



Quick Reference
to the 2014
Davis-Stirling Act
Changes

GENERAL PROVISIONS

Current §	New §	Description/Title
1350	4000	Short title
1350.5	4005	Effect of headings
1350.7	4040, 4045, 4050	Omitted, but see 4040, 4045, 4050; Individual notice; General notice; Time and proof of delivery

DEFINITIONS

Current §	New §	Description/Title
1351 (intro)	4075	Application of definitions
1351(a)	4080	“Association”
1351(b)	4095	“Common area”
1351(c)	4100	“Common interest development”
1351(d)	4105	“Community apartment project”
1351(e)	4285	“Condominium plan”
1351(e)(3) (except last ¶)	4290	Recordation of condominium plan
1351(e)(last ¶)	4295	Amendment or revocation of condominium plan
1351(f)	4125	“Condominium project”
1351(g)	4130	“Declarant”
1351(h)	4135	“Declaration”
1351(i)	4145	“Exclusive use common area”
1351(j)	4150	“Governing documents”
1351(k)	4175	“Planned development”
1351(l)	4185	“Separate interest”
1351(m)	4190	“Stock cooperative”

GOVERNING DOCUMENTS/CREATION

Current §	New §	Description/Title
1352	4200	Application of Act
1352.5	4225(a)-(b), (d)	Deletion of unlawful restrictive covenants
1353(a)(1) (1st/2d sent)	4250(a)	Content of declaration
1353(a)(1)-(4) (except 1st/2d sent)	4255	Special disclosures
1353(b)	4250(b)	Content of declaration
1353.5	4705	Display of U.S. flag
1353.6	4710	Noncommercial sign

1353.7	4720	Roofing materials
1353.8	4735	Low water using plants
1353.9	4745	Electric vehicle charging station

ENFORCEMENT

Current §	New §	Description/Title
1354	5975	Enforcement of governing documents

AMENDMENT

Current §	New §	Description/Title
1355(a)	4270(a)	Amendment procedure
1355(b) (1st sent)	4260	Amendment authorized
1355(b)(1)	5115(e)	Voting procedure
1355(b)(2)	4270(b)	Amendment procedure
1353(b)(3)	4270(a)(3)	Amendment procedure
1355.5	4230	Deletion of declarant provisions in governing documents
1356	4275	Judicial authorization of amendment
1357(a)	4265(a)	Amendment to extend term of declaration authorized
1357(b) (except part of 1st sent)	Omitted	
1357(b) (part of 1st sent)	4265(b)	Amendment to extend term of declaration authorized
1357(c)	Omitted	
1357(d)	4265(c)	Amendment to extend term of declaration authorized

OPERATING RULES

Current §	New §	Description/Title
1357.100	4340	“Operating rule”
1357.110	4350	Requirements for validity and enforceability
1357.120	4355	Application of rulemaking procedures
1357.130	4360	Approval of rule change by board
1357.140	4365	Reversal of rule change by members
1357.150	4370	Applicability of article to changes commenced before and after January 1, 2004

OWNERSHIP RIGHTS AND INTERESTS

Current §	New §	Description/Title
1358(a)	4625	Community apartment project
1358(b)	4630	Condominium project
1358(c)	4635	Planned development
1358(d)	4640	Stock cooperative
1358 (next to last ¶)	4645	Transfer of exclusive use common area
1358 last ¶	4650	Severability of interests
1359	4610	Partition of condominium project
1360	4760	Improvements to separate interest
1360.2	4740	Rental restriction
1360.5	4715	Pets
1361	4505	Appurtenant rights and easements
1361.5	4510	Access to separate interest property
1362	4500	Ownership of common area

GOVERNANCE

Current §	New §	Description/Title
1363(a)	4800	Association
1363(b)	Omitted	
1363(c)	4805	Association powers
1363(d)	5000(a)	Member meeting
1363(e) (1st sent)	5240(b)	Application of article (re Record Inspection)
1363(e) (2d sent)	Omitted	
1363(f) (1st sent)	5850(a)	Schedule of monetary penalties
1363(f) (2d sent)	Omitted	
1363(g)	5855	Hearing
1363(h)	4820	Joint neighborhood association
1363(i)	5865	No effect on authority of board
1363.001	5400	Director training course
1363.005	Omitted	

ELECTIONS AND MEETINGS

Current §	New §	Description/Title
1363.03(a)	5105(a)	Election rules
1363.03(b) (1st sent)	5100(a)	Application of article (re Member Election)

1363.03(b) (2d/3rd sent)	5115(b)	Voting procedure (re quorum)
1363.03(b) (4th sent)	5115(c)	Voting procedure (re cumulative voting)
1363.03(c)	5110	Inspector of elections
1363.03(d)	5130	Proxies
1363.03(e)	5115(a)	Voting procedure
1363.03(f)-(g)	5120(a)-(b)	Counting ballots
1363.03(h)-(i)	5125	Ballot retention
1363.03(j)	5105(b)	Election rules
1363.03(k)	5115(d)	Voting procedure
1363.03(l)-(n)	5100(c)-(e)	Application of article (re Member Election)
1363.03(o)	Omitted	
1363.04	5135	Campaign-related information
1363.05(a)	4900	Short title (re Open Meeting Act)
1363.05(b) (1st part of 1st sent)	4925(a)	Board meeting open
1363.05(b) (2d part of 1st sent)	4935(a)	Executive session
1363.05(b) (2d sent)	4935(b)	Executive session
1363.05(b) (3rd sent)	4925(a)	Board meeting open
1363.05(c)	4935(e)	Executive session
1363.05(d), (e)	4950	Minutes
1363.05(f)	4920	Notice of board meeting
1363.05(g)	4923	Emergency board meeting
1363.05(h)	4925(b), 5000(b)	Board meeting open; Member meeting
1363.05(i)	4930	Limitation on meeting content
1363.05(j)	4910	Board action outside of meeting prohibited
1363.05(k)(1)	4155	"Item of business"
1363.05(k)(2)	4090	"Board meeting"
1363.07 (except (a)(3)(F))	4600	Grant of exclusive use
1363.07(a)(3)(F)	4202(a)(4)	Commercial and industrial developments
1363.09	5145	Judicial enforcement (re elections)
1363.09(a)-(b)	4605	Civil action to enforce Section 4600 (re exclusive use grant)

1363.09(a)-(b)	4955	Civil action to enforce article (re open meetings)
----------------	------	----------------------------------------------------

MANAGING AGENTS

Current §	New §	Description/Title
1363.1(a)	5375	Prospective managing agent disclosure
1363.1(b) (except ¶ (1))	4158	“Managing agent”
1363.1(b)(1)	5385	Managing agent
1363.2(a)-(e)	5380(a)-(e)	Trust fund account
1363.2(f) (except 1st cl of 2d sent)	4158	“Managing agent”
1363.2(f) (1st cl of 2d sent)	5385	Managing agent
1363.2(g)	5380(f)	Trust fund account

PUBLIC INFORMATION

Current §	New §	Description/Title
1363.5	4280	Content of articles (of incorporation)
1363.6	5405	State registry

DISPUTE RESOLUTION PROCEDURES

Current §	New §	Description/Title
1363.810	5900	Application of article (re IDR)
1363.820	5905	Fair, reasonable, and expeditious dispute resolution procedure required
1363.830	5910	Minimum requirements of association procedure
1363.840	5915	Default meet and confer procedure
1363.850	5920	Notice in policy statement

OPERATIONS/COMMON AREAS

1364(a), (c)	4775	Maintenance responsibility generally
1364(b)	4780	Wood-destroying pests or organisms
1364(d)-(e)	4785	Temporary removal of occupant to perform treatment of wood-destroying pests
1364(f)	4790	Exclusive use communication wiring

FISCAL MATTERS

Current §	New §	Description/Title
1365 (intro)	5300(b) (intro)	Annual budget report
1365 (intro)	5305(b) (intro)	Review of financial statement
1365(a)(1)	5300(b)(1)	Annual budget report
1365(a)(2) (intro)	5300(b)(2)	Annual budget report
1365(a)(2)(A)-(D)	5565	Summary of association reserves
1365(a)(3)(A)-(D)	5300(b)(4)-(6), (8)	Annual budget report
1365(a)(4) (1st ¶)	5300(b)(7)	Annual budget report
1365(a)(4) (2nd ¶)	5300(d)	Annual budget report
1365(a)(4) (3rd ¶)	5300(a)	Annual budget report
1365(b)	5300(b)(3)	Annual budget report
1365(c)	5305	Review of financial statement
1365(d)	5320	Notice of availability
1365(e)	5310(a)(7)	Annual policy statement
1365(f)(1) (except 2d cl of 1st sent)	5300(b)(9) (1st/2d sent)	Annual budget report
1365(f)(1) (2d cl of 1st sent)	5300(a)	Annual budget report
1365(f)(2)	5810	Notice of change in coverage
1365(f)(3)	5300(b)(9) (3rd sent)	Annual budget report
1365(f)(4)	5300(b)(9) (4th sent/2d ¶)	Annual budget report
1365.1	4040(b), 5730	Individual notice; Statement of collection procedure
1365.2(a)(1) (except (I)(ii)-(iii))	5200(a)	Definitions (re Record Inspection)
1365.2(a)(1)(I)(ii)	5225	Membership list request
1365.2(a)(1)(I)(iii)	5220	Membership list opt out
1365.2(a)(2) (except last clause)	5200(b)	Definitions (re Record Inspection)
1365.2(a)(2) (last clause)	5205(g) (2d sent)	Document
1365.2(b)	5205(a)-(b)	Document
1365.2(c)(1)-(5)	5205(c)-(g)	Document
1365.2(d)	5215	Withholding and redaction
1365.2(e)	5230	Restriction on use of records
1365.2(f)	5235	Enforcement
1365.2(g)	5240(c)	Application of article (re Record Inspection)

1365.2(h)	5205(h)	Document
1365.2(i)-(k)	5210(a)-(c)	Time periods
1365.2(l)	5240(a)	Application of article (re Record Inspection)
1365.2(m)	5240(d)	Application of article
1365.2(n)	Omitted	
1365.2.5	5570	Assessment and reserve funding disclosure summary
1365.2.5(b)(3)	5300(e)	Annual budget report
1365.3	5580	Community service organization report
1365.5(a)	5500	Board review
1365.5(b)	5510(a)	Use of reserve funds
1365.5(c)(1)	5510(b)	Use of reserve funds
1365.5(c)(2)	5515	Temporary transfer of reserve funds
1365.5(d)	5520	Use of reserve funds for litigation
1365.5(e) (1)-(4), (5)(1st sent)	5550	Visual inspection of major components and reserve study
1365.5(e)(5) (except 1st sent)	5560	Reserve funding plan
1365.5(f)	4177	"Reserve accounts"
1365.5(g)	4178	"Reserve account requirements"
1365.5(h)	Omitted	
1365.6	5350(a)	Interested director

INSURANCE

Current §	New §	Description/Title
1365.7	5800	Limitation of director and officer liability
1365.9	5805	Limitation of member liability

ASSESSMENTS

Current §	New §	Description/Title
1366(a) (1st sent)	5600(a)	Levy of assessment
1366(a) (2d sent)	5605(a)	Assessment approval requirements
1366(a) (3d sent)	5605(c)	Assessment approval requirements
1366(b) (1st sent)	5605(b)	Assessment approval requirements
1366(b) (2d sent)	5605(c)	Assessment approval requirements
1366(b) (3d/4th sent)	5610 (intro)	Emergency exception to assessment approval requirements

1366(b)(1)-(3)	5610(a)-(c)	Emergency exception to assessment approval requirements
1366(c)	5620	Exemption from execution
1366(d)	5615	Notice of assessment increase
1366(e)	5650(b)	Assessment debt and delinquency
1366(f)	5650(c)	Assessment debt and delinquency
1366.1	5600(b)	Levy of assessment
1366.2(a)	4210	Record notice of agent to receive payments
1366.2(b)	Omitted	
1366.4	5625	Property tax value as basis for assessments
1367	5740	Omitted, but see 5740
1367.1(a) (1st sent)	5650(a)	Assessment debt and delinquency
1367.1(a) (2d sent)	5660 (intro)	Pre-lien notice
1367.1(a)(1)-(6)	5660(a)-(f)	Pre-lien notice
1367.1(b)	5655	Payments
1367.1(c)(1)(A)	5670	Pre-lien dispute resolution
1367.1(c)(1)(B)	5705(b)	Omitted, but see 5705(b)
1367.1(c)(2)	5673	Decision to lien
1367.1(c)(3)	5665	Payment plan
1367.1(d) (1st-5th sent)	5675	Notice of delinquent assessment
1367.1(d) (6th sent)	5685(a)	Lien release
1367.1(d) (7th-8th sent)	5725(a)	Limitations on authority to foreclose liens for monetary penalties and damage to the common area
1367.1(e)	5725(b)	Limitations on authority to foreclose liens for monetary penalties and damage to the common area
1367.1(f)	5680	Lien priority
1367.1(g) (1st sent)	5735	Assignment or pledge
1367.1(g) (2d sent)	5700(a)	Collection generally
1367.1(g) (3d sent)	5710(a)	Foreclosure
1367.1(g) (4th sent)	5710(c) (intro)	Foreclosure
1367.1(g)(1)-(2)	5710(c)(1)-(2)	Foreclosure
1367.1(h)	5700(b)	Collection generally
1367.1(i)	5685(b)	Lien release
1367.1(j)	5710(b)	Foreclosure
1367.1(k)	4040(b)	Individual notice

1367.1(l)	5690	Procedural noncompliance
1367.1(m)	5740	Omitted, but see 5740
1367.1(n)	Omitted	
1367.4(a)	5705(a), 5715(a), 5720(a)	Decision to foreclose; Right of redemption after trustee sale; Limitation on foreclosure
1367.4(b)	5720(b)	Limitation on foreclosure
1367.4(c) (intro)	5705, 5715	Omitted, but see 5705, 5715
1367.4(c)(1)-(3)	5705(b)-(d)	Decision to foreclose
1367.4(c)(4)	5715(b)	Right of redemption after trustee sale
1367.4(d)	5720(c)(2)-(3)	Limitation on foreclosure
1367.5	5685(c)	Lien release
1367.6	5658	Payment under protest

TRANSFER OF OWNERSHIP RIGHTS

Current §	New §	Description/Title
1368(a)	4525	Disclosure to prospective purchasers
1368(b)	4530	Information to be provided by association
1368(c)(1)	4575	Transfer fee
1368(c)(2)	4580	Exemption from transfer fee limitations
1368(c)(3)	4110	"Community service organization or similar entity"
1368(d)	4540	Enforcement of article (re Transfer Disclosure)
1368(e)	4545	Validity of title unaffected
1368(f)	4535	Related requirements
1368(g)	Omitted	
1368.1	4730	Marketing restrictions
1368.2	4528	Document disclosure summary form

CIVIL ACTIONS AND LIENS

Current §	New §	Description/Title
1368.3	5980	Standing
1368.4	5985	Comparative fault
1368.5	6150	Notice of civil action
1369	4615	Lien for work performed in condominium project

ALTERNATIVE DISPUTE RESOLUTION

Current §	New §	Description/Title
1369.510	5925	Definitions (re ADR)
1369.520	5930	ADR prerequisite to enforcement action
1369.530	5935	Request for resolution
1369.540	5940	ADR process
1369.550	5945	Tolling of statute of limitations
1369.560	5950	Certification of efforts to resolve dispute
1369.570	5955	Stay of litigation for dispute resolution
1369.580	5960	Attorney's fees
1369.590	5965	Notice in annual policy statement
1370	4215	Liberal construction of instruments
1371	4220	Boundaries of units
1372	4020	Construction of zoning ordinance
1373	4202	Commercial and industrial developments
1374	4201	Exemption of development without common area

CONSTRUCTION DEFECT LITIGATION

Current §	New §	Description/Title
1375	6000	Actions for damages (re CD)
1375.1	6100	Notice of resolution

IMPROVEMENTS

Current §	New §	Description/Title
1376	4725	Television antenna or satellite dish
1378	4765	Architectural review and decision making

Code Sections Added to the Act:

4010	Application of Act
4035	Delivered to an association
4040	Individual notice
4045	General notice
4050	Time and proof of delivery
4055	Consent to electronic delivery
4065	Approved by majority of all members
4070	Approved by majority of quorum of members
4076	“Annual Budget Report”
4078	“Annual Policy Statement”
4085	“Board”
4090	“Board meeting”
4110	“Community service organization or similar entity”
4120	“Condominium plan”
4140	“Director”
4148	“General notice”
4153	“Individual notice”
4155	“Item of business”
4158	“Managing agent”
4160	“Member”
4170	“Person”
4177	“Reserve accounts”
4178	“Reserve account requirements”
4205	Document authority
4700	Application of article
4235	Correction of statutory cross-reference
5240(b)	Access in accordance with Corp Code
5260	Mailing-related requests



1081 Camino del Rio South, Suite 109
San Diego, CA 92108
619.299.1376 | cai-sd.org