

HOA DOCS DIRECT
A NexEdge Venture

HOA Document Checklist

For Title Companies, Escrow Teams, and Lenders

Use this checklist to verify every HOA document required before closing. Missing or incomplete documents are a leading cause of delayed closings, lender rejections, and post-closing liability.

Version 1.0 | May 2026

hoadocsdirect.com | contact@hoadocsdirect.com | (323) 760-7779

1. Pre-Order Verification

Before placing any HOA document order, confirm these fundamentals. Incorrect orders waste days and can expire before closing.

- Verify correct association name and mailing address**
Cross-reference the deed, preliminary title report, and seller disclosure. Properties in master-planned communities may have multiple layers.
- Confirm active management company and ordering path**
Management companies change. Verify the current contact, portal URL, and whether orders go through the board directly.
- Identify all applicable associations (master + sub)**
Master associations govern common amenities. Sub-associations manage individual neighborhoods. Both require disclosure.
- Confirm seller is current on dues and assessments**
Request a paid-dues letter or estoppel. Unpaid balances become liens that must clear before title transfer.
- Check for pending litigation or violation notices**
Active litigation can trigger lender rejection. Violations assigned to the unit transfer with the property.

PRO TIP

Order HOA documents within 48-72 hours of contract execution. Delays compound exponentially after day 5.

2. Core HOA Documents

These documents form the foundation of every HOA disclosure package. Lenders and title insurers expect to see every item on this list.

- CC&Rs (Covenants, Conditions & Restrictions)**
The primary governing document. Defines property use restrictions, maintenance obligations, and enforcement powers.
- Bylaws**
Governs board elections, meeting procedures, voting rights, and amendment processes.
- Articles of Incorporation**
Establishes the association as a legal entity. Required for title insurance and lender compliance.
- Rules and Regulations (current version)**
Day-to-day operational rules. Check for pet restrictions, rental caps, parking rules, and architectural guidelines.
- All Amendments to governing documents**
Superseded CC&Rs or bylaws are not enough. Collect every amendment passed since original recording.
- Current budget and prior-year actuals**
Shows financial health, reserve funding, and assessment history. Look for deficit trends.
- Reserve Study (if available)**
Required by most state laws for condo associations. Indicates whether future special assessments are likely.
- Current financial statement / balance sheet**
Review cash reserves, accounts receivable, and outstanding liabilities.

WARNING

Missing amendments are the #1 cause of post-closing disputes. Buyers who discover new restrictions after closing have limited recourse.

3. Closing-Specific Documents

These documents are generated specifically for the transaction and have expiration dates. Timing is critical.

- Resale Certificate / Resale Package**
The seller's disclosure of HOA financials, rules, and assessments. Valid for 30-90 days depending on state law.
- Estoppel Letter / Status Letter**
Confirms current dues, special assessments, and any outstanding violations. Some states require this separately from the resale certificate.
- Insurance Certificate / Master Policy Declarations**
Shows coverage limits, deductible amounts, and named insured. Fannie Mae and Freddie Mac have specific requirements.
- HOA Lien Search or Paid-Dues Letter**
Confirms no outstanding liens. In super-lien states, HOA liens can extinguish first mortgages.
- Special Assessment Disclosure**
Active or approved special assessments must be disclosed. Determine who pays: buyer, seller, or prorated at closing.
- Capital Contribution / Working Capital Fee Notice**
Many associations charge new owners a one-time fee at closing. Budget for this in the closing statement.

PRO TIP

In Florida, California, and Texas, the resale certificate and estoppel are legally distinct documents. Order both to avoid gaps.

4. Lender Compliance Verification

Government-backed and conventional loans have specific HOA requirements. Missing any of these can trigger underwriting rejection.

- Fannie Mae / Freddie Mac condo questionnaire (if applicable)**
Covers insurance, reserves, commercial space limits, and owner-occupancy ratios. Must be completed by the association.
- FHA Approval Certificate (FHA loans only)**
The condo project must be on FHA's approved list. Approval expires and must be verified at application time.
- VA Certificate of Eligibility for condo (VA loans only)**
VA maintains a separate approved condo list. Approval status must be current at closing.
- Master policy meets lender deductible caps**
Fannie Mae's 2025 guidance caps deductibles at \$25,000 or 5% of total insurable value, whichever is greater.
- No active litigation affecting insurability**
Construction defect litigation can make a condo uninsurable. Verify with the master policy carrier.
- Owner-occupancy ratio meets lender minimum**
Most lenders require 50%+ owner-occupied. Investor-heavy buildings face higher scrutiny or rejection.
- No single entity owns >10% of units (Fannie/Freddie)**
Concentrated ownership triggers Fannie Mae LL-2026-03 compliance review.

WARNING

FHA and VA condo approvals are project-specific, not borrower-specific. A borrower's individual eligibility does not override an unapproved project.

5. Red Flags That Stall or Kill Closings

These issues should trigger immediate escalation to the transaction team, lender, and legal counsel.

- Reserves funded below 10% of annual budget**
Chronically underfunded reserves predict future special assessments. Flag for buyer disclosure.
- Multiple special assessments in past 3 years**
Pattern of special assessments indicates poor financial management or deferred maintenance.
- Insurance coverage gaps or lapsed policy**
A lapsed master policy leaves all unit owners exposed. Closing should not proceed without proof of coverage.
- Active construction defect litigation**
Can make the building uninsurable and ineligible for conventional financing.
- Rental restrictions that conflict with buyer's intent**
Investor buyers who plan to rent may face caps, minimum lease terms, or board approval requirements.
- Age restrictions (55+ communities) not disclosed**
Buyers under the minimum age cannot occupy. Verify against the buyer's profile before proceeding.
- Pending violations assigned to the unit**
Violations transfer with the property. The new owner inherits fines and compliance obligations.
- HOA in bankruptcy or receivership**
Bankrupt associations cannot deliver documents. Receivership adds months to the timeline.

6. Post-Delivery Verification

Documents arrive, but that does not mean the file is complete. Run this final verification before clearing the HOA contingency.

- All pages present and legible**
Portal downloads sometimes truncate. Verify page numbering and scan quality.
- Dates are current (not expired)**
Resale certificates expire in 30-90 days. Financials should be within 90 days of closing.
- Assessment amounts match across all documents**
Discrepancies between the resale certificate, estoppel, and budget indicate missing updates.
- Signatures and seals present where required**
Some states require notarized or board-signed documents. Verify against state requirements.
- Digital documents include authentication or watermarks**
PDFs from portals should show source verification. Screen captures are not acceptable for most lenders.
- Package delivered to all required parties**
Confirm the lender, title insurer, buyer, and seller all received copies per the purchase agreement.

PRO TIP

Create a folder per file with every HOA document named consistently: PropertyAddress_HOA_DocumentType_Date.pdf. Future you will thank present you.

Need Help With HOA Documents?

HOA Docs Direct retrieves HOA documents, resale certificates, and estoppel letters for title companies, escrow teams, and lenders nationwide. Fast turnaround. No delivery, no charge.

hoadocsdirect.com

contact@hoadocsdirect.com

(323) 760-7779

This checklist is for informational purposes only and does not constitute legal advice.
Consult qualified legal counsel for transaction-specific guidance.