

Section 30253 - Sample Provision Excerpt (Public Preview)

states, in pertinent part: "New development shall do all of the
(b) Assure stability and structural integrity, and neither create or contribute
following:
significantly
to erosion, geologic instability, or destruction of the site or surrounding area
or in any way require the construction of protective devices that would substantially alter

ISSUE #1 forms...

MARKUP #1 ->



MARKUP #1 · MANDATORY RESERVE & DEFICIT DISCLOSURE

BOARD & COUNSEL REVIEW

Sec. 30253 (p. 8): Reserve provisions omit the mandatory 3-year visual reserve component inspection and annual Reserve Funding Plan disclosure requirements under California Civil Code §§ 5550 and 5300.

Statutory / Legal Reference: Cal. Civ. Code § 5550 & 5300(b)(3)

Statutory Comparison: Under Cal. Civ. Code § 5550, the board must cause a reasonably competent and diligent visual inspection of accessible major components to be conducted at least once every three (3) years, review the study annually, and include the Reserve Funding Plan and Assessment and Reserve Funding Disclosure Summary (Civil Code § 5570) in the Annual Budget Report under § 5300.

CURRENT WORDING IN DOCUMENT:

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(b) Assure stability and structural integrity, and neither create or contribute following:
significantly to erosion, geologic instability, or destruction of the site or surrounding area or in
any way require the construction of protective devices that would substantially alter natural
landforms...

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

**states, in pertinent part: "New development shall do all of the
(b) Assure stability and structural integrity, and neither create or contribute
following: significantly to erosion, geologic instability, or destruction of the site or
surrounding area or in any way require the construction of protective devices that
would substantially alter natural landforms along bluffs and cliffs. , .**