

Keeping Your HOA Updated

A common but costly mistake that homeowners and investors make is failing to update their mailing address with the Home Owners Association (HOA).

If your property is in a Mandatory Home Owners Association (HOA) you should personally contact the HOA and make sure that they have your current mailing address and phone number every time you move.

HOA's can charge large fines if HOA fees are not paid, are late, or if HOA violations go unanswered. HOA's in San Antonio have even foreclosed on properties where the owner did not pay the HOA dues or cure a violation of their property simply because the HOA was uninformed of the owner's current mailing address.

Unfortunately, filling out our HOA addendum is not enough. Many HOA's will not recognize our HOA addendum even though it was signed by the owner of the property simply because of the way the HOA rules and laws are setup. Most HOAs will only talk to or deal directly with the owner of the property.

The importance of complying with the community covenants and restrictions has been made clear by the Texas Legislature in the 1987 statute which states that the community association covenants and restrictions will be liberally rather than narrowly construed or interpreted. The Law also allows a judge to fine someone in violation up to \$200 per day from the day the violation began, plus court costs and attorney's fees.

If the HOA does not have the owners current mailing address, they will mail the HOA dues invoices and violation notices directly to the rental property. Some tenants do notify us and a few even bring the notices into our office, but most do not. As a result, owners can get charged with huge late fees, attorney fees, and could end up facing possible foreclosure. **All because the HOA does not have the owner's current contact information on file.**

***It is the owner's responsibility, not the management company to make sure your HOA has your current* contact information.**

If you do not know the contact information for your HOA please call or email us and we will help you look it up. We do not like seeing any owner pay unnecessary fees that could have been avoided if they only had kept their mailing address updated with the HOA.

***We strongly recommend that owners have their HOA notices and invoices sent to them in-order to avoid* the possibility of large fines, fees or other legal issues that can arise.**

Once you receive an HOA notice or invoice you can forward it to us for action or to be paid from your account, provided that there are sufficient funds in your account to cover the amount due.

Owner I

Date

Owner II

Date



TEXAS ASSOCIATION OF REALTORS®
ADDENDUM FOR AUTHORIZATION TO ACT FOR OWNER BEFORE OWNERS' ASSOCIATION

USE OF THIS FORM BY PERSONS WHO ARE NOT MEMBERS OF THE TEXAS ASSOCIATION OF REALTORS® IS NOT AUTHORIZED.
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ADDENDUM TO LEASING AND MANAGEMENT AGREEMENT BETWEEN THE UNDERSIGNED PARTIES CONCERNING THE PROPERTY AT _____

A. Ownership of the above-referenced Property entitles Owner to membership in the _____ (Association).
 The contact information of the manager for the Association is _____

B. Owner will provide Broker copies of all Association documents in Owners' possession.

C. Owner grants to Broker the sole and exclusive right and authority to act on Owner's behalf and appoints Broker as Owner's attorney-in-fact to act as Owner's agent in all matters dealing with or in any way connected with the Association relating to the above-referenced Property, including but not limited to, the right to:

- (1) negotiate agreements;
- (2) request and receive from the Association, its officers, directors, or management all information, accounting, and documents to which Owner may be entitled;
- (3) vote in person or by proxy on all matters that may arise affecting the Property related to the Association;
- (4) instruct the Association where to send notices and correspondence (including instructions to send notices to the Owner at Owner's address or to broker or to both), which as of this date, Owner instructs Association to send notices and correspondence to: _____ ; and
- (5) advise the Association of this agreement and of any lease of the Property.

Except as expressly provided, this addendum does not obligate Broker to attend Association meetings.

D. Owner is responsible for payment of all mandatory assessments or fees payable to the Association.
 (1) Owner will remit any fees or assessments payable to the Association.
 (2) Broker will remit any fees or assessments payable to the Association from funds Broker receives in trust for Owner.

E. Special Provisions: **Owner will pay HOA fee; Tenant will pay any additional user fees.**
If possible please send violation notices to both the property Owner and the Property Management Company: Liberty Management, Inc.
7217 Bandera Rd, San Antonio, TX 78238-1206 210-681-8080W 210-681-0003 fax

Liberty Management, Inc.
 Broker's Printed Name _____ Date _____ Owner _____ Date _____
 By: _____ By _____
 Broker's Associate's Signature _____

 Owner _____ Date _____
 By _____