

## **WHAT IS THE PURPOSE OF A CONDOMINIUM ASSOCIATION?**

*By Michael Rome, Esq.*

Some homeowners have misconceptions about the purpose and role of a condominium association. They confuse it with a 'landlord' and believe that it should cure all ills. Others may feel that an association should not be able to tell them what they can do to the outside of their Unit.

Condominium associations have become more popular in the Atlanta area over the last two decades. There are four major reasons for their growth:

1. As land became more scarce and expensive in the urban environment, condominiums presented a less expensive way to own a home and live in the metropolitan area.
2. Condominiums can provide amenities like park and pool areas that government may no longer be able to provide.
3. Homeowners like the idea that their property values and standard of living are protected by a set of covenants.
4. Condominiums appeal to seniors and others who no longer want to maintain a large house and yard.

There is a basic trade-off for the advantages of a condominium association. Homeowners give up some of the freedoms and property rights they would otherwise have if they lived outside a planned community.

Covenants for associations contain provisions called 'use restrictions.' Use restrictions are rules that apply to residents outside of the common elements. An exterior change to a Unit must first be approved by the Association. Use restrictions can also apply to such areas as leasing, pet rules, sign limitations, yard art, and parking regulations.

Most residents are happy to trade off some of their freedoms for the advantages of living in an association. On the other hand, some homeowners do not want to be told that they need approval before changing the appearance to the outside of their Unit. These individuals probably want the advantages of a community association, without the trade-offs. Even though the majority of residents prefer living in a planned community, condominium associations are not for everyone.