

Appendix C. Uniform Condominium Act Sections Not in the Tennessee Condominium Act of 2008.

Topic	Description
Uniformity of Application and Construction (1-110)	Requires the act to be applied and construed so that its general purpose has effect.
Unconscionable Agreement or Term of Contract (1-112)	Allows courts to choose not to enforce contracts that were unconscionable at the time they were made.
Obligation of Good Faith (1-113)	Imposes an obligation of good faith on every contract or duty in its performance or enforcement.
Remedies to be Liberally Administered (1-114)	Puts the aggrieved party in as good a position as if the other party had fully performed.
Easement for Encroachments (2-114)	Creates easements for discrepancies between physical boundaries and what is shown on the plat. Tennessee Code Annotated Section 66-27-314 uses monuments as boundaries for the same purpose.
Merger or Consolidation of Common Interest Communities (2-121)	Regulates the merging of two or more condominiums.
Surplus Funds (3-114)	Requires that the declaration either specifies the use of association funds in excess of common expenses and reserves or the funds shall be paid back to the unit owners.
Other Liens (3-117)	Makes judgments against associations a direct lien against each individual unit.
Public Offering Statement (4-102 to 4-107)	Requires the declarant to provide potential purchasers with a description of the condominium's buildings, finances, assessments, pending lawsuits, insurance coverages, and all unusual and material circumstances.
Purchaser's Right to Cancel (4-108)	Gives purchasers 15 days to cancel the contract to purchase after receiving the public offering statement.

Topic	Description
Resale of Units (4-109)	Requires a private unit owner to provide to purchasers a copy of the declaration (other than the plats and plans), bylaws, rules, and finances of the association.
Release of Liens (4-111)	Requires sellers that are required to make a public offering statement to also release liens unless the purchasers agrees to assume the liens.
Warranties of Quality (4-113 to 4-116)	Describes how implied and express warranties of quality are created, how implied warranties are modified, and the statute of limitation on warranties.
Effect of Violations on Rights of Action (4-117)	Allows persons adversely affected by violations of the Act to make a claim in court.
Labeling of Promotional Material (4-118)	Requires "NEED NOT BE BUILT" to be on promotional material if it is on the plat.
Substantial Completion of Units (4-120)	Requires units to be substantially complete and a declaration to be recorded before a unit may be conveyed.
Administration and Registration of Condominiums (Article 5)	Assigns an agency or creates a new agency to regulate condominiums.