

Condominium Requirements:

Most notes are derived from "Ohio Condominium Law 2012 Edition" by Kenton L. Kuehnle

Declaration: (From Ohio Condominium Law 2012 Edition; ORC 5311.05)

"A declaration shall contain all of the following:

- 1 A legal description of the land or, for a water slip condominium property, of the land and the land under the water area, submitted to the provisions of this chapter;
- 2 The name of the condominium property, which shall include the word "condominium";
- 3 The purpose of the condominium property, the units and recreational and commercial facilities situated in the condominium property, and any restrictions upon the use of the condominium property;
- 4 a general description of the buildings submitted to the provisions of this chapter, stating the principal construction materials and the number of stories, basements, and units. The declaration for a water slip property shall also contain a general description of each water slip and of the piers and wharves forming each water slip submitted to the provisions of this chapter;
- 5 The unit designation of each unit submitted to the provisions of this chapter and a statement of its location, approximate area, the immediate common element or limited common element to which it has access, and any other information necessary for its proper identification;
- 6 A description of the common elements and limited common elements and facilities thereby submitted to the provisions of this chapter, the undivided interest in those elements appurtenant to each unit, the basis upon which those appurtenant undivided interests are allocated, and the procedures whereby the undivided interests appertaining to each unit may be altered. The undivided interests, basis, and procedures shall be in accordance with sections 5311.031 to 5311.033 and 5311.04 of the Revised Code;
- 7 A statement that each unit owner is a member of unit owners association established for the administration of the condominium property;
- 8 The name of a person to receive service of process for the unit owners association, together with the person's residence or place of business located in this state;
- 9 A statement of any membership requirement if the unit owners association or any unit owners are required to be members of a not-for-profit organization that provides facilities or recreation, education, or social services to owners of property other than the condominium property;
- 10 The method by which the declaration may be amended, which, except as provided in division (E) of section 5311.05 and division (E) of section 5311.04 and division (B) of Section 5311.041 and sections 5311.031 to 5311.033 and section 5311.051 or the Revised Code, requires the affirmative vote of unit owners exercising not less than seventy-five per cent of the voting power;
- 11 Any further provisions deemed desirable."

Using the previous guidelines, the following checklist shall be used for any declaration of a condominium.

Stark County Auditor's Condominium Checklist

Condominium Name: (must contain the word "Condominium")	Applicant
Amendment: 	Phone

- Requirements for: (Circle Type) **Please note the PAGE each item is found (when applicable).**

(D)eclarations / (B)ylaws / amendments new (U)nits / amendments (A)s built / amendments (E)xpansion:

___ **Original** Declaration/Bylaw/Amendment (D, B, U, A, E)

___ Contains Auditor Certification and Signature Block

___ **Copy** of Declaration (if not provided, must charge for copy) (D, B, U, A, E)

___ **Legal descriptions** of the land being declared and any future expansion area. (D, E) **PG**___

___ **Name** of the condominium property (D, B, U, A, E)

___ Must contain the word "Condominium" (D)

___ General text **declaring the land and buildings** for condominium purposes and restrictions. (D) **PG**___

___ General text stating the change in purpose and/or restrictions, as needed. (B, U, A, E) **PG**___

___ **Unit designation** of any units being declared or added, including but not limited to: general description, number of stories, basement, architectural drawings, etc. (D, U, A) **PG**___

___ **Percentage** of ownership for each unit **MUST Total Exactly 100%** (D,U) **PG**___

___ Units are shown on **map**, with clear designations. No unit shall be shown that has not been completed, or must state on map that it is currently under construction or wording thereof. (D, A) **PG**___

___ No buildings shall be shown unless they **are constructed or under construction**.

___ A secondary attachment may be made showing **future** building location.

___ All **Land** drawings must be **certified by a registered surveyor**. **PG**___

___ All **Building** drawings must be **certified by a registered engineer or architect**. **PG**___

___ Units are shown on **map** attached as an exhibit*, with clear designations and approximate location. (U) **PG**___

*Does not need to be certified. This is used by the Auditors office and House Numbering for creation of data only.

___ **Description of common elements** and limited common elements and facilities, and undivided interest for each unit to such. (D) **PG**___

___ A statement that each unit owner is a member of a **unit owners association**. (D) **PG**___

___ **Contact information** for a person representing the owners association, including residence or business within the state. (D) **PG**___

___ Statement of **unit owners association requirements**. (D) **PG**___

___ General text stating the method by **which the declaration may be amended** and/or statement of at least 75% ownership approval, except when provided otherwise by law. (D) **PG**___

___ **Owner's Sign-off Sheet** complete (D, B, U, A, E) **PG**___