

Resale Certificates
Graysdale Homeowners Association, February 2012
(with minor updates made in October 2018)

The Resale Certificate Process

1. The Graysdale homeowner or their real estate agent requests a Resale Certificate from the Graysdale Homeowners Association (GHA) Vice President (see <http://www.graysdale.com/> for contact information).

The Resale Certificate must include:

- a. Address of property
 - b. Name of buyer(s)
 - c. Email address of buyer(s) (optional, but highly appreciated!)
2. The GHA Vice President conducts a property inspection for any fences, sheds, etc.
 3. The GHA Vice President contacts the GHA President to check the “approval file” for any structure (e.g., fence, shed) found on the property to ensure that GHA Board approval was obtained for any such structure. If no such approval is found, the Vice President/President will check with the home owner for a copy of the approval.
 - a. If approval was not obtained, a violation of the Graysdale Covenants will be recorded on the Resale Certificate and the GHA Board will work with the homeowner to obtain approval through the process documented in the Covenants.

NOTE: The section of the Covenants in violation would be Section 3 “*Site and Building Plans*” – “*No building, sign, fence, wall or other structure shall be commenced, erected, altered, maintained or placed upon the premises; nor shall there be any landscaping or grading or tree removal, until a complete set of site plans and specifications for the same shall have been furnished to Gray’s Woods, its successors or assigns, and such plans have been approved by Gray’s Woods, its successors or assigns, in writing.*”

4. The GHA Treasurer will determine if dues have been paid for the property.
5. The GHA President, Vice President, and Treasurer will collaborate on their findings.
6. The GHA Treasurer will prepare the documents for the Resale Certificate.
 - a. Any unpaid dues will be indicated on the Resale Certificate.
 - b. Anything that is found on the property that violates the Covenants will be indicated on the Resale Certificate. Essentially, a lien can be placed against the property (per the Covenants – “*Any such homeowners association shall have the*

right to establish by-laws, provide for the election of officers, contract for services as it deems necessary, assess individual lot owners for such service and in the event of nonpayment of such assessments enter liens without the necessity of suit”

- c. Either the seller or the buyer must present a plan to correct the violation(s) before the sale can be completed.
 - d. Dues must be paid in full before the sale can be completed.
7. Generally, the sale of the property cannot be completed until the violation has been corrected.
- a. At the discretion of the GHA Board, based upon proof of intentions by the seller:
 - 1) The plan to correct violations of the Covenants must be initiated within 30 days of notification. Unless other arrangements have been made, the violation must be corrected within 90 days of the notification to the seller.
 - 2) Violations that are not corrected within 90 days are subject to a fine of \$50 per day until the violation has been corrected.

The Process for Handling Graysdale Covenant Violations

1. The GHA Board observes or receives a notice of a violation of the Covenants.
2. The GHA Vice President conducts a property inspection for any fences, sheds, or other modifications that may have been made to the house or property.
3. The GHA President checks the “approval file” for any structure (e.g., fence, shed) found on the property to ensure that GHA Board approval was obtained for any such structure. If no such approval is found, the Vice President / President will check with the homeowner for a copy of the approval.
 - a. If approval was not obtained, a violation of the Covenants will be recorded on the Resale Certificate and the GHA Board will work with the homeowner to obtain approval through the process documented in the Covenants.

NOTE: The section of the Covenants in violation would be Section 3 “*Site and Building Plans*” – “*No building, sign, fence, wall or other structure shall be commenced, erected, altered, maintained or placed upon the premises; nor shall there be any landscaping or grading or tree removal, until a complete set of site plans and specifications for the same shall have been furnished to Gray’s Woods, its successors or assigns, and such plans have been approved by Gray’s Woods, its successors or assigns, in writing.*”

4. The GHA Board will meet and decide whether to request that the homeowner correct the violation immediately or wait until the property is sold to correct the violation.
5. The plan to correct violations of the covenants must be initiated by the homeowner within 30 days of notification. Unless other arrangements have been made with the GHA Board, the violation must be corrected within 90 days of the notification to the homeowner.
 - a. At the discretion of the GHA Board, based upon proof of intentions by the owner, violations that are not corrected within 90 days are subject to a fine of \$50 per day until the violation has been corrected.