

ASSEMBLY BILL

No. 1838

Introduced by Assembly Member Charles Calderon

February 22, 2012

An act to amend Section 1368.2 of the Civil Code, relating to common interest developments.

LEGISLATIVE COUNSEL'S DIGEST

AB 1838, as introduced, Charles Calderon. Common interest developments: association records.

The Davis-Stirling Common Interest Development Act defines and regulates common interest developments, which include community apartment projects, condominium projects, planned developments, and stock cooperatives. Existing law specifies certain documents that an association must provide to a prospective purchaser upon request. Existing law requires the association to also provide a specified form that contains an estimate of the costs associated with providing the prospective purchaser with the requested documents.

This bill would require that the financial disclosure form described above be written in at least 10-point type.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1368.2 of the Civil Code is amended to
2 read:

1 1368.2. The form for billing disclosures required by Section
2 1368 shall be in substantially the following form *and in at least*
3 *10-point type*:

4
5 CHARGES FOR DOCUMENTS PROVIDED AS REQUIRED BY SECTION
6 1368*
7

8 Property Address _____
9 Owner of Property _____
10 Owner’s Mailing Address _____
11 (If known or different from property address.)
12

13 Provider of the Section 1368 Items:

14
15 _____
16 Print Name Position or Title Association or Agent Date Form Completed
17

18 Check or Complete Applicable Column or Columns Below

19 Document	Civil Code Section	Included	Not Available (N/A) or Not Applicable (N/App)
20 Articles of Incorporation or 21 statement that not 22 incorporated	23 Section 1368(a)(1)	_____	_____
24 CC&Rs	25 Section 1368(a)(1)	_____	_____
26 Bylaws	27 Section 1368(a)(1)	_____	_____
28 Operating Rules	29 Section 1368(a)(1)	_____	_____
30 Age restrictions, if any	31 Section 1368(a)(2)	_____	_____
32 Pro forma operating budget 33 or summary, including 34 reserve study	35 Sections 1365 and 36 1368(a)(3)	_____	_____
37 Assessment and reserve 38 funding disclosure summary	39 Sections 1365 and 1368(a)(4)	_____	_____
39 Financial statement review	Sections 1365 and 1368(a)(3)	_____	_____
Assessment enforcement policy	Sections 1365 and 1368(a)(4)	_____	_____

1	Insurance summary	Sections 1365 and _____	_____
2		1368(a)(3)	
3	Regular assessment	Section 1368(a)(4)	_____
4	Special assessment	Section 1368(a)(4)	_____
5	Emergency assessment	Section 1368(a)(4)	_____
6	Other unpaid obligations of	Sections 1367.1	_____
7	seller	and 1368(a)(4)	
8	Approved changes to	Sections 1365 and _____	_____
9	assessments	1368(a)(4), (8)	
10	Settlement notice regarding	Sections	_____
11	common area defects	1368(a)(6), (7) and	_____
12		1375.1	
13	Preliminary list of defects	Sections	_____
14		1368(a)(6), 1375,	
15		and 1375.1	
16	Notice(s) of violation	Sections 1363 and _____	_____
17		1368(a)(5)	
18			
19			
20	Required statement of fees	Section 1368	_____
21	Minutes of regular meetings	Section 1368(a)(9)	_____
22	of the board of directors		
23	conducted over the previous		
24	12 months, if requested		
25	Total fees for these		_____
26	documents:		

27 * The information provided by this form may not include all fees that may be
 28 imposed before the close of escrow. Additional fees that are not related to the
 29 requirements of Section 1368 may be charged separately.
 30