

# What's a townhouse vs. condo? Read the fine print

*2 terms concern legal rather than architectural differences*



Allen  
Norwood

What's the difference between a condo and a townhouse?

First, they're not just architectural descriptions, even though most of us use that shorthand.

Condos aren't always flats, and townhouses don't always have two or more floors. In fact, a townhouse can be a condo.

The most important differences are legal - and if you're shopping for either, you need to appreciate that.

Here are some answers to the question, courtesy of the N.C. Real Estate Commis-

sion and the N.C. chapter of the Community Associations Institute:

■ Condo owners own the inside of their units. Condo owners share ownership of the property. Townhouse owners own the complete unit, including exterior surfaces and the land underneath.

■ In both, owners are responsible for maintaining the interior. Townhouse owners may also be responsible for doors, windows and crawlspaces. The homeowners' association typically is responsible for building exteriors and common areas.

■ In a condo, an owner owns a shared interest in the common areas, such as lawns, elevators and parking. The CAI points out that boat slips, parking garages and mobile home parks also can be condos. So much for that architectural shorthand.

■ If a community is described as townhouses, though, residents might share own-

SEE NORWOOD 5H

## 2 terms concern legalities

Norwood *from 1H*

ership of common areas or the association might own them.

I'm not a lawyer. If you need legal advice, please contact one.

But here's a lesson I learned in a CAI course for neighborhood association leaders: READ THE PAPERWORK. If you have a question, that's where the answer lies.

If the bylaws or covenants say the association can enforce certain rules, you need to assume the board can - and will - enforce them. If front doors are supposed to be gray, it doesn't matter whether your neighbor says he doesn't mind if you paint yours purple. And, yes, the association can fine you if you don't comply.

The real estate commission offers this advice on its Web site: "Before you purchase a townhouse or condo, you should carefully read the rules governing the project and consult your attorney if you have any questions."

And you need to understand that nobody - not the closing attorney, not the real estate agent - is legally responsible for providing those important papers, although they will if you ask. The commission warns that even if you get the covenants and bylaws from an agent, the rules might not be current. They can be amended by the developer or homeowners' association.

That boils down to this: If you're ever in a dispute over condo or townhouse rules or responsibilities, you won't get far arguing, "Hey, nobody told me!" Because, hey, it was your responsibility to find out.

For more information, visit the Web site of the N.C. Real Estate Commission, [www.ncrec.state.nc.us](http://www.ncrec.state.nc.us), and click on "Consumers." You'll find a downloadable pamphlet on condos and townhouses.

THE CHARLOTTE OBSERVER | [www.charlotte.com](http://www.charlotte.com)

NEW HOME

SATURDAY, JANUARY 15, 2005 5H