

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

COMMITTEE SUBSTITUTE
FOR

HOUSE BILL NO. 2800

By: Marti of the House

and

Seifried of the Senate

COMMITTEE SUBSTITUTE

An Act relating to property; requiring the retention of certain documents; requiring accessibility to certain documents; providing time frame to provide documents to certain parties; requiring notification to homeowners of adoption of an update of a covenant, condition, or restriction by an owners association; providing for disclosing of certain fees; limiting fee amounts; prohibiting fee for certain document; providing for fees of good standing documents; providing fee for providing certain disclosure documents; prohibiting the restrictive covenants which limit the fair economic use of a property; requiring an owners association to issue to a settlement services provider a statement stating that a homeowner is in good standing; requiring the disclosure by certain parties of the fee structure surrounding operation of an owners association and any potential charges to homeowner; requiring the disclosure by certain parties of the fines for violations of the owners association's covenants, conditions, and restrictions; limiting how many times a fine structure may be updated; requiring certain notification of certain meeting; amending 60 O.S. 2021, Section 857, which relates to copies of recorded covenants and restrictions; modifying terminology; providing for codification; and providing an effective date.

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2 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

3 SECTION 1. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 857.1 of Title 60, unless there
5 is created a duplication in numbering, reads as follows:

6 Copies or certified copies of all the recorded covenants,
7 conditions, and restrictions of a real estate development, including
8 any recorded amendments and addendums to the documents, shall be
9 retained by the managing entity of a real estate development and
10 shall be accessible electronically within a reasonable amount of
11 time, not to exceed seventy-two (72) hours beyond receipt of
12 request, to all parties to a home transaction or a property owner
13 whose property falls within such development.

14 SECTION 2. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 857.2 of Title 60, unless there
16 is created a duplication in numbering, reads as follows:

17 Notification to all homeowners within an owners association's
18 jurisdiction shall be required of an owners association within five
19 (5) business days upon adoption of an update of covenants,
20 conditions, and restrictions.

21 SECTION 3. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 857.3 of Title 60, unless there
23 is created a duplication in numbering, reads as follows:
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1 All entities tasked with managing an owners association shall
2 disclose individual fees assessed by an owners association or a
3 third-party management company and the limit on each individual fee
4 shall be no more than One Hundred Seventy-five Dollars (\$175.00).
5 Fees shall not include any fines, assessments or services.

6 Upon request of documents reporting the condition of a property
7 for sale, a homeowner shall not be charged a fee for a report on
8 said property.

9 SECTION 4. NEW LAW A new section of law to be codified
10 in the Oklahoma Statutes as Section 857.4 of Title 60, unless there
11 is created a duplication in numbering, reads as follows:

12 An owners association shall not pass restrictive covenants which
13 limit the fair economic use of a property, including the right to
14 rent a property either long-term or short-term or as the office of
15 an in-home business.

16 SECTION 5. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 857.5 of Title 60, unless there
18 is created a duplication in numbering, reads as follows:

19 An owners association shall keep records with regard to the
20 financial condition of the owners association, including audits, and
21 records with regard to dues and any outstanding assessments or
22 fines, to be updated at least quarterly. Upon written request by
23 the owner or owners' authorized agent, an owners association shall
24 issue a statement to the requesting party ensuring that a homeowner

1 is in good standing with regard to dues and any outstanding
2 assessments or fines. Said statement shall be provided to the
3 requesting owner or owners' authorized agent within seven (7) days
4 of request and shall not be accompanied by charges in excess of
5 Fifty Dollars (\$50.00) for each completed request.

6 SECTION 6. NEW LAW A new section of law to be codified
7 in the Oklahoma Statutes as Section 857.6 of Title 60, unless there
8 is created a duplication in numbering, reads as follows:

9 Owner associations or managing entities of owners associations
10 shall delineate in documents for the association the fee structure
11 surrounding operation of the owners association and any potential
12 charges to homeowners arising therefrom.

13 SECTION 7. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 857.7 of Title 60, unless there
15 is created a duplication in numbering, reads as follows:

16 Owners associations or managing entities of homeowners
17 associations shall delineate in documents for the association the
18 schedule of fines for violations of the owners association's
19 covenants, conditions, and restrictions. Updates to fine structures
20 shall not occur more than once per calendar year at an annual owners
21 association meeting. Owners shall be notified of such meetings
22 under requirements set forth under Title 18 of the Oklahoma
23 Statutes.

SECTION 8. AMENDATORY 60 O.S. 2021, Section 857, is amended to read as follows:

Section 857. ~~A copy~~ Copies or ~~a certified copy~~ copies of all the recorded covenants and restrictions of a real estate development, including any recorded amendments and addendums to these documents, that are referenced in the commitment for title insurance shall be provided by the ~~title company~~ settlement services provider closing the sale to the buyer of property in the real estate development as a part of the closing of the real estate sale. The buyer may be charged no more than Twenty-five Dollars (\$25.00) for the ~~copy, and the copy~~ copies. In the event that certified copies are requested, a settlement services provider may also charge the cost incurred for obtaining said copies from the county clerk. The copies shall either be provided prior to or at the time of closing either by mail to the buyer's last-known address, hand-delivered or electronically delivered.

SECTION 9. This act shall become effective November 1, 2025.

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