

Re-Write of California's Common Interest Development Laws Dropped

The long-awaited re-write of the Davis Stirling Act ("Act") will keep CAI California members and also association homeowners living in the state waiting a bit longer.

The California Law Revision Commission's (CLRC) [multi-year effort](#) to re-write the common interest development statutes culminated in [Assembly Bill 1921](#), authored by Assembly Housing and Community Development Committee Chairperson Lori Saldana. However, due to increasing concern about certain provisions contained in AB 1921, [Assembly Member Saldana](#) decided to drop her bill for this year and reintroduce it at the beginning of the 2009 legislative session.

"Recodifying" the Act was a huge task as it was also aimed at clarifying and simplifying several existing code sections. Staff resources at the California Law Revision Commission were also a factor in the decision as the bill needed to be in final form by mid-August.

An ad hoc committee of the California Legislative Action Committee (CAI-CLAC) dedicated volunteers continued to work on the proposal's language and submitted numerous suggested amendments to that end. They include: Chairman Dick Pruess, Wendy Bucknum, Michael Rabkin, Duncan McPherson, and Darren Bevan. In March, CAI asked that the bill be dropped in its letter to the author, which contained this statement:

... because associations join you and the CLRC in desiring a better statutory road map to follow, and because CAI has a deep reservoir of talent to offer this effort, and because the effort is to merely simplify and make clear the laws... then as Senator Leroy Greene, former Chairman of Education Committee, once judiciously stated from the dais, "In the span of time, what's another year?" He was right, especially as this product has already taken years to get into bill form.

More time will allow for a non-controversial product to emerge and one which can incorporate this year's pending bills that are signed into law. In fact, it may be achieved in time for the original implementation date of 2010 but to be safe 2011 would be wiser.

I am enclosing three documents from my committee volunteers that provide greater details which justify our call for a modest postponement in the process.

CAI-CLAC's professional approach to this endeavor enables it to continue to work proactively and collaboratively with the legislative and Commission's staff throughout the project.

For specifics on CAI-CLAC's activities or state-related legislative news, please visit [its website \(www.CAcalif.org\)](http://www.CAcalif.org). [Skip Daum](#) is the Administrator/Advocate of Community Associations Institute and the California Legislative Action Committee, which serves 3,000,000 California households in condominiums and homeowner associations.