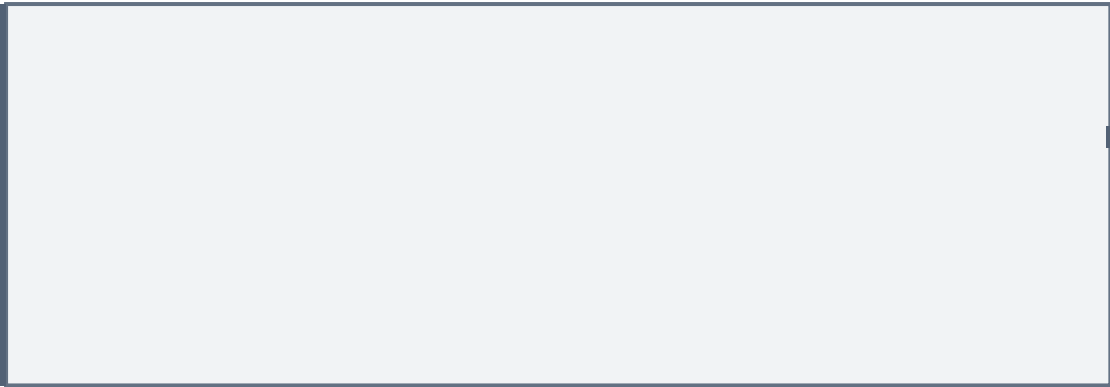


Section 2.4 - Sample Provision Excerpt (Public Preview)

passing. This is for the safety of all users. The fine for an unauthorized motorized vehicle on a trail, easement or green space for a first violation is \$500; that fine increases by \$500 for each successive violation. Golf carts are allowed to use the 10ft easements on the sides of the road.
SDCEA Handbook, Updated 12-18-2024

ISSUE #1



MARKUP #1 ->



MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. 2.4 (p. 13): 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:
passing. This is for the safety of all users. The fine for an unauthorized motorized vehicle on a trail, easement or green space for a first violation is \$500; that fine increases by \$500 for each successive violation. Golf carts are allowed to use the 10ft easements on the sides of the road. SDCEA Handbook, Updated 12-18-2024

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):
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