

The California legislature is contemplating Senate Bill 1265 (Bill) which may have significant and adverse impacts on homeowners associations and people that live in them. We want to make you aware of the changes in the law that are being contemplated and to let you know how to voice your opinion.

The Bill would make these changes:

1. It will allow non-members to attend annual meetings when invited by any owner.
2. It will require the association to pay for the posting of duplicate notices related to elections (which are already sent to the members in the mail).
3. Nominations for directors' positions would need to be submitted several months before an election. In order to comply with the new law, potential candidates may have to declare their candidacy 4 months prior to the election.
4. The Bill requires that each owner's name and parcel number be posted more than 30 days before the election ballots are mailed. Furthermore, any owner would be entitled to see a copy of your signature on any returned ballot envelope. This raises concerns regarding privacy and identity theft.
5. The new law would allow all owners to obtain the email addresses of all other owners.
6. Currently, the Board could remove a director from office if the director is convicted of a felony. Under the Bill, a director could only be removed if the conviction is for bribery, embezzlement, theft and similar crimes. A convicted murderer or child molester would be free to serve as a director.
7. The only qualification for a director permitted in the future would need to be in the Bylaws and could only relate to delinquent regular (not special) assessments and ownership.
8. Aside from the extra notice requirements, the Bill allows members to sue homeowners associations and obtain penalties and attorney's fees for accidental violations. These judgements are paid from your homeowners' assessments.

These changes will cost our homeowners association money. The only way a homeowners association can manage increased costs is to decrease services or increase your dues. The Board does not want to do either. Please consider contacting your elected officials and tell them to vote against SB 1265.

Assembly Member Christina Garcia -  
<https://lcmspubcontact.lc.ca.gov/PublicLCMS/ContactPopup.php?district=AD58>

State Senator Vanessa Delgado –  
<http://sd32.senate.ca.gov/contact>