

# MULCAHY ANSWERS

For Office Condominiums

March 2007

Published by Mulcahy Law Firm, P.C. for clients and friends



**Beth Mulcahy, Esq.**  
Attorney at Law  
Email:

[bmulcahy@mulcahylaw.net](mailto:bmulcahy@mulcahylaw.net)

## “Answers” for Office Condominiums

Newsletter to be Published by MULCAHY LAW FIRM, P.C.

The number of office condominiums in the state of Arizona is rapidly growing. To address the need for answers and accurate information for office condominium board members and property managers the Mulcahy Law Firm, P.C. will publish a bi-annual newsletter, *Mulcahy Answers for Office Condominiums*. Additionally, the firm will periodically offer in-house seminars addressing hot office condominium topics. Please join us on April 19, 2007 for a discussion of “Hot Topics and Legal Aspects of Office Condominiums”. Your invitation is enclosed.

Share *ANSWERS OC* with  
your colleagues!

To receive a copy please e-mail  
your name and address to  
[info@mulcahylaw.net](mailto:info@mulcahylaw.net)

Sincerely, *Beth Mulcahy*



**Kristen L. Rosenbeck, Esq.**  
Attorney at Law  
E-mail:

[krosenbeck@mulcahylaw.net](mailto:krosenbeck@mulcahylaw.net)

## Association Disclosure Statement Requirements

By Kristen L. Rosenbeck, Esq.

Under Arizona law, office condominium associations which have fifty or more units are required to mail or deliver to a purchaser within ten (10) days after receipt of a written notice (usually from a title company) of a pending sale all of the following information: a copy of the office condominium association's CC&Rs, bylaws, rules and regulations, current operating budget, most recent annual financial report (or a summary of the report if it is over 10 pages) and the most recent reserve study (if any). Office condominium associations with fewer than 50 units are not responsible for providing said disclosure. If there are 49 units or fewer, the seller is required to provide a disclosure statement.

The 50 or more unit office condominium association must also provide the purchaser a dated statement containing:

1. The telephone number and address of a principal contact for the office condominium association;
2. The amount of the assessment for each unit and the amount of any unpaid regular assessments, special assessments or any other assessments, fee or charge currently due and payable from the selling unit owner;
3. A statement as to whether a portion of the unit is covered by insurance maintained by the association;
4. The total amount of money held by the association as reserves;
5. A statement as to whether the records of the association reflect any alterations or improvements to the unit that violate the CC&Rs; and
6. A statement of the case names and case numbers for pending litigation with respect to the unit owner against the association.
7. A statement that provides the following language:

*“I hereby acknowledge that the declaration, bylaws and rules of the association constitute a contract between the association and me (the purchaser). By signing this statement, I acknowledge that I have read and understand the association’s contract with me (the purchaser). I also understand that, as a matter of Arizona law, if I fail to pay my association assessments, the association may foreclose on my property.”*

Signature: \_\_\_\_\_

This statement shall include a signature line for the purchaser and shall be returned to the office condominium association within fourteen calendar days.

An office condominium association may charge the unit owner a reasonable fee to compensate the association for the costs incurred in the preparation of the disclosure statements.

ANSWERS OC

MULCAHY LAW FIRM, P.C.

3001 East Camelback Road, Suite 130, Phoenix, Arizona 85016

Phone: 602.241.1093 - Facsimile: 602.264.4663

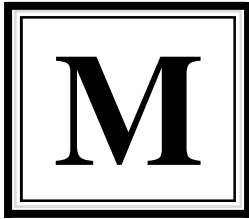
[www.mulcahylawfirm.net](http://www.mulcahylawfirm.net)

# ANSWERS

*For Office Condominiums*

---

## *Inaugural Issue!*



### **MULCAHY LAW FIRM, P.C.**

3001 East Camelback Road, Suite 130  
Phoenix, Arizona 85016

Phone: 602.241.1093

Fax: 602.264.4463

E-mail: [bmulcahy@mulcahylaw.net](mailto:bmulcahy@mulcahylaw.net)

[www.mulcahylawfirm.net](http://www.mulcahylawfirm.net)

---

Please Join Us for:

**Hot Topics and Legal Aspects of Office Condominiums**  
**April 19, 2007**

**4:00 to 5:00p.m. (check in 3:30p.m.)**

Your invitation is enclosed!

## **MULCAHY LAW FIRM, P.C.**

**Beth Mulcahy** is the founding attorney and partner of the Mulcahy Law Firm, P.C. Beth's legal practice focuses exclusively on the legal representation of over eight hundred (800) community associations throughout the State of Arizona.

After receiving a Bachelor of Arts degree in Political Science from Marquette University in Milwaukee, Wisconsin, Beth earned her *Juris Doctor* degree from Marquette University Law School where she was on the Dean's List and a member of the Marquette University Law Review. A native of Wisconsin, Beth is licensed to practice law in the State of Wisconsin and the State of Arizona.

Beth has published numerous articles regarding community association law and frequently lectures on community association issues for seminars, conferences and workshops at state and national levels. Beth is a member of the National and the Central Arizona Chapter of Community Association Institute (CAI), a nonprofit organization supporting the interests of community associations and the Arizona Association of Community Managers (AACM).

Beth sits on the Board of Esperanca, Inc. a nonprofit charity that provides disease prevention, education and treatment to the poorest communities of the world.

E-mail: [bmulcahy@mulcahylaw.net](mailto:bmulcahy@mulcahylaw.net)

**Kristen L. Rosenbeck** graduated from Valparaiso University with a Bachelor of Arts degree in Biology where she actively supported her school as the Student Body President. Kristen graduated in the top third of her law class receiving her *Juris Doctor* degree from Marquette University in Milwaukee, Wisconsin in 2001. She maintains licenses to practice law in both the State of Wisconsin and the State of Arizona.

Kristen's legal practice focuses on the interpretation and enforcement of association documents and guidance on state and federal laws. She represents associations on issues of bankruptcy, collection of delinquent assessments, policy creation and she provides representation for office condominiums. Kristen is experienced in litigation and transactional law.

Kristen is a member of the National and the Central Arizona Chapter of Community Association Institute (CAI), a nonprofit organization supporting the interests of community associations and the Arizona Association of Community Managers (AACM).

E-mail: [krosenbeck@mulcahylaw.net](mailto:krosenbeck@mulcahylaw.net)

---

ANSWERS OC is not intended to offer specific legal advice or responses to individual circumstances or problems.

If legal advice is required, please consult individually with the MULCAHY LAW FIRM, P.C.

All MULCAHY LAW FIRM, P.C. printed materials are copyrighted.

*Copying our materials is permitted when they are presented in their complete format and written acknowledgement is given to MULCAHY LAW FIRM, P.C.*

Questions may be directed to **Beth Mulcahy** or **Kristen L. Rosenbeck**

Phone: 602.241.1093 Facsimile: 602.264.4663 E-mail: [bmulcahy@mulcahylaw.net](mailto:bmulcahy@mulcahylaw.net) or [krosenbeck@mulcahylaw.net](mailto:krosenbeck@mulcahylaw.net)  
[www.mulcahylawfirm.net](http://www.mulcahylawfirm.net)

Copyright 2007 by MULCAHY LAW FIRM, P.C., All Rights Reserved