

Google Search: Tennessee HOA Back Dues Statute (04/13/25)

Statute of Limitations: TN Code Title 28, Limitation of Actions, §28-3-109 outlines the six-year statute of limitations for collecting consumer debt, which includes HOA assessments.

Lien on Property:

If a homeowner fails to pay HOA assessments, the association can place a lien on the property. This lien secures the unpaid debt and can be foreclosed upon if the debt remains outstanding.

Lien Expiration:

The lien, like the debt itself, is subject to the six-years statute of limitations. If the HOA does not initiate foreclosure proceedings within the six years of the lien's effective date, the lien becomes void, and the HOA's ability to collect the debt through that lien is extinguished.

Foreclosure:

Once a lien is placed on a property, the HOA can initiate foreclosure proceedings to satisfy the debt. This process involves a court-ordered sale of the property, with the proceeds used to pay off the outstanding debt and associated costs.