

Section INCOME - Sample Provision Excerpt (Public Preview)

INCOME
PROJECTED
ABATEMENT VIOLATION FINES
\$400.00
\$400.00
ARCH REVIEW FEES
ISSUE #1
\$400.00
ASSESSMENTS:
Current (\$144 per year)
TOTAL
\$115,200.00 Prior Years
TOTAL ASSESSMENTS
CHARGES ON PAST DUE ASSESSMENTS: \$2,800.00
Late Fees Paid \$1,500.

MARKUP #1 ->



MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. INCOME (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:
INCOME PROJECTED ABATEMENT VIOLATION FINES \$400.00 \$400.00 ARCH REVIEW FEES \$400.00 \$400.00 ASSESSMENTS: Current (\$144 per year) TOTAL \$115,200.00 Prior Years TOTAL ASSESSMENTS CHARGES ON PAST DUE ASSESSMENTS: \$2,800.00 Late Fees Paid \$1,500.

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.