

## **Risk Tip: The Ins and Outs of Listing and Selling Homes in the Green Valley/Sahuarita Area**

Green Valley Recreation (GVR) is a permanent deed restriction on the property to properties within the Green Valley Recreation service area. Real estate purchases within a subdivision belonging to GVR that currently have the deed restriction are subject to annual fees, new member capital fees and member transfer fees which are due at close of escrow.

If the property currently is a member of GVR, the deed restriction stays with the property and the seller should disclose in the MLS by stating “yes” the property has GVR. There are subdivisions where there is an option to obtain GVR. The subdivision is a member of GVR, but the property does not have the deed restriction placed on it. This is where the seller should disclose in the MLS that GVR is “available” the buyer could choose to put the deed restriction on the property by means of a GVR Property Acquisition Fee. Not all subdivisions belong to GVR and the deed restriction can not be placed on the property. This is where the seller should disclose in MLS that there is “no” GVR. It is important to note the GVR fees are sole and separate from any HOA.

When listing or selling property in Green Valley and Sahuarita, the Green Valley/Sahuarita Addendum is required.

### **From the Seller’s side:**

Part A discloses whether the property is or is not age restricted.

Part B discloses whether the property is or is not a percent member of Green Valley Recreation and whether GVR is or is not available.

If the property has GVR, or GVR is available then the information for annual dues, GVR Property Acquisition Capital Fee, GVR Member Transfer Fee should be disclosed if it applies.

Part C discloses whether fire protection is included in taxes, available by subscription, or not available at all.

Sellers of GVR properties assume all expenses of membership in GVR up to the date of COE, and Buyers of GVR properties assume all expenses of membership from the date of close escrow.

Remember to work in your area of expertise and seek the advice of your broker or manager.

### **GVR Addendum from the Buyer’s side:**

Part 1, is/is not age restricted (as defined by Fair Housing exemptions for retirement communities):

The vast majority of properties in Green Valley are age restricted with very few exceptions. The majority of properties in Sahuarita are not, with a few exceptions. If unsure and needing to submit the offer quickly, follow the disclosures in MLSSAZ as to if the property is or is not in an age restricted community. NOTE: If the property is in an age restricted community and the buyer does not qualify, we never want to advise our client to make the offer anyways and then investigate with HOA if they can be part of the “exempted” percentage allowable by federal law. These sort of discussions are giving advice in legal matters that the buyer should be referred to legal counsel to make a decision.

Part 2, is/is not a permanent member of Green Valley Recreation (GVR) and if not then is/is not available:

This area is the most misunderstood for those not familiar with GVR. GVR is a deed restriction and cannot be removed by owner. Upon re-sale, new owner must join GVR. There are three different fees associated with GVR and current rates for the different fees can be found at <https://www.gvrec.org/membership/>. Additionally, <https://mlssaz.com/gvr/> has some great resources to assist both buyers and their agents with understanding more about GVR. It is highly recommended to familiarize yourself with this BEFORE showing homes in Green Valley.

Please keep in mind that if a property is a member of GVR, then that should be indicated in MLSSAZ. Even if a property is not a member, then the Green Valley/Sahuarita Addendum should also indicate if it is eligible to be a member.

Part 3, fire protection:

The majority of properties in Green Valley have fire protection as part of their county taxes. The majority of properties in Sahuarita do NOT, but it is available by subscription. There are a few limited areas where fire protection is not part of their taxes and it is not available. The Pima County GIS link in MLSSAZ is a wonderful resource to assist in determining if a property is in a fire taxation district (link for Public Safety). If not in a fire taxation district, then you can confirm with <https://www.ruralmetrofire.com/> if the property is eligible to obtain a subscription by just imputing the property address.

Example: A property is in Ranch Sahuarita master planned community, so you would use the Green Valley / Sahuarita Addendum. Part 1 would only be "is" if it is in Sonora At Rancho Sahuarita, otherwise it would be "is not". Part 2 would be "is not" a member as well as "is not" eligible. And part 3 would be "available by subscription".

*This tip is not legal advice. It should not be a substitute for advice from professional counsel or the assistance provided by an agent's Designated Broker.*