Section Clause #1 - Sample Provision Excerpt (Public Preview)

and effect. Owners who fail to provide the information requested will be called to a hearing and fined $500.00, in accordance with the violation and fine policy.
Once an existing lease expires, or for all newly leased properties in the Ridge, the owner is required to follow the new rules for Property Management Notification.

ISSUE #1

MARKUP #1 ->

MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING — BOARD & COUNSEL REVIEW

Sec. Clause #1 (p. 1): Disciplinary fine provision conflicts with California AB 130 (Cal. Civ. Code §§ 5850(c)-(e) & 5855) by authorizing non-health/safety fines exceeding $100 per violation, imposing interest or late fees on unpaid fines, or denying the mandatory pre-hearing cure right.

Statutory / Legal Reference: Cal. Civ. Code § 5850(c)-(e) & 5855 (AB 130, enacted June 30, 2025)

Statutory Comparison: Under California Civil Code §§ 5850(c)-(e) and 5855 (as amended by AB 130, effective June 30, 2025), an association shall not impose a monetary penalty exceeding $100 per violation unless the violation may result in an adverse health or safety impact on the common area or another member's property and the board makes a written finding specifying that adverse impact in an open meeting.

CURRENT WORDING IN DOCUMENT:
and effect. Owners who fail to provide the information requested will be called to a hearing and fined $500.00, in accordance with the violation and fine policy. Once an existing lease expires, or for all newly leased properties in the Ridge, the owner is required to follow the new rules for Property Management Notification.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):
Pursuant to California Civil Code §§ 5850(c)-(e) and 5855 (AB 130), no monetary penalty for a governing document violation shall exceed One Hundred Dollars ($100.00) per violation unless the Board makes a written finding in an open meeting that the violation results in an adverse health or safety impact.