

What Is a Cluster or a Condominium Association?

A cluster/condominium association is a property owners' association, similar to Reston Association (RA). These associations are necessary because each cluster or condominium owns its open space (common areas), recreational facilities (such as tot lots) and internal streets and parking areas, and is responsible for its maintenance. In the case of condominiums, the associations' responsibility includes the maintenance of the common elements of the building as well.

Each association has its own set of governing documents and its own board of directors. The governing documents provide the legal foundation for the cluster or condominium association. These documents include the Deed, the Articles of Incorporation and the Bylaws. (Some condominiums are not incorporated and therefore do not have Articles of Incorporation.) Membership in the association is mandatory and begins automatically with the purchase of a home in the cluster or condominium.

Since each homeowner is a member of the association, each member pays assessments or dues. The association uses the assessments to maintain the common areas and to provide necessary services such as snow and rubbish removal. Each homeowner-member also is subject to the provisions and restrictions contained in the documents of the association.

Associations Inside an Association

Although the RA is much larger, it is a property owners' association just like the cluster and condominium associations. It encompasses all of Reston's clusters, condominiums, apartments and single-family homes. RA also has documents, common property and a board of directors.

Larger associations such as RA often are referred to as master associations. The governing documents of a master association apply to all the single-family homes, apartments, condominiums and smaller property owners' associations that form its membership. The cluster and condominium associations, then, are subsets of RA.

The governing documents define areas of responsibility for the master association and the subset associations. Generally, RA is responsible for the maintenance of the master association's common property (pathways, pools, tennis courts, open space and lakes). Reston's Deed of Dedication places responsibility for the administration and enforcement of the architectural and maintenance covenants with RA. The clusters and condominiums are responsible for their own common property, their own finances and enforcement of their association rules (parking rules, for example). According to the Deed of Dedication, RA has little or no responsibility for internal cluster/condominium matters such as parking or finances.