



## Assessment Requirements in State Statutes

*Collected August 2025*

### Summary of Key Findings:

- Out of 50 states plus DC, 31 states plus DC have specific statutory provisions related to special and regular assessment collection, assessment increases, and/or delinquent assessments.
- AZ, CA, GA, MD all have caps on delinquency assessment fees/interest rates of \$10-\$15 and/or 10% of the assessment owed. HI, ME, MO, NC, NM have delinquent assessment interest rate accrual caps set at 18%, while WV sets its interest rate accrual cap at 6%. DE and VT's caps are tied to the state's lawful rate of interest.
- AZ, DC, DE, MA, MN, MO, TN, VT, WA, WV all have a specific statutory requirement that assessments must be made at least annually to coincide with the associations' adoption of a budget.
- AL, AZ, CA, FL all have statutory limitations related to the increase of regular assessments by an association.
- CT, FL, KS, NH, TN, WA all have statutory notice/meeting requirements that must be met either before a special assessment can be imposed or to coincide with the imposition of a special assessment.

| State | Assessment Statute                | Condo/HOA/Uniform | On Time Notice Requirements | Delinquent Notice Requirements | Delinquency fees/Interest Rates | Special Assessment Notice Requirements | Timing Required Inclusion | Special Budget Provisions | Assessment Increase Limitations | Assessment Increase Notice | Assessments for Deed Restricted Units | Special Provisions |
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| AL    | <a href="#">Section 35-8A-315</a> | Condo             |                             |                                |                                 |                                        |                           |                           | 18% annually                    |                            |                                       |                    |



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| AK    | <a href="#">Sec. 34.08.460</a> | Uniform           |                             |                                | Interest rate not to exceed 18% per year |                                        |                                                                   |                           |                                 |                            |                                       |                    |
| AR    | No relevant provisions         |                   |                             |                                |                                          |                                        |                                                                   |                           |                                 |                            |                                       |                    |
| AZ    | <a href="#">33-1255</a>        | Condo             |                             |                                |                                          |                                        | Assessments must be at least annually to coincide with the budget |                           |                                 |                            |                                       |                    |
| AZ    | <a href="#">33-1803</a>        | HOA               |                             |                                | \$15 or 10% of the assessment            |                                        |                                                                   |                           | 20% greater than previous year  |                            |                                       |                    |



| State | Assessment Statute                                       | Condo/HOA/Uniform | On Time Notice Requirements                | Delinquent Notice Requirements   | Delinquency fees/Interest Rates                     | Special Assessment Notice Requirements | Timing Required Inclusion | Special Budget Provisions | Assessment Increase Limitations                                                                       | Assessment Increase Notice                 | Assessments for Deed Restricted Units                                   | Special Provisions |
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| CA    | <a href="#">Civil Code Division 4, Part 5, Chapter 8</a> | Uniform           | Must be paid within 15 days after due date | Becomes delinquent after 15 days | \$10 or 10% of the assessment, whichever is greater |                                        |                           |                           | Regular can be no greater than 20% the previous FY, special cannot be aggregate over 5% of the budget | 30-60 days before the assessment comes due | Increases restricted to 5% plus cost of living, not to exceed 10% total |                    |



| State | Assessment Statute          | Condo/HOA/Uniform | On Time Notice Requirements | Delinquent Notice Requirements | Delinquency fees/Interest Rates | Special Assessment Notice Requirements | Timing Required Inclusion | Special Budget Provisions                                                                                 | Assessment Increase Limitations | Assessment Increase Notice | Assessments for Deed Restricted Units | Special Provisions                                                                    |
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| CO    | <a href="#">38-33.3-315</a> | Uniform           |                             |                                |                                 |                                        |                           | Surplus funds after collecting assessments are paid back to unit owners or put towards future assessments |                                 |                            |                                       | Insurance calculated based on proportionate risk, utilities calculated based on usage |



| State | Assessment Statute           | Condo/HOA/Uniform | On Time Notice Requirements | Delinquent Notice Requirements | Delinquency fees/Interest Rates | Special Assessment Notice Requirements                                                                                                                           | Timing Required Inclusion | Special Budget Provisions | Assessment Increase Limitations | Assessment Increase Notice | Assessments for Deed Restricted Units | Special Provisions |
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| CT    | <a href="#">Sec. 47-261e</a> | Uniform           |                             |                                |                                 | Unit owners must be notified within 30 days of the adoption of a proposed special assessment, and must be given an opportunity to vote on the special assessment |                           |                           |                                 |                            |                                       |                    |



| State | Assessment Statute           | Condo/HOA/Uniform | On Time Notice Requirements | Delinquent Notice Requirements | Delinquency fees/Interest Rates                          | Special Assessment Notice Requirements               | Timing Required Inclusion                                         | Special Budget Provisions | Assessment Increase Limitations                 | Assessment Increase Notice | Assessments for Deed Restricted Units | Special Provisions |
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| DC    | <a href="#">§ 42-1903.12</a> | Condo             |                             |                                |                                                          |                                                      | Assessments must be at least annually to coincide with the budget |                           |                                                 |                            |                                       |                    |
| DE    | <a href="#">§ 81-315</a>     | Uniform           |                             |                                | Interest accrual must not exceed lawful rate of interest |                                                      | Assessments must be at least annually to coincide with the budget |                           |                                                 |                            |                                       |                    |
| FL    | <a href="#">718.112</a>      | Condo             |                             |                                |                                                          | Meeting required for nonemergency special assessment |                                                                   |                           | Meeting required to approve assessment increase |                            |                                       |                    |



| State | Assessment Statute                   | Condo/HOA/Uniform | On Time Notice Requirements    | Delinquent Notice Requirements | Delinquency fees/Interest Rates                     | Special Assessment Notice Requirements | Timing Required Inclusion | Special Budget Provisions | Assessment Increase Limitations                                      | Assessment Increase Notice | Assessments for Deed Restricted Units | Special Provisions |
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|       |                                      |                   |                                |                                |                                                     | nts with 14 days prior notice          |                           |                           | s over 115%                                                          |                            |                                       |                    |
| FL    | <a href="#">720.308</a>              | HOA               |                                |                                |                                                     |                                        |                           |                           | Assessments cannot exceed maximum obligation based on adopted budget |                            |                                       |                    |
| GA    | <a href="#">44-3-109 and 44-3-80</a> | Condo             | Must be paid at least annually |                                | \$10.00 or 10 percent of the amount of each assessm |                                        |                           |                           |                                                                      |                            |                                       |                    |



| State     | Assessment Statute                                    | Condo/HOA/Uniform | On Time Notice Requirements | Delinquent Notice Requirements | Delinquency fees/Interest Rates                                       | Special Assessment Notice Requirements | Timing Required Inclusion | Special Budget Provisions | Assessment Increase Limitations | Assessment Increase Notice | Assessments for Deed Restricted Units | Special Provisions                                                        |
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|           |                                                       |                   |                             |                                | ent or installment                                                    |                                        |                           |                           |                                 |                            |                                       |                                                                           |
| <b>GA</b> | <a href="#">44-3-225</a> and <a href="#">44-3-232</a> | HOA               |                             |                                | \$10.00 or 10 percent of the amount of each assessment or installment |                                        |                           |                           |                                 |                            |                                       | Assessments may not be charged until a certificate of occupancy is issued |
| <b>HI</b> | <a href="#">§514B-144</a>                             | Condo             |                             |                                | Interest rate capped at 18% annually                                  |                                        |                           |                           |                                 |                            |                                       |                                                                           |



| State | Assessment Statute              | Condo/HOA/Uniform | On Time Notice Requirements | Delinquent Notice Requirements | Delinquency fees/Interest Rates | Special Assessment Notice Requirements | Timing Required Inclusion | Special Budget Provisions | Assessment Increase Limitations | Assessment Increase Notice                         | Assessments for Deed Restricted Units | Special Provisions                                                                                                                                                     |
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| HI    | <a href="#">§421J-9</a>         | HOA               |                             |                                |                                 |                                        |                           |                           |                                 | Notice required at least 30 days prior to increase |                                       |                                                                                                                                                                        |
| IA    | No relevant provisions          |                   |                             |                                |                                 |                                        |                           |                           |                                 |                                                    |                                       |                                                                                                                                                                        |
| ID    | No relevant provisions          |                   |                             |                                |                                 |                                        |                           |                           |                                 |                                                    |                                       |                                                                                                                                                                        |
| IL    | <a href="#">765 ILCS 605/18</a> | Condo             |                             |                                |                                 |                                        |                           |                           |                                 |                                                    |                                       | In the event a regular or special assessment totals over 115% of the sum of all regular and special assessments the current FY, owners may call a vote on the increase |



| State | Assessment Statute                | Condo/HOA/Uniform | On Time Notice Requirements | Delinquent Notice Requirements | Delinquency fees/Interest Rates | Special Assessment Notice Requirements                        | Timing Required Inclusion | Special Budget Provisions | Assessment Increase Limitations | Assessment Increase Notice | Assessments for Deed Restricted Units | Special Provisions                                                                                                                                                     |
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| IL    | <a href="#">765 ILCS 160/1-45</a> | HOA               |                             |                                |                                 |                                                               |                           |                           |                                 |                            |                                       | In the event a regular or special assessment totals over 115% of the sum of all regular and special assessments the current FY, owners may call a vote on the increase |
| IN    | No relevant provisions            |                   |                             |                                |                                 |                                                               |                           |                           |                                 |                            |                                       |                                                                                                                                                                        |
| KS    | <a href="#">46-58-4620</a>        | Uniform           |                             |                                |                                 | 10 day's notice required before a vote on special assessments |                           |                           |                                 |                            |                                       |                                                                                                                                                                        |



| State | Assessment Statute                                        | Condo/HOA/Uniform | On Time Notice Requirements | Delinquent Notice Requirements                   | Delinquency fees/Interest Rates                      | Special Assessment Notice Requirements | Timing Required Inclusion                | Special Budget Provisions | Assessment Increase Limitations | Assessment Increase Notice | Assessments for Deed Restricted Units | Special Provisions |
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| KY    | <a href="#">381.9191</a>                                  | Condo             |                             |                                                  | Interest rate capped at 18% annually                 |                                        |                                          |                           |                                 |                            |                                       |                    |
| KY    | <a href="#">381.796</a>                                   | HOA               |                             |                                                  | Late fees or interest not to exceed rates set by law |                                        |                                          |                           |                                 |                            |                                       |                    |
| LA    | <a href="#">RS 9:1141.32</a>                              | HOA               |                             |                                                  | Late fees or interest not to exceed rates set by law |                                        |                                          |                           |                                 |                            |                                       |                    |
| MA    | <a href="#">Part II, Title I, Chapter 183A, Section 6</a> | Condo             |                             | Notice of delinquency must be sent via certified |                                                      |                                        | Assessments must be at least annually to |                           |                                 |                            |                                       |                    |



| State | Assessment Statute                  | Condo/HOA/Uniform | On Time Notice Requirements | Delinquent Notice Requirements     | Delinquency fees/Interest Rates                                                 | Special Assessment Notice Requirements | Timing Required Inclusion | Special Budget Provisions | Assessment Increase Limitations | Assessment Increase Notice | Assessments for Deed Restricted Units | Special Provisions |
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|       |                                     |                   |                             | and first class mail after 60 days |                                                                                 |                                        | coincide with the budget  |                           |                                 |                            |                                       |                    |
| ME    | <a href="#">Title 33, §1603-115</a> | Condo             |                             |                                    | Interest rate capped at 18% annually                                            |                                        |                           |                           |                                 |                            |                                       |                    |
| MD    | <a href="#">§11-110</a>             | Condo             |                             |                                    | \$15 cap                                                                        |                                        |                           |                           |                                 |                            |                                       |                    |
| MD    | <a href="#">§11B-112</a>            | HOA               |                             | Delinquency must occur for 15 days | Late fee may be either \$15 or 10% of the assessment owed, whichever is greater |                                        |                           |                           |                                 |                            |                                       |                    |



| State | Assessment Statute              | Condo/HOA/Uniform | On Time Notice Requirements | Delinquent Notice Requirements                                                                           | Delinquency fees/Interest Rates | Special Assessment Notice Requirements | Timing Required Inclusion                                         | Special Budget Provisions | Assessment Increase Limitations | Assessment Increase Notice | Assessments for Deed Restricted Units | Special Provisions |
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| MI    | No relevant provisions          |                   |                             |                                                                                                          |                                 |                                        |                                                                   |                           |                                 |                            |                                       |                    |
| MN    | <a href="#">Sec. 515.19</a>     | Condo             |                             | Unpaid assessments must be reported by the association to members annually                               |                                 |                                        |                                                                   |                           |                                 |                            |                                       |                    |
| MN    | <a href="#">Sec. 515B.3-115</a> | HOAs before 2010  |                             | After 60 days, an association may declare assessment due in full, provided 10 days notice is given prior |                                 |                                        | Assessments must be at least annually to coincide with the budget |                           |                                 |                            |                                       |                    |



| State     | Assessment Statute               | Condo/HOA/Uniform | On Time Notice Requirements | Delinquent Notice Requirements                                                                           | Delinquency fees/Interest Rates      | Special Assessment Notice Requirements | Timing Required Inclusion                                         | Special Budget Provisions | Assessment Increase Limitations | Assessment Increase Notice | Assessments for Deed Restricted Units | Special Provisions                                                              |
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| <b>MN</b> | <a href="#">Sec. 515B.3-1151</a> | HOAs after 2010   |                             | After 60 days, an association may declare assessment due in full, provided 10 days notice is given prior |                                      |                                        | Assessments must be at least annually to coincide with the budget |                           |                                 |                            |                                       | Special assessments must be levied using the same formula as annual assessments |
| <b>MO</b> | <a href="#">448.3-115</a>        | Condo             |                             |                                                                                                          | Interest rate capped at 18% annually |                                        | Assessments must be at least annually to coincide with the budget |                           |                                 |                            |                                       |                                                                                 |
| <b>MS</b> | No relevant provisions           |                   |                             |                                                                                                          |                                      |                                        |                                                                   |                           |                                 |                            |                                       |                                                                                 |
| <b>MT</b> | No relevant provisions           |                   |                             |                                                                                                          |                                      |                                        |                                                                   |                           |                                 |                            |                                       |                                                                                 |



| State | Assessment Statute                 | Condo/HOA/Uniform | On Time Notice Requirements | Delinquent Notice Requirements | Delinquency fees/Interest Rates      | Special Assessment Notice Requirements                                                           | Timing Required Inclusion | Special Budget Provisions | Assessment Increase Limitations | Assessment Increase Notice | Assessments for Deed Restricted Units | Special Provisions |
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| NC    | <a href="#">G.S. 47C-3-115</a>     | Condos after 1986 |                             |                                | Interest rate capped at 18% annually |                                                                                                  |                           |                           |                                 |                            |                                       |                    |
| NC    | <a href="#">G.S. 47F-3-115</a>     | HOAs              |                             |                                | Interest rate capped at 18% annually |                                                                                                  |                           |                           |                                 |                            |                                       |                    |
| ND    | No relevant provisions             |                   |                             |                                |                                      |                                                                                                  |                           |                           |                                 |                            |                                       |                    |
| NE    | No relevant provisions             |                   |                             |                                |                                      |                                                                                                  |                           |                           |                                 |                            |                                       |                    |
| NH    | <a href="#">Section 356-B:40-c</a> | Condo             |                             |                                |                                      | Notice must be delivered promptly after 2/3 of the board votes to approve the special assessment |                           |                           |                                 |                            |                                       |                    |



| State | Assessment Statute         | Condo/HOA/Uniform | On Time Notice Requirements                                     | Delinquent Notice Requirements | Delinquency fees/Interest Rates      | Special Assessment Notice Requirements | Timing Required Inclusion                                                    | Special Budget Provisions | Assessment Increase Limitations | Assessment Increase Notice | Assessments for Deed Restricted Units | Special Provisions |
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| NJ    | <a href="#">§ 46:8B-15</a> | Condo             | Notice to unit owner required before assessments can be charged |                                |                                      |                                        |                                                                              |                           |                                 |                            |                                       |                    |
| NM    | <a href="#">47-7C-15</a>   | Condo             |                                                                 |                                | Interest rate capped at 18% annually |                                        |                                                                              |                           |                                 |                            |                                       |                    |
| NV    | <a href="#">116.3115</a>   | HOA               |                                                                 |                                |                                      |                                        | 21 days notice required for meetings on assessments for capital improvements |                           |                                 |                            |                                       |                    |



| State | Assessment Statute                             | Condo/HOA/Uniform | On Time Notice Requirements | Delinquent Notice Requirements | Delinquency fees/Interest Rates      | Special Assessment Notice Requirements | Timing Required Inclusion | Special Budget Provisions | Assessment Increase Limitations | Assessment Increase Notice | Assessments for Deed Restricted Units | Special Provisions                                                              |
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| NY    | <a href="#">§ 339-m</a>                        | Condo             |                             |                                |                                      |                                        |                           |                           |                                 |                            |                                       | Regular assessments do not have to equate to a proportionate share of ownership |
| OK    | No relevant provisions                         |                   |                             |                                |                                      |                                        |                           |                           |                                 |                            |                                       |                                                                                 |
| OH    | No relevant provisions                         |                   |                             |                                |                                      |                                        |                           |                           |                                 |                            |                                       |                                                                                 |
| OR    | No relevant provisions                         |                   |                             |                                |                                      |                                        |                           |                           |                                 |                            |                                       |                                                                                 |
| PA    | <a href="#">Title 68 Chapter 33 Section 14</a> | Condo             |                             |                                | Interest rate capped at 15% annually |                                        |                           |                           |                                 |                            |                                       |                                                                                 |
| PA    | <a href="#">Title 68 Chapter 53 Section 14</a> | Uniform           |                             |                                | Interest rate capped at 15% annually |                                        |                           |                           |                                 |                            |                                       |                                                                                 |
| RI    | No relevant provisions                         |                   |                             |                                |                                      |                                        |                           |                           |                                 |                            |                                       |                                                                                 |
| SC    | No relevant provisions                         |                   |                             |                                |                                      |                                        |                           |                           |                                 |                            |                                       |                                                                                 |
| SD    | No relevant provisions                         |                   |                             |                                |                                      |                                        |                           |                           |                                 |                            |                                       |                                                                                 |



| State | Assessment Statute        | Condo/HOA/Uniform | On Time Notice Requirements | Delinquent Notice Requirements | Delinquency fees/Interest Rates                                                       | Special Assessment Notice Requirements                                               | Timing Required Inclusion                                         | Special Budget Provisions | Assessment Increase Limitations | Assessment Increase Notice | Assessments for Deed Restricted Units | Special Provisions |
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| TN    | <a href="#">66-27-414</a> | Condos after 2009 |                             |                                | Interest rate capped at rate to be determined by Department of Financial Institutions |                                                                                      | Assessments must be at least annually to coincide with the budget |                           |                                 |                            |                                       |                    |
| TN    | <a href="#">66-27-706</a> | HOA               |                             |                                |                                                                                       | Special assessment for nonessential amenities must be passed by a 2/3 vote of owners |                                                                   |                           |                                 |                            |                                       |                    |
| TX    | No relevant provisions    |                   |                             |                                |                                                                                       |                                                                                      |                                                                   |                           |                                 |                            |                                       |                    |
| UT    | No relevant provisions    |                   |                             |                                |                                                                                       |                                                                                      |                                                                   |                           |                                 |                            |                                       |                    |
| VA    | No relevant provisions    |                   |                             |                                |                                                                                       |                                                                                      |                                                                   |                           |                                 |                            |                                       |                    |



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| VT    | <a href="#">§ 3-115</a> | Uniform           |                             |                                | Late fees or interest not to exceed rates set by law |                                        | Assessments must be at least annually to coincide with the budget |                           |                                 |                            |                                       | Regular assessments do not have to equate to a proportionate share of ownership if it is for something benefitting a small number of owners |



| State | Assessment Statute                      | Condo/HOA/Uniform | On Time Notice Requirements | Delinquent Notice Requirements         | Delinquency fees/Interest Rates | Special Assessment Notice Requirements                                                              | Timing Required Inclusion                                         | Special Budget Provisions | Assessment Increase Limitations | Assessment Increase Notice | Assessments for Deed Restricted Units | Special Provisions                                                                                                      |
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| WA    | <a href="#">64.90.525 and 64.90.480</a> | Uniform           |                             |                                        |                                 | Special assessments must be voted on by unit owners, and 30 days notice must be given before a vote | Assessments must be at least annually to coincide with the budget |                           |                                 |                            |                                       | Associations must provide at least one form of payment for assessments that carries no additional charge for processing |
| WV    | <a href="#">§36A-7-2</a>                | Condo             |                             | Interest begins 13 days after due date | Interest of 6% annually         |                                                                                                     |                                                                   |                           |                                 |                            |                                       |                                                                                                                         |
| WV    | <a href="#">§36B-3-115</a>              | HOA               |                             |                                        |                                 |                                                                                                     | Assessments must be at least annually to coincide                 |                           |                                 |                            |                                       |                                                                                                                         |



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|       |                        |                   |                             |                                |                                 |                                        | with the budget           |                           |                                 |                            |                                       |                    |
| WY    | No relevant provisions |                   |                             |                                |                                 |                                        |                           |                           |                                 |                            |                                       |                    |