



Homeowners' Association Responsibility and Maintenance Guide...



Homeowners' Associations:

What you need to know

As more and more people today live in subdivisions regulated by Homeowners' Associations (HOAs), it is important to understand the responsibilities and general regulations of such entities. The following is a breakdown of the major components of how HOAs function:

- **CC&Rs:** A declaration of Covenants, Conditions and Restrictions is a legal document established by the subdivision developer and recorded with the County that sets forth permitted uses, requirements, and rules and restrictions for the subdivision. The CC&Rs along with the HOA By-laws outlines the HOA responsibilities.
- **CC&R Amendments:** From time to time the HOA may decide to amend the CC&Rs which requires a member vote and, in many cases, Village approval.
- **Governance:** Most HOAs have a board of directors that are elected every few years.
- **Maintenance:** Started by the subdivision developer, maintenance and replacement responsibilities are turned over to the HOA at a time specified in the CC&Rs. The HOA must decide if it will use the same contractors to do maintenance work or hire someone else. A maintenance plan, if established and followed, helps to preserve property values in the development and reduce long term maintenance and replacement costs.
- **Fees and Assessments:** HOAs have the authority to levy monthly fees which pay for the maintenance of all common areas in the development. If there are defaults in payment, HOAs have the authority to place a lien on a property in default.
- **Regulations:** The board of directors of the HOA creates rules and policies that govern a number of items. The rules typically apply to new construction, parking and storage of vehicles, accessory uses, building aesthetics, building additions, telecommunication devices, and many others.

Homeowners' Associations Maintenance Responsibilities:

As noted in the CC&Rs (Covenants, Conditions & Restrictions), homeowners' association assume a number of maintenance responsibilities. This list varies with each subdivision, so carefully review yours to determine what your HOA responsibilities are. The following is a list of those responsibilities that are typical to an HOA.



- **Maintenance of Common Areas:** This includes tasks such as mowing, weeding, watering, and landscape replacement of all common areas.

- **Maintenance of Stormwater Basins:** The basin itself, inlet and outlet pipes, and any buffer or grassy areas are part of the HOA maintenance responsibilities.
- **Maintenance of Signage:** Any replacement or changes to the subdivision monument sign is the HOA responsibility.
- **Structure Maintenance:** Some subdivisions have structures in common areas (e.g. fences or walls) which are the responsibility of the HOA to maintain.

Maintenance of Stormwater Basins:

Routine maintenance is essential to ensuring that stormwater basins are performing their necessary functions including the prevention of flooding in your subdivision. A complete maintenance program can be quite comprehensive. For that reason, the maintenance tasks have been arranged in three

categories; storm sewer system maintenance, vegetation management, and property maintenance. Typically, HOAs hire firms with the experience necessary to properly maintain stormwater basins. If you need help identifying potential firms, please contact the Village.

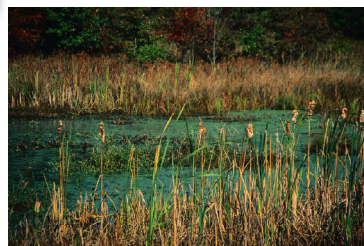
Storm Sewer System Maintenance - Maintenance tasks that address the structural components of the pond.

- Examine inlet and outlet pipes to determine if they are functioning properly and to determine if erosion is occurring.
- Inspect the pond for trash and debris that may block inlet and outlet pipes. If there is a blockage, the amount of water that can be stored in the pond may be altered.
- Inspect for sediment accumulation at inlet pipes. Sediment accumulation can restrict water flow.
- Contact a professional engineer to inspect the pond annually.

Vegetation Management - Maintenance tasks that maintain and evaluate the vegetation in the basin itself and in surrounding buffer areas. Wildlife habitat is also addressed in vegetation management tasks. Note that there are some tasks that are specific to wet basins (WB) and some that are pertinent to both dry basins (DB) and wet basins.

- (WB) Maintain a 15 - 25 foot "no-mow" buffer zone around the basin. This vegetated area around the basin will help to reduce nitrogen

and phosphorus from entering into the basin, and will eventually reduce the amount of algae growth in the basin.





- (WB) Mow the buffer zone once a year, maintaining a minimum height of 6”.
- (WB & DB) Do not use pesticides, herbicides or fertilizers in basin. This may affect the natural ecosystem within the basin and cause algal blooms to form. Additionally, these products are harmful to wildlife and could leach from the basin and pollute streams and lakes.
- (WB & DB) Inspect the basin for invasive plant species. Invasive species can aggressively take over communities of native species. Wildlife thrives on native species to provide a habitat; without native vegetation, wildlife would be displaced.
- (WB & DB) Inspect the basin to determine if native vegetation should be restored. Native vegetation could die out due to mowing. If this occurs, the plants should be replaced.
- (WB & DB) If there are invasive species, have a professional selectively remove them using appropriate measures.
- (WB & DB) Increase plant diversity as much as possible. Increased diversity will minimize algal blooms and enhance wildlife habitat.
- (WB & DB) Each subdivision, when first established, has an approved landscape plan for common areas. Any change to this plan requires Village approval, and, in some cases, County approval as well.



Helpful Definitions:

Berm- Mounds of earth frequently used as part of erosion control systems. They are made out of earthen material and are typically several feet in height, used to temporarily hold back water, or to deflect or collect water.

CC&Rs- Declaration of Covenants, Conditions and Restrictions (or similar terms). This is the document governing the use of your property, which is enforced by the homeowners’ association. A copy of this document is provided to new buyers when they close on their home.

Common Areas- Private property not owned by an individual owner, but shared by all owners of the HOA by percentage interest, or sometimes owned by the management organization. These areas may include recreation facilities, basins, outdoor space, parking, landscaping, fences, laundry rooms, etc.

Detention Basin- Stormwater basin designed to temporarily hold a set amount of water during rain, while slowly draining to another location. When there has not been a recent rain, the bottom of this pond is dry.

Property Maintenance – Maintenance tasks necessary at the private property owner level.

- Do not place yard waste, leaves, grass etc. in dry or wet basins. Excess nutrients collect in these materials and could cause additional algae growth and could block water flow.



Easement- An area designated to allow another person or entity limited use of one's private property. Typically, easements are created so that utilities can be installed and be accessible for repairs on private property.

Invasive Species- Species introduced by human action to a location where it did not previously occur naturally. These species are capable of aggressively overtaking native plant populations.

Native Vegetation- Species of plants and flowers that normally live and thrive in a particular location and ecosystem.

"No-Mow" Zone- A buffer area surrounding a stormwater basin consisting of grass and plants maintained at least six inches high.

Retention Basin- A stormwater basin designed to hold a specific amount of water at all times. The basin drains to another location when the water level approaches capacity.

Right-of-way- An easement typically dedicated to a municipality for public use (e.g. streets).

Stormwater Basin - A depression in the ground that is used to control flooding and reduce pollution entered into the watershed by holding subdivision rain water.

Who should you call?

- **Community Development Department**
Phone: (630) 719-4750 for:
 - HOA information
 - Landscaping alterations of common areas
 - General CC&R information
 - Property maintenance
 - Code enforcement
 - Subdivision signage alterations
 - Building permits
 - Common area maintenance
- **Public Works Department**
Phone: (630) 719-4753 for:
 - Stormwater basin maintenance
 - Streetlight repairs
 - Public roadway maintenance
 - Mosquito abatement
 - Refuse and recycling pick-up
 - Parkway trees

Additional Resources/Contacts:

- **Illinois Environmental Protection Agency**
<http://www.epa.state.il.us/>
- **U.S. Environmental Protection Agency**
<http://www.epa.gov/>
- **DuPage County**
<http://www.dupageco.org/>
- **Illinois Department of Natural Resources**
<http://dnr.state.il.us/>
- **The Nature Conservancy**
<http://www.nature.org/>
- **The Humane Society of the United States**
<http://www.hsus.org/>
(For information on wildlife)