



WHAT TO EXPECT

A Plain-Language Guide

If you've just received notice of a mediation or arbitration through HOA-ADR — or you're thinking about filing one — this guide walks through what happens next.

WHO THIS IS FOR

Homeowners and HOA board members navigating an assessment dispute, lien question, or governing-document disagreement. We've written this in plain English — no legal jargon, no assumptions that you've done this before.

What is mediation? What is arbitration?

Both are ways of resolving a dispute without going to court. They're cheaper, faster, and (we'd argue) less stressful. The difference is in who decides the outcome.

Mediation

A mediator is a neutral third party who helps the two sides find common ground. The mediator doesn't decide anything — they facilitate the conversation. If both sides agree on a resolution, that agreement is reduced to writing and signed before the session ends. If they don't agree, mediation ends and the dispute may go to arbitration or court.

Mediation works best when both sides are willing to talk and want to preserve a working relationship — for example, an HOA and an owner who'll continue to interact as members of the same community.

Arbitration

An arbitrator is also a neutral third party, but instead of facilitating a conversation, the arbitrator hears both sides, reviews evidence, and issues a binding written decision called an "award." Awards are enforceable under Georgia law — either side can have the award confirmed as a court judgment.

Arbitration works best when one or both sides need a decision rather than a negotiation, or when the community's governing documents specifically require arbitration.

DOCUMENT-ONLY ARBITRATION

For disputes of \$7,500 or less, an arbitrator can issue a binding decision based entirely on written submissions — no hearing required. This is usually the fastest and least expensive path for smaller matters.

Before you file

A few things to know before submitting an intake request.

Does your dispute qualify?

HOA-ADR handles disputes in Georgia between homeowners associations (or condominium associations) and individual property owners. Most commonly: unpaid assessment disputes, lien questions, covenant enforcement, and governing-document interpretations. Your dispute qualifies if any of the following are true:

- Your community's governing documents (declaration, bylaws, or rules) require or permit mediation/arbitration.

- Both parties have agreed in writing to use HOA-ADR.
- A court has ordered the parties to mediate or arbitrate.

Do you need a lawyer?

No. The process is designed to work without lawyers, and most parties handle it themselves. You're welcome to bring counsel if you'd like — you'll just need to notify the other side and HOA-ADR at least 5 days before any hearing.

We also recommend speaking with a Georgia attorney before filing if you're unsure whether the case fits HOA-ADR's scope, or if you have questions about your specific rights under Georgia law. We're not lawyers and don't give legal advice.

What you'll need

When you submit the intake form, have these things ready:

- Names, addresses, emails, and phones for both parties (you and the other side).
- A copy of the relevant mediation or arbitration provision from the governing documents.
- A clear, brief statement of the dispute — what happened, what's at stake.
- For assessment disputes: account history showing the disputed amounts.
- Evidence that any required pre-filing notices have been sent (typically the association's responsibility).

If you chose mediation: the timeline

Most mediations resolve in 30–45 days from filing. Here's what happens at each stage.

DAY 0

You file the Request for Mediation

Submit the intake form. Pay the \$75 administrative fee. The other side is automatically served notice.

DAYS 1–10

The other side responds

The responding party has 10 days to indicate whether they'll participate. If they decline, we'll let you know — mediation is voluntary. If they accept, the matter moves forward.

WITHIN 5 DAYS OF RESPONSE

A mediator is appointed

HOA-ADR appoints a mediator from our roster — minimum 5 years' experience in real estate law, property management, or HOA governance. The mediator discloses any potential conflicts of interest. Either party may challenge the appointment within 5 days.

WITHIN 7 DAYS OF APPOINTMENT

The mediator schedules the session

The mediator contacts both parties to set a mutually-available time. The actual session is scheduled within 30 days of appointment. Each party pays the 4-hour minimum fee before the scheduling conference.

7 DAYS BEFORE SESSION

Pre-session submissions

Each party submits a brief mediation statement and key supporting documents. The association provides current account statements; the owner provides payment records and any defenses.

THE SESSION

Mediation session (4-hour minimum)

Conducted virtually by default — you'll join from your home or office via video conference. The mediator may meet privately with each side. Everything said is confidential. If a settlement is reached, it's written up and signed before the session ends.

AFTER**Settlement or termination**

If you settle, the agreement is enforceable as a contract. If you don't, mediation ends and you may proceed to arbitration or court. Whatever was discussed remains confidential and can't be used in later proceedings.

If you chose arbitration: the timeline

Most arbitrations resolve in 45–75 days from filing — longer than mediation because of the document exchange and hearing process. Awards are binding.

DAY 0

You file the Demand for Arbitration

Submit the intake form. Pay the \$150 administrative fee for virtual arbitration (or \$200 for in-person). The respondent is automatically served notice.

DAYS 1–10

The respondent answers

The respondent has 10 days to file a response — admitting or denying claims, raising any counterclaims, and noting any objections to arbitrability or the choice of virtual vs. in-person hearing.

WITHIN 5 DAYS OF RESPONSE

An arbitrator is appointed

Same process as mediator selection — qualified, disclosed, challengeable within 5 days.

WITHIN 10 DAYS OF APPOINTMENT

Preliminary conference

A short video conference where the arbitrator addresses scheduling, document exchange, whether document-only is appropriate, and whether the hearing will be virtual or in-person.

WITHIN 15 DAYS OF PRELIMINARY CONFERENCE

Document exchange

Each side exchanges all documents they intend to rely on plus a witness list. Associations provide a certified statement of account, 36 months of payment history, relevant governing-document provisions, and board minutes. Owners provide payment records and any defenses.

WITHIN 30 DAYS OF APPOINTMENT

The hearing

4-hour minimum, conducted by video unless agreed otherwise. Each side presents evidence and argument. Formal courtroom rules don't apply, but legal privilege does. Hearings are confidential.

WITHIN 15 DAYS OF HEARING CLOSE**Written award**

The arbitrator issues a written award stating findings of fact, conclusions on Georgia law and the governing documents, and the disposition of all claims — assessments, late fees, interest, costs, and attorney's fees if authorized.

AFTER**Confirmation as judgment**

The award is final and binding. Either side may seek judicial confirmation, which converts it to a court judgment that can be enforced like any other judgment. Any challenge to the award must be filed within 30 days.

EXPEDITED TRACK FOR SMALLER CASES

For disputes of \$15,000 or less, expedited procedures apply automatically: tighter deadlines (10-day award after hearing), virtual-only hearings, hearings capped at 4 hours, and one witness per side. These don't require any extra action from you — they kick in automatically based on the amount in dispute.

Frequently asked questions

Is the mediation or arbitration confidential?

Yes. Anything said in mediation is confidential and can't be used in later proceedings. Arbitration hearings are also confidential. The arbitrator's written award becomes public only if it's confirmed as a court judgment.

What if the other side won't participate?

Mediation is voluntary — if they decline, we'll let you know and mediation doesn't happen. For arbitration where the governing documents require it, the proceeding can move forward and an award entered based on the evidence presented. The non-defaulting party may pay the missing fees and recover them in the award.

How are mediators and arbitrators selected?

All neutrals on our roster have at least 5 years' experience in real estate, property management, or HOA/condo governance, plus completion of HOA-ADR's training program. After appointment, the neutral discloses any potential conflicts. Either party may challenge the appointment within 5 days, no reason required for the first challenge.

Do I need an attorney?

No. The process is designed to work without lawyers. If you do plan to be represented, you must notify the other side and HOA-ADR at least 5 days before any hearing. For legal advice on your specific situation, talk to a Georgia attorney.

What if I disagree with the arbitrator's award?

Awards may only be challenged on the limited grounds set out in O.C.G.A. § 9-9-13 — primarily fraud, arbitrator misconduct, or the arbitrator exceeding their authority. Any challenge must be filed within 30 days of the award. Citation requires verification — consult an attorney for legal advice on your specific situation.

Can the arbitrator order foreclosure?

No. An arbitrator may determine the validity of a lien for unpaid assessments but cannot order foreclosure. Foreclosure remains a judicial process under Georgia law. The arbitrator's findings on lien validity, however, are highly relevant to any subsequent foreclosure proceeding.

What about emergency situations?

If you need urgent interim relief — to preserve the status quo or prevent irreparable harm — an emergency arbitrator can be appointed within one business day. The fee is \$1,000 per side, due at the time of the request, with a 2-hour minimum. Emergency proceedings are virtual unless extraordinary circumstances require otherwise.

If you need help

If anything in this guide is unclear, or you're not sure whether your dispute fits HOA-ADR's scope, you can reach out before filing. We're happy to help you figure out whether this is the right path — and if it isn't, we'll point you toward something that is.

General questions	hello@hoa-adr.com
Active case filings	filings@hoa-adr.com
Hours	Monday–Friday, 9:00 AM – 5:00 PM Eastern
Emergency relief	Submit through the intake form, marked Emergency

This guide is plain-language explanation only. For the binding rules of HOA-ADR proceedings, see the Rules and Procedures document. Citation requires verification — consult an attorney for legal advice on your specific situation.