

Davis-Stirling Law Outline

Davis-Stirling is the short name of the primary law that regulates our Crosswoods homes. It consists of 219 individual sections, each of which has its' own heading. Each heading describes the function of that section.

These sections are organized into 11 chapters and 34 articles (sub-chapters), each with a heading describing the functions of that chapter or article. Together they form a complete **detailed outline** of the functions in the entire Davis-Stirling law. This outline can be used for reference, or used for in-depth study, or used with your computer to obtain your copy of any portion of Davis-Stirling law you select. (for details see page 8).

-Summary of the 11 Chapters -

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3.	Governing Documents	4205-4570
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- Full Detail -

1. GENERAL PROVISIONS

Article 1 Preliminary Provisions

- 4000 Short Title
- 4005 Effect of heading
- 4010 Application of act
- 4020 Construction of zoning ordinance
- 4035 Delivered to an association
- 4040 Individual notice
- 4041 Annual notice to association
- 4045 General notice
- 4050 Time and proof of delivery
- 4055 Electronic delivery: Requirements
- 4065 Approved by a majority of all members
- 4070 Approved by majority of quorum of members

Article 2 Definitions

- 4075 Application of definitions
- 4078 "Annual policy statement"
- 4080 "Association"
- 4085 "Board"
- 4090 "Board meeting"
- 4095 "Common area"
- 4100 "Common Interest Development"
- 4105 "Community apartment project"
- 4110 "Community service organization or similar entity"
- 4120 "Condominium plan"
- 4125 "Condominium Project"
- 4130 "Declarant"
- 4135 "Declaration"
- 4140 "Director"
- 4145 "Exclusive use common area"
- 4148 "General notice"
- 4150 "Governing documents"
- 4153 "Individual notice"
- 4155 "Item of business"
- 4158 "Managing agent"
- 4160 "Member"
- 4170 "Person"
- 4175 "Planned development"
- 4177 "Reserved accounts"
- 4178 "Reserved account requirements"
- 4185 "Separate interest"
- 4190 "Stock cooperative"

2. APPLICATION OF ACT

- 4200 Application of act
- 4201 Exemption of development without common areas
- 4202 Commercial and industrial developments

3. GOVERNING DOCUMENTS

Article 1 General Provisions

- 4205 Document authority
- 4210 Record notice of agent to receive payments
- 4215 Liberal construction of instruments
- 4220 Boundaries of units
- 4225 Deletion of unlawful restrictive covenants
- 4230 Deletion of declarant provisions in governing documents
- 4235 Correction of statutory cross-reference

Article 2 Declarations

- 4250 Contents of declaration
- 4255 Special disclosures
- 4260 Amendment authorized
- 4265 Amendment to extend term of declaration authorized
- 4270 Amendment procedure
- 4275 Judicial authorization of amendment

Article 3 Articles of Incorporation

- 4280 Content of articles

Article 4 Condominium Plan

- 4285 "Condominium plan"
- 4290 Recordation of condominium plan
- 4295 Amendment or revocation of condominium plan

Article 5 Operating Rules

- 4340 "Operating rule"; "Rule change"
- 4350 Requirements for validity and enforceability
- 4355 Application of rulemaking procedures
- 4360 Approval of rule change by board
- 4365 Reversal of rule change by members
- 4370 Applicability of article to changes commenced before and after January 1, 2004

4. OWNERSHIP AND TRANSFER OF INTEREST

Article 1 Ownership Rights and Interests

- 4500 Ownership of common area
- 4505 Appurtenant rights and easements
- 4510 Access to separate interest property
- 4515 Permitted activities

Article 2 Transfer Disclosure

- 4525 Disclosure to prospective purchaser
- 4528 Document disclosure summary form
- 4530 Documents to be provided by association; Fee for providing requested documents
- 4535 Related requirements
- 4540 Enforcement of article
- 4545 Validity of title unaffected

Article 3 Transfer Fee

- 4575 Transfer fee
- 4580 Exemption from transfer fee limitations

Article 4 Restrictions on Transfer

- 4600 Grant of exclusive use
- 4605 Civil action to enforce Section 4600
- 4610 Partition of condominium project
- 4615 Lien for work preformed on common interest development

Article 5 Transfer of Separate Interest

- 4620 Notice of claim of lien
- 4625 Community apartment project
- 4630 Condominium Project
- 4635 Planned development
- 4640 Stock cooperative
- 4645 Transfer of exclusive use common area

5. PROPERTY USE AND MAINTENANCE

Article 1 Protected Uses

- 4700 Application of article
- 4705 Display of United States flag
- 4706 Restriction on religious items displayed on entry of member's separate interest; Temporary removal
- 4710 Noncommercial sign
- 4715 Pets
- 4720 Roofing materials
- 4725 Television antenna or satellite dish
- 4730 Marketing restriction
- 4735 Low-water using plants; Landscaping rules; Fine or assessments.
- 4736 Pressure washing of separate interest and appurtenant common area during declared drought emergency.
- 4740 Rental restrictions
- 4745 Electric vehicle charging station
- 4745.1 EV-dedicated TOU meters; Restrictions unenforceable.
- 4746 Installation of solar energy system on multifamily common area roof.
- 4750 Personal agriculture; Homeowner may not be unreasonably prohibited or restricted from engaging in; Applicability
- 4750.10 Validity and enforceability of governing document that prohibits or restricts use of clothesline or drying racks in backyard.
- 4751 Accessory dwelling unit or junior accessory dwelling; Void and unenforceable covenant, restriction, or condition; Applicability.
- 4753 Validity and enforceability of governing document that prohibits or restricts use of clotheslines or drying rack in backyard

Article 2 Modification of Separate Interest

- 4760 Improvements to separate interest
- 4765 Architectural review and decision making

Article 3 Maintenance

- 4775 Maintenance and repair responsibility
- 4777 Notice of pesticide application to separate interest or common area without licensed pest control operator
- 4780 Wood-destroying pests or organisms
- 4785 Temporary removal of occupant to preform treatment of wood-destroying pests
- 4790 Exclusive use communication wiring

6. ASSOCIATION GOVERNANCE

Article 1 Association Existence and Powers

- 4800 Association
- 4805 Association powers
- 4820 Joint neighborhood association

Article 2 Board Meeting

- 4900 Common Interest Development Open Meeting Act
- 4910 Board action outside of meeting prohibited
- 4920 Notice of board meeting
- 4923 Emergency board meeting
- 4925 Board meeting Open
- 4930 Limitation on meeting content
- 4935 Executive session
- 4950 Minutes
- 4955 Civil action to enforce article

Article 3 Member Meeting

- 5000 Member meeting

Article 4 Member Election

- 5100 Application of article
- 5105 Election rules
- 5110 Inspector of elections
- 5115 Voting procedure
- 5120 Counting ballots
- 5125 Retention of ballots; signed voter envelopes, voter lists, proxies, and candidate registration lists.
- 5130 Proxies
- 5135 Campaign-related information
- 5145 Judicial enforcement

Article 5 Record Inspection

- 5200 Definitions
- 5205 Document

5210 Time periods
5215 Withholding and redaction
5220 Membership list opt out
5225 Membership list request
5230 Restriction on the use of records
5235 Enforcement
5240 Application of article

Article 6 Recordkeeping

5260 Mailing related requests

Article 7 Annual Reports

5300 Annual budget report
5305 Review of financial statement
5310 Annual policy statement
5320 Notice of availability

Article 8 Conflict of Interest

5350 Interest director

Article 9 Managing Agent

5375 Prospective managing agent disclosure
5375.5 conflict of interest disclosure
5376 Facilitation of disclosure delivery
5380 Trust fund account
5385 Managing agent

Article 10 Government Assistance

5400 Director training course
5405 State registry

7. FINANCES

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5500 Board review
5501 Satisfaction of review requirements
5502 Transfers requiring board approval..

Article 2 Use of Reserve Funds

5510 Use of reserve funds
5515 Temporary transfer of reserve funds
5520 Use of reserve funds for litigation
5550 Visual inspection of major components and reserve study
5551 Visual inspection of exterior elevated elements; Written report.
5560 Reserve funding plan.

5565 Summary of association reserve.
5570 Assessment and reserve funding disclosure summary
5580 Community service organization report.

Article 3 Reserve Planning

5550 Visual inspection of major components and reserve study
5551 Visual inspection of exterior elevated elements; Written report.
5560 Reserved funding plan.
5565 Summary of association reserve.
5570 Assessment and reserved funding disclosure summary
5580 Community service organization report.

8. ASSESSMENTS AND ASSESSMENT COLLECTION

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5605 Assessment approval requirement
5610 Emergency exception to assessment approval requirement
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5620 Exemption from execution
5625 Property tax value as basis for assessment

Article 2 Assessment Payment and Delinquency

5650 Assessment debt and delinquency
5655 Payments
5665 Payment plan
5670 Dispute resolution
5673 Decision to record a lien
5675 Notice of delinquent assessment
5680 Lien priority
5685 lien release
5690 Procedural Noncompliance

Article 3 Assessment Collection

5700 Collection generally
5705 Decision to foreclose
5710 Foreclosure
5715 Right of redemption after trustee sale
5720 Limitation on foreclosure
5725 Limitations on authority to foreclosure liens fore monetary
penalties and damage to the common area
5730 Statement of collection procedure
5735 Assignment or pledge
5740 Application of article

9. INSURANCE AND LIABILITY

- 5800 Limitation on liability of volunteer officer or director; Applicability
- 5805 Limitation on member liability
- 5806 Fidelity bond coverage requirements
- 5810 Notice of change in coverage

10. DISPUTE RESOLUTION & ENFORCEMENT

Article 1 Discipline and Cost Reimbursement

- 5850 Schedule of monetary penalties
- 5855 Hearing
- 5865 No effect on authority of board

Article 2 Internal Dispute Resolution

- 5900 Application of article
- 5905 Fair, reasonable, and expeditious dispute resolution procedure required.
- 5910 Minimum requirements of association procedure.
- 5910.1 Internal dispute resolution as condition precedent to civil action
- 5915 Default meet and confer procedure.
- 5920 Notice and policy statement

Article 3 Alternative Dispute Resolution Prerequisite to civil action.

- 5925 Definitions
- 5930 ADR prerequisite to enforcement action.
- 5935 Request for resolution
- 5940 ADR process
- 5945 Tolling of statute of limitations.
- 5950 Certification of effort to resolve dispute.
- 5955 Stay of litigation for dispute resolution.
- 5960 Attorney's fees
- 5965 Notice in annual policy statement.

Article 4 Civil Action

- 5975 Enforcement of governing Documents
- 5980 Standing
- 5985 Comparative fault
- 5986 Legal proceeding against declarant, developer, or builder, Limitations in governing documents; Effect of statute of limitations

11. CONSTRUCTION DEFECTS LITIGATION

- 6000 Action for Damages
- 6100 Notice of Resolution
- 6150 Notice of Civil Action

INSTRUCTIONS:
How to easily obtain
any provision of the DAVIS-STIRLING law

(This requires an internet connected computer with printer)

1. Open the **California Legislative Website** at: <http://leginfo.legislature.ca.gov/>
2. Select the data box containing '**California Law**'. *(the screen will change)*
3. Select the data box labeled '**Code**': *in this box, use the pull down menu to select the word 'CIV'.*
4. Select the data box labeled '**Section**': *in this box, type the number of the section you seek.*
5. Select the data box containing '**Search**': *The section you seek should now be on your screen.*