

Frequently Asked Questions About Resale Packages

What is a Resale Package?

Condominium and homeowner associations are governed by a series of documents that detail the responsibilities of the homeowner and the community to provide services. Anyone purchasing a home in a community is entitled to have those documents prior to the purchase of their home. The resale package is the method selected by the Maryland legislature to assure that new homebuyers are aware of their obligations and status of the community. A resale package is a packet of vital information provided to those purchasing a condominium or a home in an association. The package includes a complete set of recorded documents that govern the community such as the Articles of Incorporation, Declaration, By-laws and in most cases, the rules, regulations, and architectural guidelines of the community. This package also contains a disclosure certificate that gives the buyer information regarding any special assessments or other fees applicable to the property as well as information on any pending litigation matters. Also included is a master insurance certificate, current budget and a profit & loss statement for the community. **Please note**, effective October 1, 2017, Maryland General Assembly passed HB-34, stating an inspection of a lot within an HOA is no longer required unless the governing documents require such an inspection. When you place your order on homewise, you will be advised if a lot inspection will be conducted. Those who live in a Condominium Association, a lot inspection will be completed.

Where do I find the information to provide to the prospective buyer of my home?

You may already have some of the information that is required. When you purchased your home, you should have been provided the recorded documents. If this is not the case, you can usually purchase a copy from the land records department of your county or city. The recorded documents are also available from American Community Management in addition to the other information required in the package as detailed in the first paragraph above. You may also download some of these documents from your community website after registering.

Why should I purchase a resale package?

It is a legal obligation of the seller to provide this information; should you not make it available the potential buyer could void the contract of sale. Your complete obligation is detailed in the Maryland Annotated Code. (Article No. 11-135 of the Maryland Condominium Act and Article No. 11-B-106 of the Maryland Homeowners Association Act, Real Property, Maryland Annotated Code.)

If the seller does not provide the buyer with a resale package, can the sale take place?

Yes, if both the buyer and the seller agree to proceed without a resale package; however, you run the risk of the buyer canceling the contract as stated above.

When should a resale package be ordered?

Some of the information in the resale package is time sensitive especially the information that pertains to the financial condition of the community; therefore, it is not a good idea to purchase the resale package months in advance. State Law requires that the packet of information be provided no later than 15 days prior to closing for a condominium and within 20 days of entering into a contract of sale for a home in a homeowners association.

Does the package expire?

No, however the resale disclosure certificate portion of the package is only valid for thirty (30) days from the date of preparation.

Where do I get a resale package?

American Community Management provides unit owners selling their units with resale packages through Homewisedocs.com for a minimal fee. A seller may also ask their legal advisor or any other available source for the packet of information. Homeowner Association documents are available in the land records depository and in most cases, on the community website.

How much do resale packages cost and who is responsible for the cost?

Resale packages are not a community expense. The seller of the home is responsible for the cost. American Community Management offers several options when purchasing a resale package. Homewisedocs.com will show those options on their website.

How do I pay for the resale package? Homewisedocs.com provides several options for payments through their website.