

## Court Agrees Homeowner Can Covenant Away Property Rights

In Bullock v. Klein et al., 2009 U.S. App. LEXIS 17143 (3rd Cir. 2009), the United States Court of Appeals for the Third Circuit reinforced the notion that a member of a homeowner's association who does not agree with a capital improvement project to be funded by a special assessment cannot claim that his property, which is affected by the project, will be [constitutionally] "taken" from him when the building permit for the project is approved by the governing municipality. Click [here](#) to read the entire article summarizing the Third Circuit opinion.

If you have any questions concerning matters affecting Community Associations, please contact Ed Hoffman at 610-774-0315 or at [ehoffman@postschell.com](mailto:ehoffman@postschell.com). Mr. Hoffman regularly provides counseling and litigation assistance to clients in a wide variety of Community Association related matters in local, state and federal courts.

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