

## REQUEST FOR HOMEOWNER ASSOCIATION DOCUMENTS

(California Civil Code §1368.2)

**NOTE:** This form is used by a seller's agent when preparing a listing/marketing package or performing a due diligence investigation on a unit in a common interest development (CID), to obtain homeowners' association (HOA) documents for disclosing the condition of the property and CID to a buyer.

**DATE:** \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_, California.

### **TO HOMEOWNERS' ASSOCIATION (HOA):**

HOA's name \_\_\_\_\_

Representative's name \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_ Cell \_\_\_\_\_

Email \_\_\_\_\_

### **FROM SELLER'S AGENT:**

Agent's name \_\_\_\_\_

Broker's name \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_ Cell \_\_\_\_\_

Email \_\_\_\_\_

1. Property address: \_\_\_\_\_  
\_\_\_\_\_  
Seller of property: \_\_\_\_\_  
Seller's mailing address: \_\_\_\_\_  
\_\_\_\_\_
2. The HOA is kindly requested to provide the Seller's Agent with the HOA documents referenced on page two and three within 10 calendar days of this request.
3. The HOA is authorized by the Seller to supply Seller's Agent the requested copies of the HOA documents.
4. Once complete:
  - mail a physical copy of the requested documents to Seller's Agent's address above;
  - email a copy of the requested documents to Seller's Agent at \_\_\_\_\_  
CC Seller at \_\_\_\_\_; or
  - inform Seller's Agent where the requested documents are available in digital form online.
5. Please send the HOA's billing for the actual costs of copying and delivering the requested documents to Seller's Agent.

### **I agree to the terms stated above**

Date: \_\_\_\_\_, 20 \_\_\_\_\_

Seller's Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Seller's Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_, 20 \_\_\_\_\_

Broker's Name: \_\_\_\_\_

CalBRE#: \_\_\_\_\_

Agent's Name: \_\_\_\_\_

CalBRE#: \_\_\_\_\_

Signature: \_\_\_\_\_

**INSTRUCTIONS:**

The HOA is to indicate whether the referenced document is attached, not attached or available in digital form online. If the requested document is available online, enter the internet address where it can be obtained. If the requested document and information is not available in print or online, so indicate and state the reason why (such as *Not Applicable*).

Please return this form together with any copies of the requested documents to Seller's Agent.

Document	Authority: Civil Code	Attached	Not Attached
1) Articles of incorporation or statement the HOA is not incorporated.	§1368(a)(1)	<input type="checkbox"/> Included	<input type="checkbox"/> Not Available _____ <input type="checkbox"/> Available online at _____
2) CC&Rs	§1368(a)(1)	<input type="checkbox"/> Included	<input type="checkbox"/> Not Available _____ <input type="checkbox"/> Available online at _____
3) Bylaws	§1368(a)(1)	<input type="checkbox"/> Included	<input type="checkbox"/> Not Available _____ <input type="checkbox"/> Available online at _____
4) Operating Rules	§1368(a)(1)	<input type="checkbox"/> Included	<input type="checkbox"/> Not Available _____ <input type="checkbox"/> Available online at _____
5) Age restriction statement	§1368(a)(2)	<input type="checkbox"/> Included	<input type="checkbox"/> Not Available _____ <input type="checkbox"/> Available online at _____
6) Pro forma operating budget or summary, including reserve study	§1365; §1368(a)(3)	<input type="checkbox"/> Included	<input type="checkbox"/> Not Available _____ <input type="checkbox"/> Available online at _____
7) Assessment and reserve funding disclosure summary	§1365; §1368(a)(4)	<input type="checkbox"/> Included	<input type="checkbox"/> Not Available _____ <input type="checkbox"/> Available online at _____
8) CPA Financial statement review	§1365; §1368(a)(3)	<input type="checkbox"/> Included	<input type="checkbox"/> Not Available _____ <input type="checkbox"/> Available online at _____
9) Assessment enforcement policy	§1365; §1368(a)(4)	<input type="checkbox"/> Included	<input type="checkbox"/> Not Available _____ <input type="checkbox"/> Available online at _____
10) Insurance summary	§1365; §1368(a)(3)	<input type="checkbox"/> Included	<input type="checkbox"/> Not Available _____ <input type="checkbox"/> Available online at _____
11) Regular assessment	§1368(a)(4)	<input type="checkbox"/> Included	<input type="checkbox"/> Not Available _____ <input type="checkbox"/> Available online at _____
12) Special assessment	§1368(a)(4)	<input type="checkbox"/> Included	<input type="checkbox"/> Not Available _____ <input type="checkbox"/> Available online at _____
13) Emergency assessment	§1368(a)(4)	<input type="checkbox"/> Included	<input type="checkbox"/> Not Available _____ <input type="checkbox"/> Available online at _____
14) Other unpaid obligations of Seller	§1367.1; §1368(a)(4)	<input type="checkbox"/> Included	<input type="checkbox"/> Not Available _____ <input type="checkbox"/> Available online at _____

<b>15)</b> Approved changes to assessments	§1365; §1368(a)(4) (8)	<input type="checkbox"/> Included	<input type="checkbox"/> Not Available _____ <input type="checkbox"/> Available online at _____
<b>16)</b> Settlement notice regarding common area defects	§1368(a) (7); §1375.1	<input type="checkbox"/> Included	<input type="checkbox"/> Not Available _____ <input type="checkbox"/> Available online at _____
<b>17)</b> Preliminary list of defects	§1365(a)(6); §1375; §1375.1	<input type="checkbox"/> Included	<input type="checkbox"/> Not Available _____ <input type="checkbox"/> Available online at _____
<b>18)</b> Notice(s) of violation	§1363; §1368(a)(5)	<input type="checkbox"/> Included	<input type="checkbox"/> Not Available _____ <input type="checkbox"/> Available online at _____
<b>19)</b> Required statement of fees	§1368	<input type="checkbox"/> Included	<input type="checkbox"/> Not Available _____ <input type="checkbox"/> Available online at _____
<b>20)</b> Minutes of regular meetings of the board of directors conducted over the previous 12 months	§1368(a)(9)	<input type="checkbox"/> Included	<input type="checkbox"/> Not Available _____ <input type="checkbox"/> Available online at _____
<b>21)</b> Other _____ _____		<input type="checkbox"/> Included	<input type="checkbox"/> Not Available _____ <input type="checkbox"/> Available online at _____
<b>22)</b> Transfer fee due on sale [See RPI Form 304-2]	§1102.6e	<input type="checkbox"/> Included	The amount of the transfer fee due on sale is <input type="checkbox"/> fixed as \$_____, or <input type="checkbox"/> calculated as _____% of the price paid for the property

**ACTUAL FEES** for delivery of requested documents \$ \_\_\_\_\_.

HOA's Name \_\_\_\_\_ Date \_\_\_\_\_, 20 \_\_\_\_\_

Prepared by \_\_\_\_\_ Title \_\_\_\_\_

Signature: \_\_\_\_\_

**Buyer acknowledges receipt of a copy of each of the items made available by the HOA.**

**NOTE:** The information provided by this form may not include all fees that may be imposed before the close of escrow. Additional fees that are not related to the requirements of §1368 or §1102.6e may be charged separately (such as assessment charges not yet payable).

Buyer's Name \_\_\_\_\_ Date \_\_\_\_\_, 20 \_\_\_\_\_

Signature: \_\_\_\_\_

Buyer's Name \_\_\_\_\_ Date \_\_\_\_\_, 20 \_\_\_\_\_

Signature: \_\_\_\_\_