

WEEKENDER ►

SEARCH ► April 21-22, 2018

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PREVIOUSLY ARCHIVED 'NEXT DOOR'

► PDF ► <http://docdro.id/LkQsN9Z>

California HOA Elections ► Tale of Two Bills

Tuesday, April 17, the CA Senate Housing Committee voted on SB1265/Wieckowski that cleans up HOA elections. The bill says boards can't interfere with (1) the right to vote and (2) the right to run for a board seat.

Competing legislation: SB1128/Roth says the opposite: that boards can cancel elections if they find enough "qualified" candidates to fill the vacant slots. [See the CCHAL NewsBrief listing the ways HOAs find "qualified" candidates:

► <https://goo.gl/FQXyf8>

The Center for HOA Law was in Sacramento to SUPPORT Wieckowski's bill – which CCHAL is sponsoring – and to OPPOSE SB1128. Both bills were voted out. You can watch the hearing here on the California Channel here:

► <https://goo.gl/YyRJjk>

The two bills go next to Senate Judiciary Committee on May 8. If you want lawmakers on Senate Judiciary to VOTE THE RIGHT WAY ON THESE BILLS, THEN YOU NEED TO PHONE THEM! (CCHA will do another email reminder before May

8).

Don't know who's VOTING FOR YOU? in Sacramento? Find out here:

▶ <http://findyourrep.legislature.ca.gov/>

▶ **CA Davis-Stirling Act now includes a homeowner 'Bill of Rights'** ▶

[SLIDESHOW](#) ▶ [PDF](#)

A homeowner living in a common interest development, aka homeowner's association in California (about 9 million people), may not know that a real BILL OF RIGHTS is now included in the cumbersome **Davis-Stirling Act** ▶ [POST](#) ▶ [XNG](#) ▶ <http://bit.ly/2IPTfwz>

RE: Davis-Stirling Act ▶ Re: California Davis-Stirling

Law ▶ [Google](#) ▶ [Amazon](#) ▶ [Slideshow](#) ▶ [PDF](#)

MORE ...

via independentamericancommunities.com – deborahgoonan – Mar 14, 2018, 11:46 AM – “In October, 2017, an Arizona appeals court ruled that, before an association-governed community can legally fine a resident for a violation of Covenants, Conditions, & Restrictions (CC&Rs) or applicable Rules and Regulations, the HOA must first” ... NUZZEL STORY ▶ <https://goo.gl/SKA18i>

HOW DOES THIS APPLY TO CALIFORNIA? ▶ SEE

<https://goo.gl/uftyLA>

Regarding HOA 'Rules and Fines' the following should be noted:

Civil Code §5850. Schedule of Monetary Penalties.

(a) If an association adopts or has adopted a policy imposing any monetary penalty, including any fee, on any association member for a violation of the governing documents, including any monetary penalty relating to the activities of a guest or tenant of the member, the board shall adopt and distribute to each member, in the annual policy statement prepared pursuant to Section 5310, a schedule of the monetary penalties that may be assessed for those violations, which shall be in accordance with authorization for member discipline contained in the governing documents. [Old: Civ. Code §1363(f)] ▶ <https://goo.gl/2o4Qjr>

(b) Any new or revised monetary penalty that is adopted after complying with subdivision (a) may be included in a supplement that is delivered to the members individually, pursuant to Section 4040. ▶ <https://goo.gl/FkB869>

(c) A monetary penalty for a violation of the governing documents shall not exceed the monetary penalty stated in the schedule of monetary penalties or supplement that is in effect at the time of the violation. ► <https://goo.gl/94i2Vs>

(d) An association shall provide a copy of the most recently distributed schedule of monetary penalties, along with any applicable supplements to that schedule, to any member upon request. ► <https://goo.gl/94i2Vs>

(Added by Stats. 2012, Ch. 180, Sec. 2. Effective January 1, 2013. Operative January 1, 2014, by Sec. 3 of Ch. 180.) ► <https://goo.gl/R2oSVn>

Civil Code §5310. Annual Policy Statement ► <https://goo.gl/2o4Qjr>

(a) Within 30 to 90 days before the end of its fiscal year, the board shall distribute an annual policy statement that provides the members with information about association policies. The annual policy statement shall include all of the following information (see link above)

(b) The annual policy statement shall be made available to the members pursuant to Section 5320 ► <https://goo.gl/GGNsND>

► This comment links to a slideshow presentation about the Davis-Stirling Law for Common Interest Developments (CIDs). Appropriate because virtually all of the residential communities within the Temescal Valley are CIDs or HOAs. ► <http://bit.ly/2HZfRta>

Altacities® Flips HOAs



(This site does not give legal advice)

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<http://nuzzel.com/search?q=Homeowners+association>

► **Political influence of real estate developers: the heart of the HOA beast** ►



★ [independentamericancommunities.com](#) ► Mar 18, 2018, 10:09 AM – Real estate developers figured out a long time ago how to exert political influence over government officials and housing policy makers, from the local to the federal levels. For the past three years, IAC has provided more than 1,000 posts citing... ★ NUZ
★ <https://goo.gl/ZYDbD>

► **HOA Homefront: When is your association deemed 'dead'?** ►



The San Diego Union-Tribune – Kelly G. Richardson – Mar 10, 2018 – Q:I discovered that our small homeowners association has been in suspended status for the past 30 years. It is operated as a quasi-HOA, but in reality is more of a neighborhood cooperative. We have an insurance expense to cover a small common area... ★ NUZ ★ <https://goo.gl/cXpDqU>



► **Ward Lucas** ★ [@Ward_Lucas](#) ►

Longtime TV news anchor and investigative reporter. HOA expert and author investigating atrocities & corruption in America's HOAs in book Neighbors At War.

► Are you struggling to find a home that isn't governed by an [#HOA?](#) [#realestate](#)



1 ► **Part of the solution to water pollution** ►

"One, to help the homeowners feel comfortable in doing the project. Two, to make sure it's done correctly. ... Sometimes after people take the classes, they have ideas to do a similar project on a larger scale, like at a church or through a homeowner association. Barten said that there are other grant ... ★ NUZ ★ <https://goo.gl/5NNDPr>

2 ► **Love that home's view? See how much more you'll pay** ►

A house with a fabulous view can be hard for a homebuyer to resist. But seeing the mountains, water or city lights from the comfort of home comes at a price. The hazy part is figuring out what that added cost is — and whether it's worth it. That's where real estate appraisers and analysts who study home ... ★ NUZ ★ <https://goo.gl/sGL2jh>

3 ► LA streets are contested space where no improvement goes unpunished ►

In orange "Restore Venice Blvd." t-shirts, they're a frequent presence at neighborhood council and homeowner association meetings, determined to undo the lane changes and recall L.A. City Councilman Mike Bonin, who pushed the pilot. Last fall, street crews undid similar alterations along segments of ... ★ NUZ ★ <https://goo.gl/urdfsg>

4 ► Jury convicts man who operated popular Catholic website with tax evasion ►

Between the 2003 and 2006 tax years, Galloway improperly deducted personal expenses as business expenses, including his homeowner's association fees for his personal residence, car payments and insurance, utilities and cable service for his personal residence, tile work and personal legal fees. ★ GOOGLE ★ <https://goo.gl/AbhBJk>

5 ► Political correctness is scrubbing away history ►

This skirmish over Rizzo and his statue, mural and neighborhood tells me we are going about this sensitivity all wrong. We need to see Philadelphia more like a hip contemporary homeowner's association. We need to centralize our planning to a board that can go block by block to root out all remnants of ... ★ NUZ ★ <https://goo.gl/SQHY4v>

6 ► Aspen homeowner sues HOA over \$900K in fines ►

The Denver Post – Rick Carroll – Mar 21 – A dispute over \$900,000 in fines levied by an exclusive neighborhood's homeowners association outside of Aspen has spilled into court. Epic View LLC, the legal name for the entity that owns the property at 1000 S. Starwood Drive, where construction... ★ NUZ ★ <https://goo.gl/DPnA2E>

7 ► Amendment to Illinois condo law sparks outcry, leaves owners and board members 'feeling powerless' ►

Chicago Tribune – Mar 21, 2018 – A new law that seemed like a simple fix has sparked an outcry for a do-over. That's what is happening with an amendment to Section 19 of the Illinois Condominium Property Act that went into effect Jan. 1. The amendment was included last year in an... ★ NUZ ★ <https://goo.gl/5C3b6u>

8 ► His HOA refused to open its books for him. Now he's sharing his story to help others ►

KansasCity.com – Mar 16 – Scott Wircenske's eight-year battle with his HOA started with a simple request. The Parkhill Manor Homes Association had just awarded a property management contract to one of its own board members, and

the Olathe homeowner wanted to know whether... ★ NUZ ★ <https://goo.gl/v1Bvnz>
9 ▶ .NORTH CAROLINA - Homeowner wants answers to accusations of HOA mishandling \$ ▶

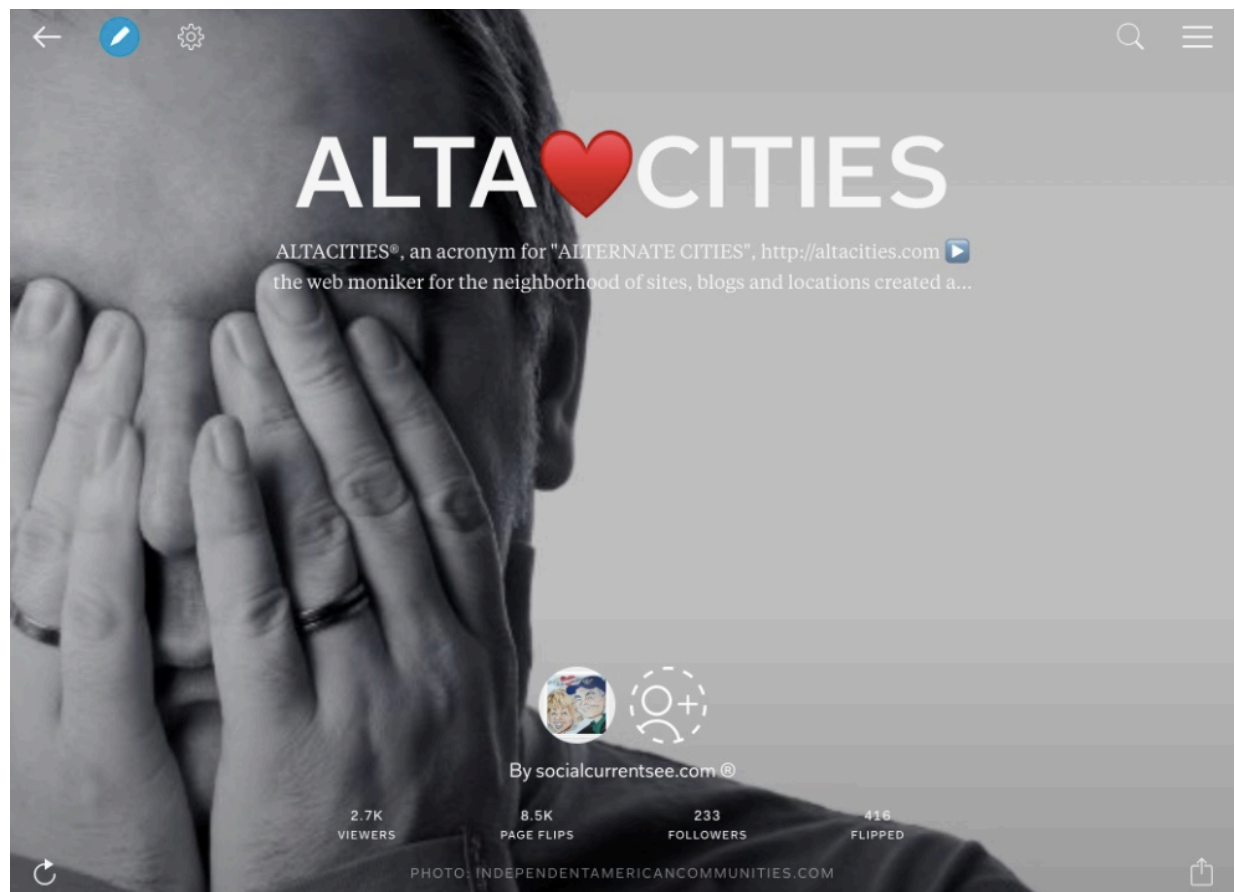
hoareformcoalition.org – Mar 15, 2018, 11:45 AM – FOX 46: Homeowner wants answers to accusations of HOA mishandling funds CHARLOTTE, NC (FOX 46 WJZY) – People across the Carolinas pay thousands of dollars each year to their homeowner's associations. These homeowners trust their money is... ★ NUZ ★ <https://goo.gl/zEZFGQ>

10 ▶ Get ready for most competitive spring home buying season since the Great Recession ▶

MarketWatch – Mar 21, 2018, 5:34 AM – Spring is here — and with it comes the most popular time of year to shop for a home. But if prospective home buyers don't prepare properly, they could be in for an agonizing search. Across the country, many housing markets are seeing a... ★ NUZ ★ <https://goo.gl/CktVnj>



<http://nuzzel.com/ALTALOMAN>



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