

Bills! Bills! Bills!

Demand the leadership we deserve! We hope you will take a moment to learn about this year's legislation results and their effect on Common Interest Developments (CIDs). Here are some bills your CAI California Legislative Action Committee tracked through the year:

SB 454 – EV Charging Stations – Access

AB1092 – EV Charging Station – Building Standards

These Bills passed and are waiting for Governor's action. The first creates the Electric Vehicle Charging Stations Open Access Act to encourage installation of electric charging stations and prevent restrictions to access. CAI-CLAC succeeded in amending the bill to exclude CIDs! The second bill requires the California Building Standards Commission to write new standards requiring electric vehicle charging infrastructure in all new multi-unit and commercial construction, so most will have charging stations in the future.

To think about: Without amendment, these bills, in combination, would have been frustrating for a CID with controlled access. We fixed that problem!

SB 752 – Commercial and Industrial CIDs

This Bill passed and is waiting for Governor's action. The Commercial and Industrial Common Interest Development Act creates regulation of commercial and industrial CIDs separate from the Davis-Stirling Act. Now, most Davis Sterling provisions apply to commercial CIDs, but there are some exemptions. This will create an entire body of law for application to commercial CIDs.

To think about: Great to have a separate set of rules for Commercial, but how about some clarity for mixed use developments?

SB652 – Construction Defect Disclosures

This Bill passed and is waiting for Governor's action. Current law specifies disclosure duties of sellers and liability for failure to do so. This law will require the seller of any real property to additionally disclose to a potential buyer all claims for damages relating to deficiencies in residential construction made by the seller and the status of those claims.

To think about: Now sellers must disclose all known potential problems – not just the issues in litigation. Who will sellers turn to for guidance and assistance?

AB 968 – Small Associations: Elections

AB 1360 – CID electronic voting for elections

Bills hoping to assist meeting quorums of all CIDs and lower election costs of small communities were thwarted by fears that elections could be compromised.

To think about: With good systems, a CID could lower costs and increase participation. We should address these concerns so we can realize the benefits.

AB 746 – Smoking Bans in Multifamily Dwellings

A bill that would have prohibited smoking in multi-family communities failed to pass.

To think about: Smoking is a hot button issue. Banning smoking altogether in condominium communities could make a manager's job easier. However, enforcement of a smoking ban in units will be difficult at best and is not very practical.

SB 822 – Revision of Business and Professions Regulations

This bill makes a number of changes, including some that may have impacted our industry. Language that exempted common interest development managers from the group required to have a contractor's license when performing management services was included in a revision suggested by CLAC.

To think about: While the original version of the bill included potential unintended consequences, we were able to correct them before the bill was passed.

Engage with your legislature! Call or write your state Assemblyperson and Senator to share your opinion. Or, you can join us the first Tuesday of each month, at noon, at the offices of Epstein, Grinnell & Howell.

Thank You,

Your CAI San Diego Legislative Support Committee