

WHAT'S THE DIFFERENCE?

Single Family Residence, Planned Unit Development, Condominium & "Own Your Own" Property



Single Family Residence (SFR)

An ownership interest intended for the use and occupancy of a single family residence.

Single Family Residences (SFR) are Fee Simple Estate. Fee Simple Estate is the most interest that one can have in real property. An estate that is unqualified, of indefinite duration, freely transferable and inheritable.

Condominium, PUD or Townhouse?

The terms condominium and PUD refer to types of interests in land, not to physical styles of dwellings. When home buyers say they are buying a townhouse, it is not the same as saying they are buying a condominium

When home buyers say that they are buying a unit in a PUD, they are not necessarily buying a detached SFR. A townhouse might legally be a condominium, a unit or a lot in a Planned Development, or a detached SFR.

The terms condominium or PUD give the buyer an idea of what their ownership rights will be regarding the unit and the interest in the common areas of the development.

Planned Unit Development (PUD)

A term sometimes used to describe a planned development. PUD is a planning and zoning term describing land not subject to conventional zoning in order to permit clustering of residences or other characteristics of the project which differ from normal zoning.

PUD's are also fee simple estate, however most PUD's have interest in common areas and amenities as well as being part of a homeowners association.

Condominium

An estate in real property where there is an undivided interest in common of a portion of real property with a separate interest in a space called a unit.

Condo ownership is usually described in two parts. The first is the percentage interest in the entire development. The second is the unit which they own. The condo owner has a shared ownership along with the other unit owners as defined in their "Condominium Plan" which defines the boundaries of their ownership. Usually this consists of "airspace" within the walls of their unit. This type of ownership typically does not include the actual structure.

"Own Your Own" or OYO Property

The Common Interest Development Act includes community apartment projects often referred to as "own your own" apartments. Occupants usually own an undivided interest in the entire project plus an exclusive right to possession of a specific unit or apartment.

Civil Code Section 1351(d) defines a community apartment project as a common interest development in which an undivided interest in land is coupled with the right of exclusive occupancy of any apartment located thereon.

Section 1351(1)(1) defines the term "separate interest" in a community apartment project as the exclusive right to occupy an apartment in a common interest development in which an undivided interest in land is coupled with the right of exclusive occupancy of any apartment located thereon.

