

# The Member's Role in a Community Association

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## **Congratulations!**

You just purchased your first home in a planned community and became a member of a community association. For a detailed understanding of what a community association is all about, please [click here](#).

So now what? You have automatically become a member of the association within your subdivision. "What!" you say, "I never agreed to become a member of the Association, and I surely did not sign anything agreeing to become a member of any Association!" The lot or home you purchased is subject to the planned community's Governing Documents (the Declaration of Covenants, Articles, and Bylaws of the association and adopted Rules and Regulations). By operation of law, when you accepted the deed to your lot or home, you became a member of the community's association. There is no ability to opt-out, nor can you keep your membership when you sell your house in the subdivision.

Being a member of a community association entitles you to certain rights and requires you to meet certain obligations in your community association. Those rights and obligations are set forth in the Governing Documents and, to some extent, in NC law governing planned communities.

In general, unless otherwise expanded by the Governing Documents, membership in the Association limits each member to the following rights:

- Access for you and your family, your tenants, guests, and invitees to enjoy the common areas and amenities located within the subdivision.
- Voting for Directors to the association's Board of Directors.
- Voting to remove Directors from the association's Board of Directors.
- Voting on amendments to the Governing Documents
- Voting on the termination of the planned community.
- Voting on the dissolution of the association.
- Voting on the merger or consolidation of the association into another association.
- Voting to require the association to obtain audited financial statements.
- Running for election to the Board of Directors
- Appointment to a committee of the association.
- Reviewing and ratifying the association's annual operating budget.
- Inspecting certain books and records of the association. (For a detailed listing of what documents and records a member is entitled to inspect, please [click here](#).)
- Voting on the conveyance or encumbrance of the common areas and amenities located within the subdivision.

- At regular intervals, attending a portion of Board of Director meetings.
- Attending meetings of the membership.
- Petitioning the association to call a special meeting of the membership.

Notwithstanding these rights, the vast majority of all decisions made on behalf of the community association are made by the Board of Directors consistent with the provisions of the Governing Documents and applicable law. For example, the Board determines when a member has violated the Governing Documents and whether, in such event, to impose fines or suspend certain member rights.

And, in addition to your rights, you have specific obligations as a member, including:

- Paying assessments/dues to the association.
- Abiding by the Governing Documents and the covenants (including any architectural guidelines).
- Following the Rules and Regulations adopted by the Board of Directors for the use of the common areas and amenities.
- Following the Rules and Regulations adopted by the Board of Directors for the use of your lot.
- Following the Rules and Regulations adopted by the Board of Directors for behavior when attending Director and Membership meetings.

The best way to understand your role as a member of a community association is to review the Governing Documents prior to buying a house or lot within a planned community, so you know what you are getting into!

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