

Nonpayment of HOA Dues is Not the Answer to a Mismanaged Association

📅 November 24, 2025 💎 Dues and Assessments

Homeowner's associations (HOAs) play a crucial role in maintaining shared community spaces, enforcing rules, and managing financial matters. However, when an HOA fails to meet its obligations—such as neglecting maintenance or withholding financial reports—homeowners may feel frustrated and wonder if they have the right to withhold their dues.

The short answer is **no**—a homeowner's obligation to pay HOA dues is independent of the association's duty to fulfill its responsibilities. Here's what you need to know about your financial obligations and the potential consequences of non-payment.

Owner's Legal Obligation to Pay HOA Dues

When a person purchases a home or a condominium in an HOA-governed community, you enter into a legally binding agreement to pay association dues as outlined in the HOA's governing documents, including the Covenants, Conditions, and Restrictions (CC&Rs) and bylaws. These dues are essential for maintaining community amenities, funding repairs, and covering operating expenses.

Even if the HOA is failing in its responsibilities—such as neglecting maintenance, failing to provide financial transparency, or violating its own rules, homeowners are still legally required to pay their dues. Withholding payments in protest can lead to serious financial and legal repercussions.

Consequences of Withholding HOA Dues

Refusing to pay HOA dues, even when the association is not performing its duties, can result in significant consequences for homeowners, including:

1. **Late Fees and Interest** – HOAs often impose penalties for late or missed payments, increasing the overall debt.
2. **Fines and Legal Action** – The HOA may issue fines, pursue legal action, or send unpaid dues to a collection's agency, impacting your credit score.

3. Liens on Your Property – If dues remain unpaid, the HOA can place a lien on your home, which must be satisfied before selling or refinancing the property.
4. Foreclosure Risk – In extreme cases, an HOA can initiate foreclosure proceedings to recover unpaid dues, even if the outstanding balance is relatively small.
5. Loss of Community Privileges – Many HOAs have rules allowing them to suspend homeowners' access to amenities like pools, clubhouses, or voting rights if dues are delinquent.

What Homeowners Can Do Instead of Withholding Dues

If an HOA is failing in its responsibilities, there are constructive steps an owner can take to address the issues:

1. Review the HOA's Governing Documents – Understand the specific obligations the HOA has and verify whether they are in violation.
2. Submit a Formal Complaint – Document concerns and submit them in writing to the board of directors or property management company.
3. Attend HOA Meetings – Raise concerns at board meetings to push for accountability and transparency.
4. Request Financial Audits – Many state laws allow homeowners to demand an audit of HOA finances if there are concerns about mismanagement.
5. Seek Mediation or Legal Action – If the HOA remains unresponsive, mediation or legal action may be an option.
6. Elect New Board Members – If the HOA is being mismanaged, consider running for a position on the board or supporting candidates committed to enforcing the rules fairly.

Conclusion

While it may seem tempting to withhold dues when an HOA is not fulfilling its obligations, doing so can lead to severe financial and legal consequences for homeowners. Instead, it is important to pursue proper channels to address grievances while remaining compliant with homeowner financial responsibilities. Understanding an owner's rights and taking proactive steps can help ensure that an HOA is held accountable without putting an owner's home and financial security at risk.

 Search...

Articles Categories

All articles and Case Decisions

Board of Directors

Books and Records

Case Decisions

Construction Defects

Dispute Resolution

Dues and Assessments

Elections

Free HOA Resources

Finances

Governing Documents

Insurance

Managing Agent

Member Meetings

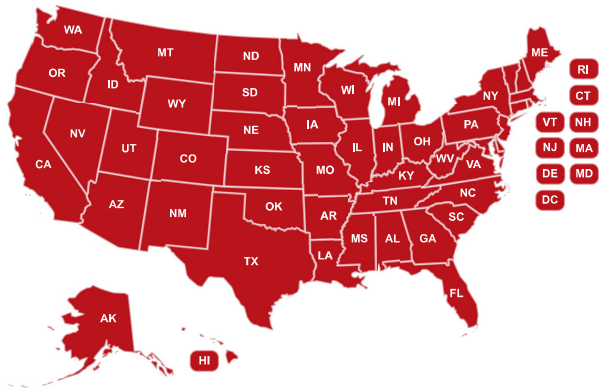
Ownership and Transfer of Interest

Use and Maintenance

Subscribe To Our Mail-list

Subscribe

Resources by State



Latest Articles

Nonpayment of HOA Dues is Not the Answer to a Mismanaged Association

November 24, 2025

CASE DECISION HIGHLIGHTS HOA'S NEED FOR HARASSMENT COMPLAINT POLICY

November 21, 2025

Why HOA Board of Directors' Meeting Agendas Matter

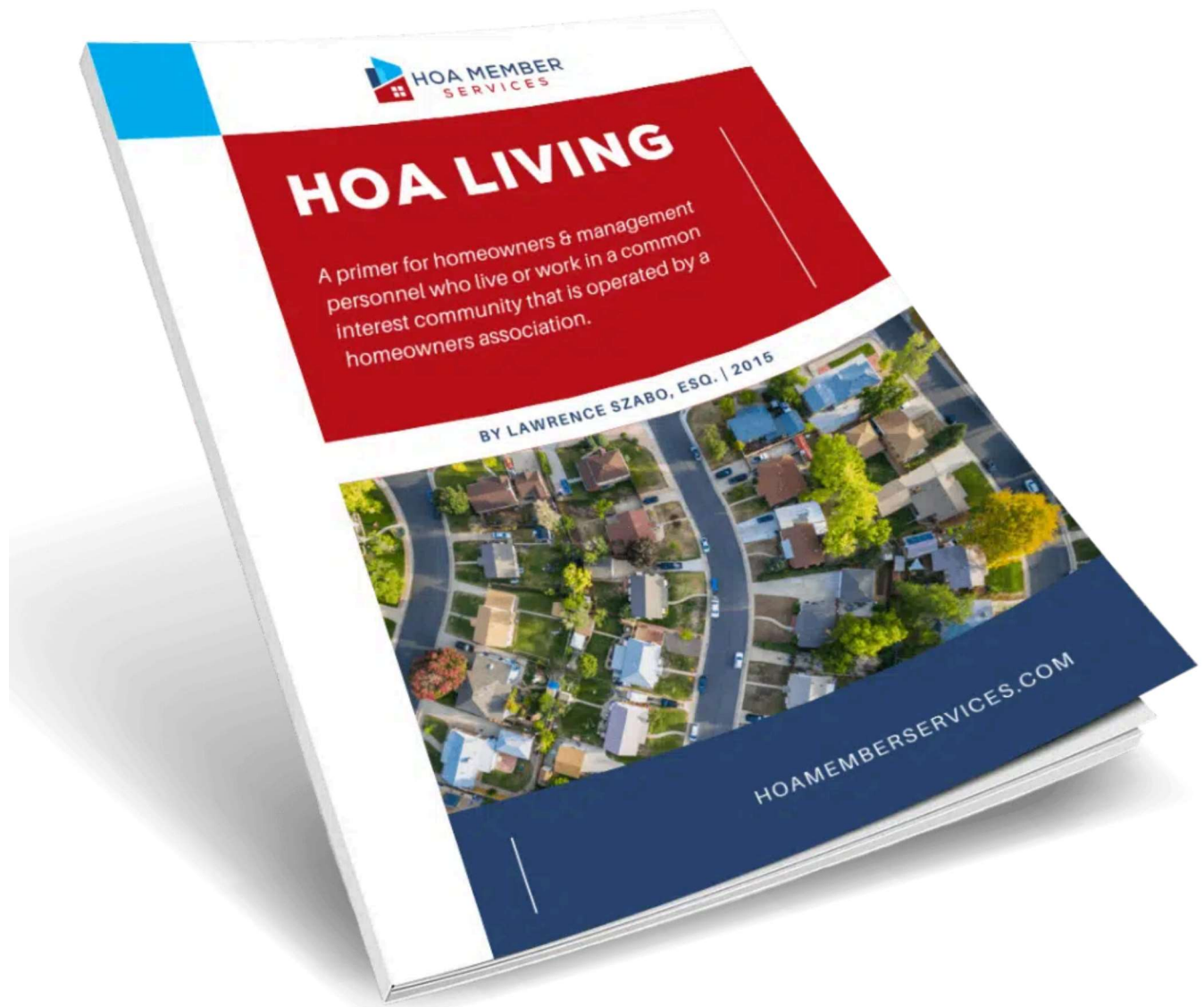
November 13, 2025

Get Your FREE HOA Living Guide

Packed with essential tips and exclusive resources for homeowners and HOA personnel. Download now – level up your community with one click!

Email

Download Now



HOA member or manager duties and responsibilities can be overwhelming. At HOA Member Services, we provide the education, tools, and resources you need to simplify your HOA experience and help your community thrive.

Quick Links

[Home](#)

[About](#)

[Plans](#)

[Free HOA Resources](#)

[Contact](#)

My Account


[Login](#)

[Profile](#)


[Downloads](#)

[Affiliates](#)

Get in Touch

 23679 Calabasas Rd. #355
Calabasas, CA 91302

 info@hoamemberservices.com

 877.517.8586

 [Open a Support Ticket](#)

© 2025 HOA Member Services, LLC. Powered by [ShiftWeb](#).

[Terms of Use](#) [Disclaimer](#) [Privacy Policy](#)