

**Introduced by Senator Bates**

February 19, 2016

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An act to amend Section 5675 of the Civil Code, relating to common interest developments.

LEGISLATIVE COUNSEL'S DIGEST

SB 1391, as introduced, Bates. Common interest developments.

Existing law, the Davis-Stirling Common Interest Development Act, defines and regulates common interest developments. Existing law authorizes a homeowners association to place a lien on a property and to take specified enforcement actions to satisfy outstanding dues or assessments owed on a property in the development.

This bill would make a nonsubstantive change to these provisions.

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 5675 of the Civil Code is amended to  
2 read:  
3 5675. (a) The amount of the assessment, plus ~~any~~ all costs of  
4 collection, late charges, and interest assessed in accordance with  
5 subdivision (b) of Section 5650, shall be a lien on the owner's  
6 separate interest in the common interest development from and  
7 after the time the association causes to be recorded with the county  
8 recorder of the county in which the separate interest is located, a  
9 notice of delinquent assessment, which shall state the amount of  
10 the assessment and other sums imposed in accordance with  
11 subdivision (b) of Section 5650, a legal description of the owner's

1 separate interest in the common interest development against which  
2 the assessment and other sums are levied, and the name of the  
3 record owner of the separate interest in the common interest  
4 development against which the lien is imposed.

5 (b) The itemized statement of the charges owed by the owner  
6 described in subdivision (b) of Section 5660 shall be recorded  
7 together with the notice of delinquent assessment.

8 (c) In order for the lien to be enforced by nonjudicial foreclosure  
9 as provided in Sections 5700 to 5710, inclusive, the notice of  
10 delinquent assessment shall state the name and address of the  
11 trustee authorized by the association to enforce the lien by sale.

12 (d) The notice of delinquent assessment shall be signed by the  
13 person designated in the declaration or by the association for that  
14 purpose, or if no one is designated, by the president of the  
15 association.

16 (e) A copy of the recorded notice of delinquent assessment shall  
17 be mailed by certified mail to every person whose name is shown  
18 as an owner of the separate interest in the association's records,  
19 and the notice shall be mailed no later than 10 calendar days after  
20 recordation.