

Navigating Disputes with Your HOA



Living in a neighborhood regulated by a Homeowners' Association (HOA) provides several perks. You don't have to worry about your neighbor painting their house some gaudy color or letting their yard turn into an overgrown jungle, for instance.

However, some HOAs are more proactive than others, which can lead to a dispute about the rules or how they apply to specific circumstances. Whether you are on the receiving end of the complaint or have an issue with one of your neighbors' disregard for the rules, it's important to have a game plan for handling HOA disputes.

With that in mind, here are some simple tips from the Patten Title team to help get you through the often stressful process.

REVIEW THE RULES

Before you voice your concerns or argue against a violation, you need to be fully aware of the rules you're playing by. If you worked with a reputable title company like Patten Title, you'll have received a copy of the HOA rules when you bought your home.

Getting to know all of the rules of an HOA can be tedious, especially if yours is very active. But in other cases, you'll find that your HOA has a short and broad set of rules.

While broad, vague rules may seem to be more favorable to homeowners, it's the opposite that can wind up being true. Less specific regulations are often open to interpretation, which means you and the HOA may come to different conclusions regarding the meaning of certain provisions.

Once you've brushed up on the rules, make note of the specific regulations that apply to your grievance. Doing so is especially important if you are the subject of a complaint or violation.

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BE TRANSPARENT AND OPEN

Your next step is to reach out to the HOA board or its designated point of contact. Express your concerns and be specific about which rules are involved.

You'll want to save any records of the conversation and the representative's response. Simple disputes can often be resolved without getting the entire board involved. But if you come to an impasse, getting the whole board together for a formal meeting is the next logical step.

REQUEST A MEETING

If possible, meet with the board face-to-face. Try to avoid airing out the issue via emails or texts, as variables like tone often get lost in the shuffle during these non-verbal communications. Meeting with the board members in person provides a better chance of solving the problem.

As for the meeting itself, be careful not to approach the issue with an adversarial attitude, even if you are upset or angry about the dispute. Instead, focus on coming up with or working toward a solution that works for everyone.

SEEK MEDIATION

If one of your grievances directly involves one of the HOA board members (perhaps a member lodged the complaint, for instance), you should request mediation.

Some HOAs provide third-party mediation services. Involving a neutral party helps ensure fairness and impartiality during the dispute resolution process. You don't want the person who filed a complaint to also determine your fate.

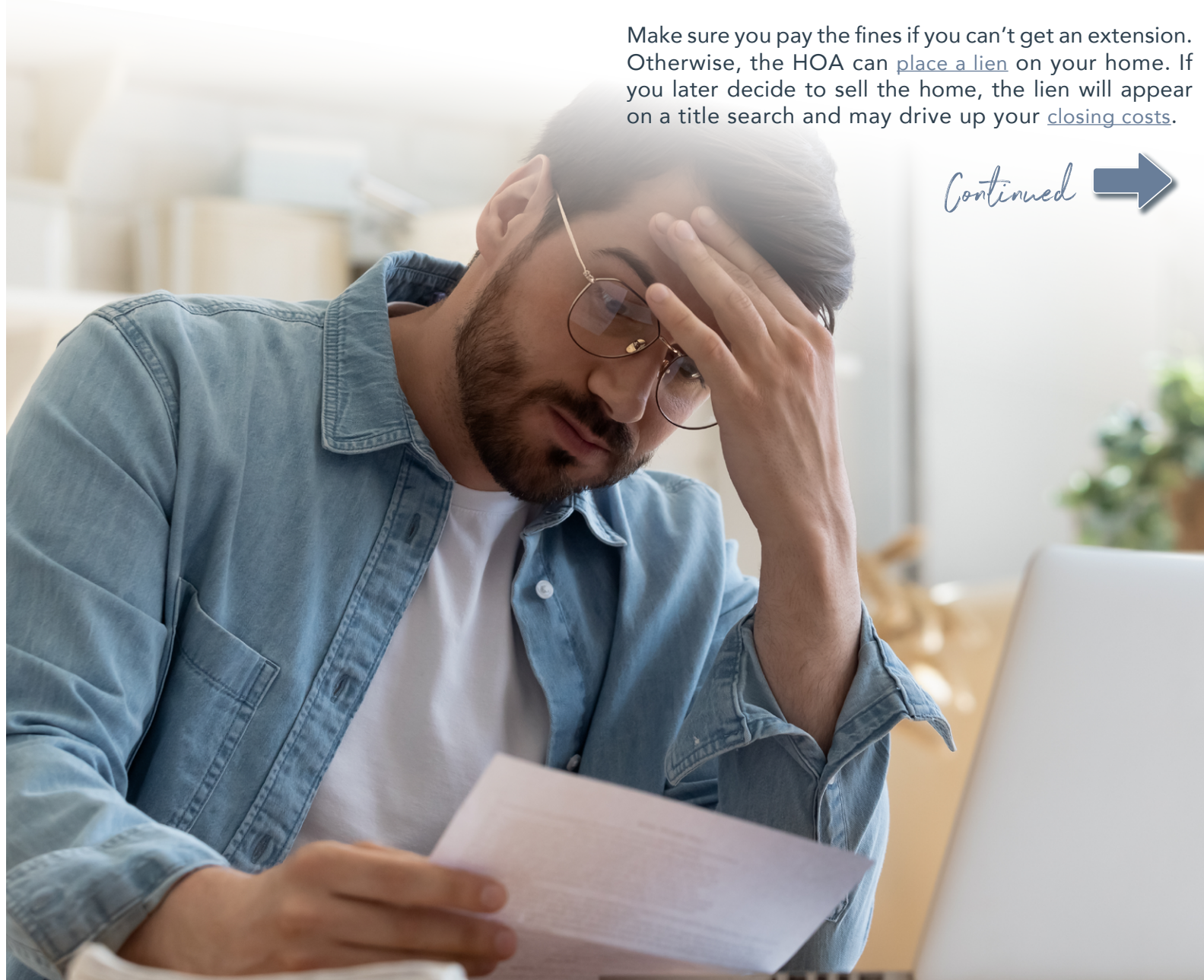
DOCUMENT YOUR CONCERNS

As alluded to earlier, it's best to document everything. Keep a record of all communications, including meeting notes, letters, emails, and text messages. You'll need these documents later if further actions are necessary.

If you receive any fines during the dispute process, ask the board to postpone them until the grievance is fully resolved. If they won't and you are forced to pay fines while navigating the dispute process, keep receipts of everything. You may be able to recoup some or all of your money if you win the grievance.

Make sure you pay the fines if you can't get an extension. Otherwise, the HOA can [place a lien](#) on your home. If you later decide to sell the home, the lien will appear on a title search and may drive up your [closing costs](#).

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ATTEND HOA MEETINGS

Regularly attending HOA meetings helps you stay informed about important community matters and share your concerns. It's also a great chance to get to know the board members and your neighbors.

Ideally, you want to get involved in HOA meetings from the get-go after moving into the neighborhood. But it's never too late to correct courses and start attending later on. The goal is to become a familiar face, as board members are going to be much more amicable during a dispute if they've had a chance to get to know you first.

On the flip side, if you've been completely absent from HOA activities and the only interaction you've had with the board pertains to your current dispute, the resolution process will be much more adversarial.

THE LAST RESORT: LEGAL ACTION

If everything else fails, your best option is to hire legal counsel who is familiar with HOA disputes. Taking legal action should be an absolute last resort, but you also need to protect your interests as a homeowner and community member.

Keep in mind that taking legal action against the association will likely cause permanent damage to your relationship with your fellow community members. As such, you need to ensure you are in the right before you burn any bridges prematurely.

FACING AN HOA DISPUTE? ACT FAST

HOA disputes have a way of festering if left unresolved. Therefore, if you've received a complaint or have a concern about the way your HOA handles community issues, it's best to address them sooner rather than later.

In many instances, simply having a conversation with the board's members will lead to an amicable solution. In other scenarios, coming to a mutually beneficial resolution will be more time-consuming and difficult. Either way, it's worth addressing the dispute so you can get back to living peacefully in your community.

If a dispute with your HOA has prompted you to move on from your home, make sure you align yourself with experienced professionals like a real estate agent and a title company like Patten Title. Learn more about [HOAs and HOA laws in Texas](#), using the Patten Title guide.

