

RICHARDSON & HARMAN

234 East Colorado Boulevard, Suite 800

Pasadena, California 91101

Telephone: (626) 449-5577

Facsimile: (626) 449-5572

Web: www.RH4Law.com

Toll Free (877) 4HOALAW

Palos Verdes Council of Homeowners Associations

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NEW LAWS AFFECTING HOAs... the "BIG THREE"

by Kelly G. Richardson, Esq. KRichardson@RH4Law.com

- I. 2005 recap
- II. SB 137 – assessments collection
 - a. Not until one year or \$1,800 delinquent
 - i. Before than, only small claims court or lien recording
 - b. Board must vote to lien – open meeting
 - c. Board must vote to foreclose – closed meeting
 - d. Right of redemption for 90 days post-foreclosure
 - e. If member elects ADR, collection action halts until ADR effort concluded
 - f. State to develop on-line education program for HOAs re the process....**maybe**
- III. AB 1098 – records access and granting common area rights for exclusive use
 - a. Common area converted to exclusive use
 - i. Requires membership vote and disclosure of consideration (fi any)
 - ii. Inaccessible areas among the several exceptions
 - b. Records access
 - i. Almost everything except privileged, executive session or personal confidential items
 - ii. Produce records for current year within 10 days, previous two years within 30
- IV. SB 61 – elections
 - a. Must have rules
 - b. Secret balloting for most elections
 - c. Inspectors duties greatly expanded
- V. Outlook for 2006 legislative "season"
 - a. Reserves
 - b. Ombudsperson
 - c. ?
- VI. Conclusion/questions