

NOTICE

Issued by the Department of

Planning & Growth Management

Clarification of Maintenance and Access Agreements, Homeowner Association (HOA) Documents

16-07

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Charles County
Government

Department of
Planning & Growth
Management

Peter Aluotto
Director



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Prior to approval of a final plat, the applicant must demonstrate compliance with Section 63 of the Subdivision Ordinance. Specifically, the developer must provide homeowner documents:

- **SECTION 63 (a) Homeowner Association Documents:** The developer must certify any legal arrangements for maintaining and preserving any joint use facilities not dedicated to public use including open space ownership, method of maintenance, payment of taxes and insurance, compulsory membership and compulsory assessment provisions and guarantees that any association formed to own and maintain open space will not be dissolved without providing for the perpetual care, maintenance, upkeep, and safety of the facilities.
- **SECTION 63 (b) Letter of Certification:** The developer must provide a certification letter listing the individual documents, their purpose, and there are no contradictory statements.
- **SECTION 63 (c) Certification of HOA documents:** Either the final plat index sheet or each plat sheet must have the following note to be signed by the developer:

**HOME OWNERS ASSOCIATION CERTIFICATION FOR (INSERT DEVELOPMENT NAME)
IT IS HEREBY CERTIFIED THAT ALL APPROPRIATE HOME OWNERS ASSOCIATION
COVENANTS, ARTICLES OF INCORPORATION, BYLAWS OR OTHER DOCUMENTS
HAVE BEEN DEvised AND ESTABLISHED IN A MANNER CONSISTENT WITH STATE
AND COUNTY REGULATIONS.**

**DEVELOPMENT NAME
DEVELOPMENT FIRM
OWNER/AGENT**

"Those citizens with special needs, please contact Theresa Pickeral, Charles County Department of Planning and Growth Management, Planning Division, voice phone number @ (301)645-0540 or Maryland Relay Service TDD 1-800-735-2258."