

BURDMAN & WARD

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Law in Hand

CHECKLIST FOR TRANSITION FROM DEVELOPER CONTROL

By: Scott A. Burdman, Esq.

Below is a list of the most important items to request from the Developer in the few months prior to the transition from Developer to Homeowner control of a Board of Directors. If you have all of these items, it will make operating and maintaining the Association a much easier task.

- ☐ Deeds from the Developer to the Association for all Common Area lots contained within the project;
- ☐ Original copy of recorded CC&Rs;
- ☐ Original Articles of Incorporation filed with the California Secretary of State;
- ☐ By Laws of the Association;
- ☐ Rules and Regulations;
- ☐ Copies of all Tax returns filed by the Association;
- ☐ Copies of all filings with the California Secretary of State;
- ☐ Copies of all Minutes (regular, special, & executive) from meetings of the Board of Directors;
- ☐ Current operating Budget;
- ☐ Statement of all account balances owed to the Association including HOA fees paid/owed by the Developer to the Association;
- ☐ Copies of all contracts where the Association is a party including all management, service and employment contracts;
- ☐ Copies of all General liability insurance policies for the Association;
- ☐ Copies of all Directors and Officers liability insurance for the Board Members;
- ☐ Accounts Payable balances;
- ☐ Current reserve balances and any reserve studies;
- ☐ Information regarding all Association bank accounts, certificates of deposit, etc.;
- ☐ Complete list of all owners, addresses, email addresses;

- ☐ All files and records relating to the architectural control committee and records relating to any claims brought by the HOA against owners including non payment of assessments and CC&R/Rules & Regulations violations;
- ☐ Complete site plans, architectural plans, condo plan, tract maps, and landscaping plans including "as built's;"
- ☐ Warranties, names, phone numbers, and email addresses of any contractors, subcontractors, suppliers, and manufacturers of any of the Common Area components; (i.e. roofer, roof tiles, patio furniture, pool, pool equipment, etc.); and
- ☐ Specifications, names, phone numbers, email addresses, and a complete list of manufacturers for all painting, stucco colors, roofing materials.

The above list is not exhaustive, but includes the vast majority of items necessary to ensure that once the Owners at the Association assume control, you and the Board of Directors will be able to properly operate and maintain the community.

If you think you have potential construction defects, contact Burdman & Ward for a free, no obligation inspection with a licensed contractor.

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