

2015 End of Session Report

Recording of Homeowners Association Covenants-HB 1107 lowers the number of different sections of lots of a land development, from 12 to two, that are required to record certain homeowners association covenants. The bill was signed into law.

Political Activity on Homeowners Association Property-HB 1134 provides that a homeowners association may not adopt or enforce a rule or covenant that prohibits, or has the effect of prohibiting: (1) a candidate; (2) an individual who holds an elected office; (3) the spouse of a candidate or individual who holds an elective office; or (4) a volunteer worker of a candidate or individual who holds an elected office; from entering onto homeowners association property for purposes of conducting political activity. The bill was signed into law.

Transfers of Real Property-SB 249 specifies that a property tax penalty for property sold by a county executive through a certificate of sale procedure is to be removed from the tax duplicate if the penalty is associated with a delinquency that was not due until after the date of the original tax sale but is due before the issuance of the certificate of sale by the county executive. Specifies procedures for collecting unpaid taxes after the county auditor determines that a property is no longer eligible for a standard deduction. Provides that no lien attaches for any additional taxes and civil penalties resulting from the removal of the deduction with respect to a bona fide purchaser of the property who is without knowledge of the county auditor's determination. Indicates that certain defects in a lease recorded with the county recorder do not invalidate the effect of recording the lease. Provides that a person acquiring a condominium unit is not liable for unpaid assessments if the condominium association, manager, or board of directors fails to provide a statement of unpaid assessments within 10 days of the person's written request. Specifies the appraisal procedure to be used when selling property at auction in a partition action, and provides that the parties may waive appraisal and valuation. Permits any person with an interest in property being sold at a sheriff's sale in a partition action to request that the court order the sale be conducted by an auctioneer. Provides that a governmental entity may claim title by adverse possession without having paid property taxes and special assessments due on the property if the governmental entity is exempt from the payment of property taxes and special assessments. The bill was signed into law.