



**NOWACKHOWARD**  
COMMUNITY ASSOCIATION ATTORNEYS

*The Counsel Every Community Needs*

## Association Transition Checklist

Transition is a process, not a result. The process involves the exchange of a lot of information, most of which can be obtained from the developer.

### Association Documents

- Copies of Articles of Incorporation and marked filed by the Secretary of State
- Copies of the bylaws, including all properly adopted amendments
- Minute books and other books and records
- Copies of original or a certified copy of the declaration, as amended, and evidence that it has been provided to each owner
- Copies of all rules, regulations, and procedures adopted by the board
- Copies of all deeds of common area and properties owned by the association
- Copies of all approved/disapproved architectural review requests
- All insurance policies naming the association, and/or its directors and officers as insured

### Financial Documents

- Copies of annual state and federal tax returns since the date of incorporation
- Copies of any tax exempt election made by the developer's board and filed with the state and federal government
- Copies of the association budget, including backup worksheets
- A certified audit of the association's books from the association's inception to the date of the transfer of control that is prepared by an independent CPA
- A complete set of financial books, records, ledgers, and bills
- All association funds or control of them

### Maintenance

- A list of "as-built" drawings of all buildings, facilities, irrigation, and water and sewer systems that the association will maintain
- As many sets of tract maps as possible
- A complete set of landscape drawings and specifications showing all plants and lawns
- A schedule of quantities, such as square feet of roof, square feet of private roadway, etc.

- Inventories of all association property
- Copies of association equipment warranties
- Specifications and a list of manufacturers of paints and roofing materials used in common areas
- A complete list of the construction subcontractors and their principals

### Assurances (if applicable)

- A statement that the street, traffic, safety, and regulatory signs are installed in conformance with state or local ordinances and association documents
- Confirmation from local authorities that the fire hydrants were placed under the local government maintenance plan
- Confirmation that city or county emergency centers have mapped the association for the dispatchment of emergency vehicles and that private addresses are visible
- A statement of determination of public agency or utility responsibility for street lights and sewer systems maintenance
- A statement that appropriate public agencies have or have not released the completion bonds on the improvements where those bonds are required
- Copies of any certificates of occupancy and/or other permits issued by governmental bodies

### Miscellaneous

- Copies of public reports, offering statements, or other disclosure documents, if any, that must be provided to purchasers
- A complete list of all owners with names and addresses of mortgage companies
- Original copies of all contracts signed by the developer-controlled board
- Original copies of all association employment contracts
- All tangible association property