

MANAGER'S CHECKLIST

DOCUMENTS TO OBTAIN WHEN TAKING OVER MANAGEMENT OF AN ASSOCIATION

When working with associations, we request all the governing documents from the association's manager. However, we typically find that the manager does not have all the governing documents. This is usually because when the manager takes over management of the association, he or she is given incomplete documents from the former manager. Associations that have been self-managed also often lack complete documentation.

When taking over management of an association, we recommend every manager obtain a complete copy of the association's governing documents and other important documents. The new manager really has an opportunity to shine by obtaining these documents and can very quickly prove to a board that it made the right decision in hiring a new manager.

- The recorded, effective Declaration of Covenants, Conditions and Restrictions (“**CC&Rs**”).
 - Make sure the CC&Rs are: (1) recorded; (2) signed; and (3) have all **exhibits** attached (check text of CC&Rs for references to exhibits).

- All **amendments** to the CC&Rs.

- Any **Declarations of Annexation**.
 - Declarations of Annexation are documents that are recorded when developments are developed in phases.
 - Declarations of Annexation make homes within subsequent phases subject to the CC&Rs.

- Bylaws**.
 - Make sure the Bylaws are signed.

- All **amendments** to the Bylaws.

- Articles of Incorporation** (provided the association is incorporated).
 - Make sure the Articles of Incorporation are: (1) signed; (2) filed and endorsed by the Secretary of State.

- All **amendments** to the Articles of Incorporation.

- Election rules.**
 - If an association has not adopted election rules, get election rules drafted and adopted right away.
- All **operating rules** of the association (including architectural rules or guidelines, parking rules, any **schedule of fines**, etc.).
- All **board and annual meeting minutes**.
- Most recent **Annual Budget Report** and **Annual Policy Statement** and any other annual disclosure information provided to the members.
- Maintenance manual** (check CC&Rs to see if one exists or should exist).
- Assessment collection policy** (if not contained in the Annual Policy Statement).
- Dispute resolution policy** (if not contained in the Annual Policy Statement).
- Complete **condominium plan** (often attached as an exhibit to the CC&Rs) if a condominium project.
- Subdivision map or maps** if a planned development.
- Most recent **reserve study**.
- Most recent **budget** (at least; more if possible).
- List of current **key vendors** (e.g., CPA, attorney, collection company, landscapers, maintenance company, security company) and contact information for each.
- Copies of **current contracts with key vendors**.

We can usually assist managers in obtaining recorded documents, such as amendments to CC&Rs and Declarations of Annexation. If you find that some of these documents do not exist for an association, contact the association's legal counsel regarding recommended steps.