rights
- * Board and owner meeting requirements
- * Meeting notice procedures

Rules & Regulations

So now that the Articles have incorporated a community association, the Declarations created a framework for rights and responsibilities and a "contractual" obligation between parties, and the Bylaws empowered the Board to create policies - now comes the document that helps regulate the day-to-day issues in an effort to maintain harmony between neighbors and between owners and association. Examples of common Rules include the following:

- * Pet regulations
- * Parking restrictions
- * Architectural guidelines and procedures
- * Holiday decoration limitations
- * Noise and nuisance parameters
- * Rental requirements
- * BBQ grill ordinance

Each governing document serves a specific purpose, yet they all interact with one another to create and maintain a community homeowner association. By purchasing in an association, you created a legally binding contract between yourself and the association. That "contract" is the important documents listed above. Hopefully this breakdown is helpful. You can access these documents on your association's website through www.sharpermanagement.com

Things to Do Around Town

Looking for fun things to do in the area? We've listed some of our favorites below, but check out the City of Minneapolis - Things to Do page for more great ideas.

<https://www.minneapolis.org/things-to-do>



Susana di Palma's Garden of Names, an original flamenco dance/theater work, inspired by Lawrence Thornton's novel Imagining Argentina, is a triumphant acclamation of the imagination's power to fight injustice. From stories of "disappeareds" (desaparecidos) during the 1970s, when people disappeared to be tortured and killed in a reign of government terror, names blossom forth amid the lush "garden" of remembering. This production features an exciting collaborative cast of international flamenco dancers, singers, and musicians, along with Joe Chvala's Flying Foot Forum.

The Art of Feng Shui - 4/21

Join Cambria® and Julie Ann Segal as you learn about the ancient Chinese practice of Feng Shui. Discover practical ways to de-clutter and adjust your spaces to make them more positive and peaceful. Brunch provided and space is limited, so RSVP today:
gena.mccannon@cambriausa.com

Wine Tasting with Amuse! - 4/26

Join Cambria® and Amusée as Leslee Miller brings the world of wine to life, without intimidation. From first timers to experienced sippers, we promise this series is for everyone! Wine and light snacks will be provided and space is limited, so follow the link below to RSVP for upcoming classes today.

Need Help Renting and Managing a Townhome or Condo?

Think Advantage Home



A sister company to Sharper Management, Advantage Home helps homeowners and investors manage their single-family residences.

Since your Association is already affiliated with Sharper Management, renting your home through Advantage would have extra benefits you wouldn't find in another property management company. Those benefits include:

- A thorough understanding of Associations
- Information sharing regarding governing documents, rules, and regulations is efficient between Sharper and Advantage Home - Advantage is literally right down the hall
- The Sharper Management maintenance staff is already familiar with your Association's property
- Our emergency response team is fast and effective

If you or someone you know is interested in renting their townhome or condominium, have them contact jeff@advantagehomemn.com.

Learn more at advantagehomemn.com

Sharper Management Arizona!

Do you or does someone you know own a townhome or condo in Arizona? We've recently opened a new office in the Phoenix area.



Learn more at sharpermanagementaz.com

Resale Disclosure Documents

A resale package is a packet of vital information provided to those purchasing a condominium or a home

in an association. The package includes a complete set of recorded documents that govern your association. Typically, the documents included are: Annual Financials, Articles of Incorporation, Budget, Bylaws, CC&Rs, Insurance Declaration Page, Regular Meeting Minutes, Resale Certificate/Demand, Reserve Report, Rules and Regulations.

If you're in the process of selling your townhome or condo, you may find resale disclosure documents via the Sharper Management website. Visit us at sharpermanagement.com. Look for the Resale Disclosures link in the menu bar. Or, [click here](#).

