

# CLOUD & WILLIS, LLC

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## HOA REPRESENTATION

Our Firm's services include the entire spectrum of condominium and community association law, including legal treatment of the following:

- Creating and organizing homeowners' associations
- Interpreting, enforcing, and amending restrictive covenants, by-laws, and other governing documents
- Collection of unpaid dues and assessments, including liens, foreclosures, and bankruptcies
- Attending homeowners' association meetings and advising HOA boards on governance, compliance, and other related issues
- Real estate transactions, title disputes, and condemnation proceedings
- General litigation and dispute resolution

### **Collection of Delinquent Dues**

Although there are various methods that can be used for the collection of homeowners dues, experience has taught us that the Claim of Lien / Lawsuit or Foreclosure process is the most efficient and cost-effective. We have systemized much of this process, and as a result of these efficiencies are able to render these services on a "flat fee" basis, or "contingency" basis, rather than billing by the hour, keeping costs down.

### **General Counsel Services**

We act as General Counsel to HOAs. These services may include matters such as researching and rendering legal opinions on interpretation of the Declarations and By-Laws; Association and Board governance issues; dealing with violations of restrictive covenants or rules and regulations; condemnation / eminent domain proceedings by local and state governments; attending Board and Association meetings; assisting with amendments to the Declarations and By-Laws. These services are billed at our hourly rates.

### **Bankruptcy Services**

Our practice also covers representation of HOAs in bankruptcy court. The most common Chapter 13 bankruptcy relief sought by HOAs, the Motion for Relief from Stay, must be filed prior to commencing any collection activities on dues that become due after a homeowner files for bankruptcy. This Motion is handled by our firm on a flat fee basis. Often the fees can be recouped from the debtor's Chapter 13 plan.

### **Real Estate Transactional Services**

Our practice also includes the real estate transactions for the HOA or its property owners. All you need to do is provide us with the real estate contract and we will take it from there to complete the transaction.