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Vacation Condominiums

September 01, 2011 - Front Section

During summer, we think of vacations. Often this means a vacation condominium. There are many concerns in buying a vacation condominium. The usual concerns involve pools, parking, and pets. Noise is also an issue, given the close proximity of the units. Also, transient occupants may not remove their trash when they leave.

There are other issues as well, such as the right to lease your unit. Many units in a vacation condominium are often owned by absentee landlords and rented out on a weekly or monthly basis. The rules and regulations for the condominium must be drafted to take this into account. Tensions often exist between renters and owners, and between couples with children and couples without children.

Often vacation condominium contain mixed uses. There can be tensions between, for example, homeowners and an on site restaurant involving odors, noise, and allocation of expenses. There can also be tensions in a golfing condominium, particularly between the owner of the golf course and the residential owners. These tensions include noise during golf tournaments and allocation of expenses between the owner of the golf course and all of the owners of residential units.

The issue of a vacation condominium is complicated by a condominium statute (Chapter 183A) that provides little guidance to the owners of vacation or seasonal condominiums.

Massachusetts does have a separate statute covering timeshares, but this statute does not apply to a vacation condominium unless it has been made into a timeshare pursuant to the timeshare statute (Chapter 183B).

In any event, your vacation condominium may have its share of legal problems.

Saul Feldman is a real estate attorney with Feldman & Feldman, P.C., Boston, Mass.

New England Real Estate Journal - 17 Accord Park Drive #207, Norwell MA 02061 - (781) 878-4540