

AL HOA & Condo Quick Reference

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A board member's plain-English cheat sheet. Condos created after January 1, 1991: Uniform Condominium Act (Ala. Code Ch. 8A). Older condos: Condominium Ownership Act (Ch. 8), with listed 8A sections still reaching them. Subdivision HOAs: Homeowners' Association Act (Ch. 20) if the declaration is recorded on or after January 1, 2016, or the association elects in. Corporate mechanics: Title 10A Ch. 3.

Condo meetings, budget, records

UCA §35-8A-308

Annual meeting required. Special meetings: president, a board majority, or 20 percent of the votes. Notice 10 to 60 days, hand-delivered or prepaid U.S. mail, stating time, place, and agenda (amendments, budget changes, removals).

UCA §35-8A-309

Owner quorum defaults to 20 percent of the votes that may be cast for the board, present in person or by proxy at the start. Board quorum defaults to 50 percent.

UCA §35-8A-303

Within 30 days of adopting a proposed budget, send it to owners and set a ratification meeting. The budget is ratified unless a majority of the owners present reject it. Declarant control: owners elect at least 25 percent of the board after 25 percent of units are sold and 33 1/3 percent after 50 percent; control ends no later than 60 days after 75 percent are conveyed. After transition, a board of at least three. Remove a non-declarant director by a two-thirds vote.

UCA §35-8A-318

All financial and other records must be reasonably available for examination by any unit owner. Also applies to pre-1991 condos.

Condo lien and insurance

UCA §35-8A-316

Lien from the moment the assessment or fine is due. Recording the declaration perfects it — no separate claim of lien. Foreclose like a mortgage, with notice to the owner and recorded lienholders. Limited six-month super-priority over a first mortgage for budgeted common-expense assessments. Extinguished if not enforced within three years. Payoff statement in 10 business days. Also applies to pre-1991 condos.

UCA §35-8A-315

Assessments at least annually. Past-due amounts bear interest up to 18 percent per year. An assessment is also the owner's personal obligation.

UCA §35-8A-313

Master property policy on the common elements at not less than 80 percent of actual cash value, plus liability insurance. Rebuild unless the condominium is terminated, repair is illegal, or 80 percent of the votes (including 80 percent of damaged-unit owners) agree not to.

UCA §35-8A-408

A buyer who is not given the required offering-statement documents more than seven days before signing may cancel without penalty. A buyer who is never given them may recover 5 percent of the sale price.

HOA overlay, and what SOS does

HOA §35-20-3

Chapter 20 applies to a declaration recorded on or after January 1, 2016, and to an older association that elects in by a majority of its members. Condos (Ch. 8 / 8A), commercial developments, cooperatives, time-shares, and campgrounds are out.

HOA §35-20-5

A post-2015 HOA must organize as a nonprofit under Title 10A Ch. 3 and file its bylaws and original covenants with the Secretary of State. SOS keeps a public, searchable document database by association name. That is not a downloadable statewide roster.

HOA §35-20-12

HOA assessment lien from the due date. No six-month super-priority — it sits behind mortgages. Record a statement of lien within 12 months; certified-mail notice at least 30 days before recording.

HOA §35-20-13

On written request, give a member or potential purchaser the listed records within 30 days: assessments, common areas, budget and reserves, last-year financials, insurance, and any loans. NP §10A-3-2.32 adds inspection of books, minutes, and the membership list for a proper purpose at a reasonable time.

Meeting notice & deadlines

Condo member meeting

At least once a year. Notice 10 to 60 days (§35-8A-308).

Condo special meeting

President, board majority, or 20 percent of the votes (§35-8A-308).

Condo budget

Send the proposed budget within 30 days of adoption. Ratified unless a majority of those present reject it (§35-8A-303).

HOA records packet

30 days to a member or potential purchaser (§35-20-13).

HOA penalty

Only after the member has a chance to be heard and to be represented by counsel (§35-20-11). Cannot cut off access to the lot.

Official records

Condo books

Reasonably available to any unit owner (§35-8A-318). Payoff statement in 10 business days (§35-8A-316).

Nonprofit inspect

Books, minutes, and the membership list for a proper purpose at a reasonable time (§10A-3-2.32).

HOA packet

Assessments, common areas, budget, financials, insurance, loans — 30 days (§35-20-13).

SOS

Document database by association name. Not a roster. Not an arbiter (§35-20-5).

Quorum & voting

Condo (UCA)

Owner quorum default 20% (§35-8A-309)

Board quorum default 50%

Declarant control ends no later than 60 days after 75% conveyed (§35-8A-303)

Six-month assessment super-priority; 3-year enforcement clock (§35-8A-316)

HOA (Ch. 20 + Nonprofit Act)

Member quorum default 10% unless bylaws say otherwise (§10A-3-2.06)

Board quorum: majority of fixed directors; cannot go below one-third (§10A-3-2.11)

Lien junior to mortgages; record within 12 months (§35-20-12)

30-day records packet for members and buyers (§35-20-13)

Plain-English summary — not legal advice; confirm against the current statute. SoShiny is the all-in-one portal communities use to run documents, voting, violations, a public website and more. Every feature on every plan: \$25/mo base + \$0.33/unit. soshiny.com