

Appendix B. Glossary

Assessment

Mandatory payments made by association members to cover the costs of maintaining common areas

Board of Directors

The governing body of the homeowners association

Bylaws

The bylaws are the regulations for the administration of the association and address such topics as procedures for conducting meetings and electing board members.

Common Areas or Common Elements

In a condominium, it means all portions of the condominium development except the units individually owned by people. In a planned community, it means any real estate within the community owned by the association.

Common Interest Community (CIC) or Common Interest Development (CID)

A community in which a person, by virtue of the person's ownership of a unit or lot in that community, is obligated to pay for a share of the expenses of the common elements

Condominium

A community where each property owner owns their individual unit space and all the owners share ownership of areas of common areas.

Covenants, Conditions and Restrictions (CC&Rs)

These are written rules, limitations and restrictions on use, agreed to by all property owners in a common interest community (CIC). Also known as "declaration of covenants, conditions, and restrictions"

Declarant

The person or entity that created the planned community or condominium development

Declarant Control

The period of time in which the declarant has the right to appoint board members to the association

Declaration

The document that contains the rules, limitations and restrictions on use, agreed to by all property owners in a planned community or condominium community. Also known as Short name for “declaration of conditions, covenants and restrictions” or “CC&Rs”

Governing Documents

The documents of a homeowners association that includes the declaration and the bylaws

Homeowners Association (also known as Condominium Association, Property Owners Association, Community Association, Unit Owners Association, or Owners Association)

The association that governs a planned community or condominium development, maintains the common areas, and enforces the covenants, conditions, and restrictions (CC&R).

Limited Common Element

The portion of the common area allocated by the declaration for the exclusive use of one or more but fewer than all of the owners. An example of a limited common element would be a parking space.

Planned Community

A common interest community where each property owner owns their individual home and the homeowners association owns the common areas.

Planned Unit Development (PUD)

A development of land to be planned and developed as a whole according to a detailed plan that may include single-family homes, multi-family dwellings, commercial activities, mixed uses, and common areas maintained by an HOA.

Reserves

Funds set aside for deferred maintenance and capital expenditures.

Rules and Regulations

The part of the governing documents that specify how owners and their guests and tenants conduct themselves within the HOA, and the remedies for noncompliance

Special Assessment

An assessment that is imposed on owners for a particular purpose other than the common expenses that makes up an association’s budget.

Tennessee Condominium Act

The law that governs condominiums created after January 1, 2009.

Tennessee Horizontal Property Act

The law that governs condominiums created before January 2, 2009.

Unit

The portion of a common interest community set aside for separate ownership by a property owner

Uniform Condominium Act (UCA)

A model piece of legislation drafted by the Uniform Law Commission that addresses condominiums

Uniform Common Interest Ownership Act (UCIOA)

A model piece of legislation drafted by the Uniform Law Commission that addresses common interest communities

Uniform Common Interest Owners Bill of Rights Act (Bill of Rights)

A model piece of legislation drafted by the Uniform Law Commission that addresses issues related to owners in common interest communities

Uniform Planned Community Act (UPCA)

A model piece of legislation drafted by the Uniform Law Commission that addresses planned communities