Index

ABANDONMENT

Individual liability of member, § 21:32

Public street, §§ 12:106, 12:127 Subdivided Lands Act, application for public report, § 15:32

ACCELERATION

Owners associations, delinquent assessments, § 19:61

ACCESSIBILITY

Generally, § 3:19

Disclosure of universal accessibility features, § 16:20

Handicapped Accessibility (this index)

Restrictive covenants, owners with disabilities, §§ 22:44 to 22:46

ACCESSORY DWELLING UNIT

Generally, § 12:28

ADJOURNMENT

Owners associations, meetings of board of directors, § 18:86

ADR

Alternative Dispute Resolution (this index)

ADVERSE POSSESSION

Common area, § 1:44

ADVERTISING

Continuing care retirement communities, permits to sell deposit subscriptions, § 6:31

Phased projects, § 11:35

Securities law, § 16:64

Subdivided Lands Act, unauthorized use of final public report, § 15:79

Time Share Act of 2004, § 7:54

AESTHETICS

Growth control measures, § 12:74

AESTHETICS—Cont'd

Restrictive covenants, architectural control and design review, §§ 22:55, 22:56

AFFILIATE ORGANIZATIONS

Continuing care retirement communities, permits to sell deposit subscriptions, **§ 6:31**

AFFORDABLE HOUSING

Challenging fees, § 12:173

In lieu fees, § 12:174

Subdivision and planning process, § 12:28

Workforce housing cooperative trust defined, § 2:47

AGE OF PROJECT

Owners associations, troubled projects, § 19:104

AGENDA

Owners associations, meeting of board of directors, § 18:76

AGE-RESTRICTED COMMUNITIES

Generally, §§ 22:27 to 22:43

Age verification requirements, § 22:41

California Fair Employment and Housing Act, § 22:39

Fair Housing Amendments Act of 1988, § 22:41

Federal Fair Housing Act, §§ 22:40 to 22:42

Federal provisions, §§ 22:40 to 22:43

January 1, 1984, declarations containing age restrictions on, § 22:37

Mobilehome parks, § 22:43

Permitted health care resident, § 22:33

Public reports, § 22:36

AGE-RESTRICTED COMMUNITIES—Cont'd

Qualified permanent resident, § 22:32 Riverside County, § 22:35 Senior citizen housing design requirements, special,

§ 22:31 developments, § 22:30

exception, § 22:29

Special design requirements for senior housing, § 22:31

Temporary residency and guests, § 22:34

Unruh Civil Rights Act, § 22:28 Validity of age restrictions, § 22:38

AGREEMENTS

Contracts and Agreements (this index)

AGRICULTURE

Personal agriculture, use restrictions, § 22:14

AIDS

Disclosure requirements, § 16:24

AIR CONDITIONING

Maintenance, § 3:47

AIRPORTS

Disclosure of airport annoyance, §§ 16:20, 16:24, 22:2

Influence area, property encompassed within, §§ 15:20, 15:78

Notice of airport in vicinity, §§ 15:78, 22:2

ALTER EGO

Limited liability companies, actions against, § 21:73

ALTERATIONS

Accessibility requirements, §§ 14:44, 14:46, 14:47, 22:46

Architectural control, §§ 10:23, 11:47, 22:53

Condominiums, interior alterations, § 3:17

Disclosure requirements, § 16:20

ALTERNATIVE DISPUTE RESOLUTION

Generally, §§ 21:116 to 21:126 American Arbitration Association, § 21:119

Binding arbitration clauses, § 21:117 California Arbitration Act, § 21:118 Construction defects, § 22:75 Delinquent assessments, § 19:57

Development and construction, arbitration, § 14:31

Forms (this index)

Governing documents, enforcement of, § 21:116

Judicial arbitration, § 21:121 Judicial reference, § 16:10

Mediation, §§ 12:7, 21:125 Mini-trials, § 21:126

Opting out, construction defects,

§ 21:75

Referee, trial by, § 21:122 Restrictive covenants, § 22:74

Sales and purchases, deposit receipt agreements, § 16:10

Special masters, § 21:124

Statutes, § 21:116

Time Share Act of 2004, § 7:87 Unconscionability, § 16:10

AMENDMENTS

Declaration and restrictive covenants. **Restrictive Covenants** (this index)

General plans, local government regulation, §§ 12:30, 12:31

Governing documents, § 1:36

Master planned communities, § 10:13

Pet provisions, § 22:66

Project documents. **Owners Associations** (this index)

Public reports. **Subdivided Lands Act** (this index)

Subdivision Map Act, §§ 12:143, 12:158

AMENITIES

Time Share Act of 2004, § 7:59

AMERICAN ARBITRATION ASSOCIATION

Generally, § 21:119

AMERICANS WITH DISABILITIES ACT

Generally, § 14:46
Restrictive covenants, § 22:45

ANIMALS

Pets, §§ 22:63 to 22:67 Restrictions on, § 22:67

ANNEXATION AND DE-ANNEXATION

Growth control measures, effect on development agreements, § 12:86

Master planned communities, § 10:26 Phased Projects (this index)
Subdivision and planning process,

§ 12:12

ANNUAL FEES

Continuing care retirement communities, reporting requirements, § 6:73

ANNUAL REPORTS

Continuing care retirement communities, §§ 6:71, 6:72

ANTENNAS

Restrictive Covenants (this index)

ANTI-SLAPP

Generally, §§ 21:16, 21:28

ANTITRUST LAW

Owners associations, liability of developers, § 21:13

APARTMENTS

Community Apartments (this index)

Time-shares, § 7:10

APPEAL AND REVIEW

California Coastal Act, § 12:253 Conversions, rights of tenants, § 17:69

Environmental Quality Act of California (this index)

APPEAL AND REVIEW—Cont'd

Owners association operation review by bulk purchaser, § 19:109 Review process. **Development and Construction** (this index) Subdivision Map Act, §§ 12:115, 12:146

APPOINTMENT

Continuing care retirement communities, rehabilitation, liquidation, or dissolution of facility, § 6:95

Owners associations, first directors, § 18:60

APPROVAL

Consent or Approval (this index)

ARBITRATION

Alternative Dispute Resolution (this index)

ARBITRATION ACT OF CALIFORNIA

Generally, § 21:118

ARCHEOLOGICAL RESTRICTIONS

Growth control measures, § 12:73

ARCHITECTS AND

ARCHITECTURAL CONTROL Liability for negligence, §§ 21:81,

21:82
Master planned communities, § 10:23
Phased projects, § 11:47
Restrictive Covenants (this index)

AREA MEDIAN INCOME

Generally, § 12:28

ARTICLES OF INCORPORATION

Forms

owners association, § 24:7 restated articles of incorporation, § 24:9

Owners associations, §§ 18:16, 18:49, 18:55, 24:7

ARTIFICIAL TURF

Generally, § 22:55

ASSESSMENTS

California Coastal Act, § 12:251

ASSESSMENTS—Cont'd

Commercial/industrial condominiums, § 3:32

Funding disclosure summary, assessment and reserve, § 24:14

Live-work projects, § 9:23

Owners Associations (this index)

Phased projects, §§ 11:2, 11:48

Planned developments, §§ 4:23, 4:24

Subdivided Lands Act, **§§ 15:41, 15:85**

Subdivision Map Act, final subdivision maps, §§ 12:132, 12:138

Taxation, owners associations, §§ 23:2, 23:3

Unequal allocation, owners associations, § 19:35

ASSIGNMENTS

Use and occupancy, § 22:21

ASSISTED LIVING

Continuing care retirement communities, § 6:8

ASSOCIATION

Owner's Association (this index)

ASSUMPTION OF RISK

Defenses of association and directors, § 21:63

ATTORNEY FEES

California Environmental Quality Act, § 12:231

Owners associations, **§§ 19:71**, **21:110**

contract to pay fees, § 21:49 Prevailing party, § 21:110 Restrictive covenants, § 22:96

Subdivided Lands Act violations,

§ 15:92

ATTORNEYS

Attorney-client privilege, § 21:49 Board meetings, § 21:49 Fees. Attorney Fees (this index)

Insurance, Cumis counsel, § 20:72 Secondary mortgage market,

attorney's opinion letters

discussion, § 13:20

forms, §§ 24:33, 24:34

AUTOMOBILES

Motor Vehicles (this index)

AUXILIARY STRUCTURES

Insurance, § 20:20

BAD FAITH

Good Faith (this index)

BALCONIES

Maintenance, § 3:47

BALKANIZATION

Master planned communities, § 10:15

BALLOTS

Owners associations, inspection of ballots, §§ 18:64, 19:13

BANK ACCOUNTS

Owners associations, § 19:96

BANKRUPTCY

Associations, § 21:17 Delinquent assessments, § 19:67 Statute of limitations, § 21:87 Time-share projects, § 7:36

BANNERS

Generally, § 1:4 Restrictive covenants, §§ 22:61, 22:62

BCDC

Generally, §§ 16:24, 22:2

BELOW-MARKET-RATE PROGRAMS

Subdivision and planning process, §§ 12:18, 12:19

BIDS AND BIDDING

Insurance polices, § 20:68

BINDING ARBITRATION

Generally, § 21:117

BLANKET ENCUMBRANCES

Disclosure requirements, § 16:24 Stock cooperatives, § 5:9

Subdivided Lands Act (this index)

BLOCK SYSTEM

Phased projects, § 11:10

BLUE MONDAY PROGRAM

Time-share projects, § 7:22

BLUE SKY LAW

Generally, § 16:65

BOARD OF DIRECTORS

Owners Associations (this index)

BOILER INSURANCE

Generally, § 20:13

BONDS AND UNDERTAKINGS

Continuing care retirement communities, § 6:74

Development and construction, § 14:33

Owners associations, § 19:23

Phased projects, §§ 11:6, 11:33

Subdivided Lands Act, § 15:61

Subdivided Lands Act (DRE form RE 621 procedure), § 15:50

Subdivision Map Act, final subdivision maps, § 12:132

BONUS TIME

Time-share projects, § 7:21

BOOKS AND RECORDS

See also **Records and Reports** (this index)

Time Share Act of 2004, § 7:84

BOUNDARIES

Condominiums, § 3:14

BRIDGE LOANS

Generally, § 13:4

BUDGETS

Continuing care retirement communities, deposit agreements, § 6:42

Owners Associations (this index)

Phased projects, §§ 11:29, 11:49

Subdivided Lands Act (this index)

Time Share Act of 2004, § 7:66

BUILDER

Generally, §§ 21:75, 21:76

BUILDING CODES

Conversions, § 17:15

Development and Construction (this index)

BUILDING CODES—Cont'd

Failure to comply, § 21:75

Planned developments, application of Uniform Building Code, § **4:4**

BUILDING PERMITS

Conditions for obtaining, §§ 12:92, 14:17

Development and Construction

(this index)

Energy standards and disclosures, § 14:57

Subdivision and planning process, § 12:57

BULK PURCHASER

Owners associations, operation of troubled projects, §§ 19:108, 19:109

BUREAU OF CONSUMER FINANCIAL PROTECTION (BCFP)

Generally, § 16:25

BUREAU OF REAL ESTATE

Department of Real Estate (DRE)/ Bureau of Real Estate (BRE) (this index)

BUSINESS JUDGMENT RULE

Owners associations, §§ 3:48, 18:58, 21:65

Restrictive covenants, § 22:90

BYLAWS

Master planned communities, § 10:14

Owners Associations (this index)

Residential/commercial projects, § 9:10

Stock cooperatives, § 5:6

CABLE TELEVISION

Owners associations, § 19:81

CABLE TV INSTALLATION CONTRACT

Forms, § 24:30

CALDERON ACT

Generally, § 21:76

CALIFORNIA BUDGET WORKSHEET

Forms, § 24:13

CALIFORNIA COASTAL ACT

Coastal Act of California (this index)

CALIFORNIA ENVIRONMENTAL QUALITY ACT

Environmental Quality Act of California (this index)

CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT

Fair Employment and Housing Act of California (this index)

CANCELLATION

Continuing care retirement communities, contracts for continuing care, §§ 6:59, 6:60
Time-share projects, § 7:27

CAPACITY TO SUE

Standing and Capacity to Sue (this index)

CARRY-BACK FINANCING

Generally, § 13:8

CASUALTY INSURANCE

Generally, §§ 20:3, 20:41

CASUALTY LOSSES

Taxation, § 23:34

CATASTROPHIC DESTRUCTION

Owners associations, troubled projects, § 19:103

CEOA

Environmental Quality Act of California (this index)

CERTIFICATES AND CERTIFICATION

Continuing Care Retirement Communities (this index)

Energy standards and disclosures, § 14:54

Environmental impact report, § 12:219

CERTIFICATES AND CERTIFICATION—Cont'd

Owners associations, §§ 18:23, 19:98

CERTIFICATES OF COMPLIANCE Generally, §§ 12:163, 12:166, 12:167

CERTIFICATES OF CORRECTION

Subdivision Map Act, § 12:144

CERTIFIED COMMON INTEREST DEVELOPMENT MANAGERS

Generally, §§ 19:8, 19:76

CHANGED CONDITIONS OR CIRCUMSTANCES

Owners associations liability of developers, § 21:9 owner/member, § 22:86 Restrictive covenants, § 22:98

CHARTER CITIES

Generally, § 12:13

CIRCULATION

Circulation element, general plans, § 12:23

CIVIL ENGINEER

Land surveyor, § 12:127

CIVIL RIGHTS

City liability for denial of due process, § 12:178A

Discrimination. See specifc entries throughout this topic

Owners associations, §§ 21:92 to 21:94

Renter discrimination practices, § 22:19

Restrictive covenants, § 22:20

Sales and purchases, § 16:44

Subdivision Map Act, regulatory takings, § 12:179

Unruh Civil Rights Act (this index)

CLASS ACTIONS

Owners associations, § 21:40 Restrictive covenants, § 22:83

CLERICAL ERROR

Generally, § 18:51

CLOSINGS	COMMERCIAL COMMON
Sales and Purchases (this index)	INTEREST DEVELOPMENTS
COASTAL ACT OF CALIFORNIA	—Cont'd
Generally, §§ 12:236 to 12:254	Combined residential/commercial
Appeal, § 12:253	condominium projects, § 8:5 Commercial/industrial
Assessment reductions, § 12:251	condominiums, § 8:4
Coastal zone area, § 12:240	Condominiums (this index)
Constitutionality of act, § 12:239	Conversions to commercial/office
Conversions, §§ 12:252, 17:8	condominium, § 8:10
Development agreements, § 12:247	Davis-Stirling Common Interest
Exemptions, § 12:245	Development Act, application
Findings, § 12:248	of, § 8:12
Housing requirements, § 12:246	Design and operation
Implementation of local coastal	generally, §§ 8:7 to 8:10
programs, § 12:242	condominium or planned develop- ment project, § 8:9
Judicial review, § 12:253	conversions to commercial/office
Legal framework generally, §§ 1:9, 12:236 to	condominium, § 8:10
12:241	flexible space systems, § 8:7
coastal zone area, § 12:240	grid system, § 8:8
constitutionality of act, § 12:239	Flexible space systems, § 8:7
regulatory provisions, § 12:238	Grid system, § 8:8
State Coastal Commission,	Legal framework
§ 12:237	generally, §§ 8:11 to 8:13
Local coastal programs, §§ 12:242 to	Davis-Stirling Common Interest
12:254	Development Act, application
Penalties, § 12:254	of, § 8:12
Permit requirements, § 12:243	Subdivided Lands Act, exemption from, § 8:13
Planning of local coastal programs, § 12:242	Subdivision Map Act, application
Public access, § 12:250	of, § 8:11
Regulatory provisions, § 12:238	Loft condominium projects, § 8:5
Standards for development, § 12:244	Office condominiums, § 8:2
State Coastal Commission, § 12:237	Operation. Design and operation,
Subdivision and planning process,	above
§ 12:5	Planned Developments (this index)
Vested rights, § 12:249	Research and industrial parks, § 8:6
CO-INSURANCE	Residential/Commercial Projects (this index)
Generally, § 20:65	Retail condominiums, § 8:3
·	Subdivided Lands Act, exemption
COMMERCIAL AND INDUSTRIAL	from, § 8:13
COMMON INTEREST	Subdivision Map Act, application of,
DEVELOPMENT ACT	§ 8:11
Definitions, § 2:3	Use and occupancy limitations, busi-
COMMERCIAL COMMON	ness, § 22:15
INTEREST DEVELOPMENTS	COMMITTEES
Generally, §§ 1:21, 8:1 to 8:13	Owners associations, §§ 18:68, 19:17

COMMON AREAS

Adverse possession, § 1:44
Assertion of common area development rights, § 1:44
Division of ownership, § 3:5

Duty to maintain, § 21:18

Easements

equitable and prescriptive, § 1:44 exclusive use, § 4:15

Equitable easements, § 1:44

Exclusive Use Common Areas (this index)

Maintenance and repair, §§ 3:47 to 3:51

Master planned communities, § 10:20 Owners Associations (this index)

Planned Developments (this index)

Possessory rights, assertion of, § 1:44

Property tax assessments, transfer of undivided interests to association, § 23:58

Restricted common areas, §§ 2:33, 3:15, 4:15, 9:19

Stock cooperatives, § 5:1

Telephonic meetings, posting following, § 18:85

Use and occupancy, § 22:22

COMMON INTEREST DEVELOPMENT OPEN MEETING ACT

Owners associations, § 19:4

COMMUNICATIONS

Time Share Act of 2004, § 7:54

COMMUNITY APARTMENT PROJECT

Defined, § 2:7

COMMUNITY APARTMENTS

Generally, §§ 1:17, 8:14 Conversions to condominiums, §§ 17:28 to 17:30

Insurance, § 20:39

Property tax assessments, § 23:56 Subdivision Map Act, § 12:159

COMMUNITY ASSOCIATIONS

Generally, §§ 1:37, 1:38

COMMUNITY REDEVELOPMENT LAW

Subdivision and planning process, § 12:6

COMPARATIVE FAULT

Owners associations, § 21:109 Restrictive covenants, § 22:108

COMPENSATION

Completion of improvement, § 12:140

Owners associations, directors, § 18:67

COMPROMISE OR SETTLEMENT

California Environmental Quality Act, § 12:233

Construction defect litigation, § 21:77

Eminent domain, § 21:97

CONDEMNATION

Eminent Domain (this index)

CONDITIONAL APPROVAL

Subdivision Map Act, tentative subdivision maps, § 12:110

CONDITIONAL PERMITS

California Environmental Quality Act, § 12:234

Conversions, § 17:19

Subdivision and planning process, local government regulation, § 12:54

CONDITIONAL PUBLIC REPORTS

Subdivided Lands Act, § 15:67

CONDOMINIUMS

Generally, §§ 1:14, 3:1 to 3:57

Acquisition financing, § 3:20

Allocation of assessments and votes, commercial/industrial condominiums, § 3:32

Allocation of undivided interest in common area, § 3:5

Amendments to plan of condominium, § 3:40

Assessments, commercial/industrial condominiums, § 3:32

Boundaries, § 3:14

CONDOMINIUMS—Cont'd Characteristics, § 3:2	CONDOMINIUMS—Cont'd Eminent domain, § 21:99
Commercial/industrial condominiums	Enabling declarations
generally, §§ 3:29 to 3:34, 8:9	generally, §§ 3:43 to 3:52
allocation of assessments and	•
votes, § 3:32	basic provisions, § 3:44
Davis-Stirling Common Interest	Department of Real Estate criteria, § 3:45
Development Act, exemption	· ·
from, § 3:31	duty of association to maintain and repair, § 3:48
flexible space, § 3:33	entry, rights of, § 3:50
permitted uses, § 3:34	insurance policies and coverage,
special provisions, § 3:34	§ 3:52
Subdivided Lands Act, exemption	maintenance provisions, §§ 3:47 to
from, § 3:30	3:51
Subdivision Map Act, exemption	statutory requirements, § 3:43
from, § 3:30	subordination clause, § 3:46
Common areas. Undivided interest in	telephone wiring, § 3:49
common area, below Condominium and Cooperative	wood-destroying pests or organ-
Abuse Relief Act, conversions,	isms, § 3:51
\$\\$ 5:4, 17:9	Entry, rights of, § 3:50
Construction defect litigation, § 1:41	Exclusive use common areas, § 3:15
Continuing care retirement communi-	Flexible space, commercial/industrial condominiums, § 3:33
ties, § 6:17	Formation, § 3:3
Conveyance of first unit, §§ 3:53,	Forms (this index)
3:54	Freddie Mac leasehold condominium
Cooperatives, comparison with, § 5:2	requirements, § 3:28
Creation of condominium projects	Ground lease, § 3:26
generally, §§ 3:35 to 3:54	Homestead exemption, § 3:22
conveyance of first unit, §§ 3:53,	Improvements
3:54	interior alterations or improve-
enabling declarations, below	ments, § 3:17
mechanics' liens, conveyance of	leasehold condominiums, removal
first unit, § 3:54	of improvements, §§ 3:17,
plan of condominium, below	3:25
subdivision maps, below	Industrial condominiums.
Davis-Stirling Common Interest	Commercial/industrial
Development Act, §§ 1:14, 3:31	condominiums, above
Defined, §§ 2:8, 3:1	Insurance, §§ 3:52, 20:36
Department of Real Estate criteria, enabling declarations, § 3:45	Interior improvements or alterations, § 3:17
Description, § 3:13	Leasehold condominiums
Dirtless Condominiums (this index)	generally, §§ 3:23 to 3:28
Disabled persons, §§ 3:18, 3:19	Freddie Mac leasehold condomin-
Elements	ium requirements, § 3:28
generally, §§ 3:4 to 3:34	ground lease, § 3:26
separate interest in unit, below	mortgage revenue bonds, § 3:24
undivided interest in common area,	removal of improvements, § 3:25
below	termination, § 3:27

CONDOMINIUMS—Cont'd	CONDOMINIUMS—Cont'd
Leasing restrictions, § 22:19	Separate interest in unit—Cont'd
Lien-free title, undivided interest in	commercial/industrial
common area, § 3:11	condominiums, above
Maintenance provisions, §§ 3:47 to	description, § 3:13
3:51	disabled persons, §§ 3:18, 3:19
Management of project, owners associations, § 3:55	exclusive use common areas, § 3:15
Mechanics' liens, conveyance of first unit, § 3:54	homestead exemption, § 3:22 interior improvements or altera-
Modifications to provide access for	tions, § 3:17
disabled persons, § 3:18	leasehold condominiums, above
Mortgage revenue bonds, leasehold condominiums, § 3:24	modifications to provide access for disabled persons, § 3:18
Multiple common areas, § 3:8	nonexclusive easements, § 3:16
Noncontiguous property, owners	property taxes, § 3:21
associations, § 3:56	Shelf condominiums, § 21:85
Nonexclusive easements, § 3:16	Statutory scheme, evolution of, § 1:3
Owners associations	Stock cooperatives, compared, § 5:2
generally, §§ 3:55 to 3:57	Structure not required, § 3:2
duty to maintain and repair, § 3:48	Subdivision Map Act (this index)
management of project, § 3:55	Subdivision maps
noncontiguous property, § 3:56	generally, §§ 3:35 to 3:38
tort liability, § 3:57	local ordinance requirements,
Partition, common areas, § 3:12	§ 3:38
Phased projects, §§ 3:9, 11:17	local regulatory power, § 3:37
Plan of condominium	Subdivision Map Act (this index)
generally, §§ 3:39 to 3:42	variations, § 3:36
amendments, § 3:40	Subordination clause, § 3:46
dirtless condominiums, § 3:41	Telephone wiring, § 3:49
plandominiums, § 3:42	Termination of leasehold
Plandominiums, § 3:42	condominiums, § 3:27
Property taxes, §§ 3:21, 23:53, 23:55	Time-share projects, §§ 7:7, 7:8
Removal of improvements, leasehold	Title to unit, § 1:14
condominiums, § 3:25	Tort liability, §§ 3:10, 3:57
Rent control ordinances, applicability, § 17:32	Undivided interest in common area generally, §§ 3:4 to 3:12
Residential/Commercial Projects	allocation, § 3:5
(this index)	interest appurtenant, § 3:6
Restrictions on use of common areas,	lien-free title, § 3:11
§ 3:7	multiple common areas, § 3:8
Ruoff case, § 3:57	partition, § 3:12
Separate interest in unit	phased projects, § 3:9
generally, §§ 3:13 to 3:34	restrictions on use, § 3:7
acquisition financing, § 3:20	tort liability, §§ 3:10, 3:57
boundaries, § 3:14	Unit owner liability, § 3:57
characteristics, § 3:2	Variations, subdivision maps, § 3:36

CONDOMINIUMS—Cont'd

Vertical top and bottom dimensions, § 3:2

Votes, commercial/industrial condominiums, § 3:32

Window coverings, § 3:17

Wood-destroying pests or organisms, § 3:51

Zoning, § 12:42

CONFIDENTIALITY

Construction defects, settlement, § 21:77

CONFLICT OF INTEREST

Owners associations, liability of developers, § 21:11

CONGREGATE HOUSING

Continuing care retirement communities, § 6:2

CONSENT OR APPROVAL

California Environmental Quality Act, § 12:227

Continuing care retirement communities, sale of, § 6:67

Conversions, §§ 17:27, 17:30

Deemed Approval (this index)

Defenses of association and directors, § 21:63

Development and construction, §§ 14:1, 14:10 to 14:12

Master planned communities, § 10:11

Owners Associations (this index)

Phased projects, annexation, § 11:27

Subdivision Map Act, §§ 12:110,

12:111, 12:114, 12:120 to 12:123, 12:133 to 12:142

CONSERVATION

Conservation element, general plans, § 12:23

CONSOLIDATED MEETINGS

Owners associations, board of directors, § 18:83

CONSTITUTIONAL LAW

California Coastal Act, § 12:239
Owners associations, due process, § 21:15

CONSTITUTIONAL LAW—Cont'd

Restrictive covenants, due process, §§ 22:10, 22:79

Subdivision Map Act civil rights, § 12:179 due process remedies, § 12:179 equal protection, § 12:178

CONSTRUCTION

Development and Construction (this index)

CONSTRUCTION DEFECTS

Generally, §§ 21:69 to 21:87 Arbitration of disputes, § 22:75 Building codes, failure to comply, § 21:75

Calderon Act, § 21:76

Class actions, § 21:40

Contingency funds, breach of warranty, § 21:80

Converted units, sales of, §§ 17:78, 17:79

Defendant, general considerations, §§ 21:83 to 21:91

Disclosures regarding settlement, § 21:77

Dissolved corporation, action against, § 21:72

Fix-It bill. **SB 800** (this index)

Homebuilders Right to Repair law. **SB 800** (this index)

Indemnification, § 21:90

Insurance, §§ 21:78, 21:91

Latent vs. patent defects, § 21:88

Minimization of litigation, § 21:89

Mini-trials, § 21:126

Negligence, §§ 21:81, 21:82

Operation and management, § 1:41

Opting out, § 21:75

Owners associations, troubled projects, §§ 19:112, 19:116

Parties to litigation, generally,

§§ 21:69 to 21:77, 21:83 to 21:91

Plaintiff, general considerations, §§ 21:69 to 21:77

Sales and purchases, disclosure requirements, §§ 16:22, 16:23

SB 800 (this index)

CONSTRUCTION DEFECTS

-Cont'd

Set-aside funds, breach of warranty, § 21:80

Settlement, § 21:77

Standing to sue, § 21:71

Statutes concerning litigation, §§ 21:70, 21:74

Statutes of limitation or repose, §§ 18:62, 21:87

Strict liability, §§ 21:81, 21:82

Taxation, § 23:3

Tender of defense to insurance company, § 21:78

Time limits for making claims, §§ 18:62, 21:87

Warranty, breach of, § 21:78

CONTESTING DEVELOPMENT **FEES**

Subdivision Map Act, § 12:150

CONTINGENCY FUNDS

Construction defect litigation, breach of warranty, § 21:80

CONTINUING CARE RETIREMENT **COMMUNITIES**

Generally, §§ 6:1 to 6:102

Advertising requirements, permits to sell deposit subscriptions, § 6:31

Affiliate organization, permits to sell deposit subscriptions, § 6:31

Alzheimer's, § 6:10

Annual fee for provider, reporting requirements, § 6:73

Annual financial report, §§ 6:71, 6:72 Applications, permits to sell deposit subscriptions, §§ 6:25 to 6:35

Appointment of administrator, rehabilitation, liquidation, or dissolution of facility, § 6:95

Approval of sale by Department of Social Services, § 6:67

Assisted living, § 6:8

Bonding against loss of funds, § 6:74 Budgets, deposit agreements, § 6:42 Cancellation of contracts for continuing care, §§ 6:59, 6:60

CONTINUING CARE RETIREMENT

COMMUNITIES—Cont'd

Certificates of authority generally, §§ 6:53 to 6:55 final certificate of authority, § 6:54 nontransferability, § 6:55 provisional certificate of authority, § 6:53

Civil penalties, § 6:92

Community resource/philanthropic projects, § 6:13

Compensation and liability of administrator, rehabilitation, liquidation, or dissolution of facility, § 6:97

Completion of projects. Construction and completion of projects, below

Condominiums, § 6:17

Construction and completion of proj-

generally, §§ 6:49 to 6:52 conversion of buildings, § 6:50 failure to commence construction, § 6:51

failure to meet financial projections, § 6:52

prerequisites, § 6:49

Contracts for continuing care generally, §§ 6:56 to 6:62 cancellation of contract, §§ 6:59, 6:60

fees charged during cancellation period, § 6:60

fees for resale or transfer, § 6:62 formal requirements, § 6:56

involuntary transfer of resident. § 6:57

refunds, § 6:61

sale or lease of equity interest, restrictions on, § 6:58

Conversion of buildings, § 6:50

Custom items, deposit agreements, § 6:41

Deficiencies noted by Department of Social Services, § 6:88

Defined, § 2:11

Dementia, § 6:10

CONTINUING CARE RETIREMENT COMMUNITIES—Cont'd	CONTINUING CARE RETIREMENT COMMUNITIES—Cont'd
Deposit agreements	authority, § 6:84
generally, §§ 6:40 to 6:48	For-profit projects, § 6:14
budgets, § 6:42	Identification of affiliate organization,
escrow accounts, below	permits to sell deposit subscrip-
form of agreement, § 6:42	tions, § 6:31
payments, § 6:40	Independent retirement living or
permits to sell deposit subscrip-	congregate housing, § 6:2
tions, below	Injunctive relief, § 6:93
project fees, § 6:42	Inspection of records, § 6:75
refunds, § 6:43	Insurance against loss of funds,
upgrades or custom items, § 6:41	§ 6:74
Disaster preparedness plan, § 6:102	Interest on funds, escrow accounts,
Dissolution of facility. Rehabilitation,	§ 6:48
liquidation, or dissolution of	Investment
facility, below	escrow accounts, § 6:48
Earnings on funds, escrow accounts,	reserve funds, § 6:79
§ 6:48	Involuntary transfer of resident,
Encumbrance of funds, escrow	contracts for continuing care,
accounts, § 6:47	§ 6:57 Legal framework
Equitable relief, § 6:93	•
Equity projects, § 6:12	generally, §§ 6:19 to 6:24 priority of continuing care contract
Escrow accounts	restrictions over limitation on
generally, §§ 6:44 to 6:48	age restrictions, § 6:23
earnings and interest on funds, § 6:48	regulatory provisions, §§ 6:21,
encumbrance of funds, § 6:47	6:22
investment of funds, § 6:48	residents' role in governance,
offenses and penalties, § 6:90	§ 6:24
release of funds to applicants,	statutory exemption, § 6:20
§ 6:46	statutory preemption from regula-
terms and provisions of agree-	tions, § 6:22
ments, § 6:45	statutory requirements for licenses
Evidence of preliminary approval for	and permits, § 6:19
licensure, permits to sell deposit	Licenses, statutory requirements,
subscriptions, § 6:29	§ 6:19
Expansion of facility, § 6:101	Lien to secure performance, § 6:89
Fees	Life care retirement communities,
contracts for continuing care,	§ 6:5
§§ 6:60, 6:62	Liquidation of facility. Rehabilitation,
permits to sell deposit subscrip-	liquidation, or dissolution of
tions, § 6:32	facility, below
Filing of application, permits to sell	Market feasibility testing, permits to
deposit subscriptions, § 6:27	sell deposit subscriptions, § 6:26
Final certificate of authority, § 6:54	Meals, § 6:7
Forfeiture of permit to sell deposit	Medical care, § 6:10
subscriptions or certificate of	Name, change of, §§ 6:37, 6:38

CONTINUING CARE	CONTINUING CARE
RETIREMENT	RETIREMENT
COMMUNITIES—Cont'd	COMMUNITIES—Cont'd
Nontransferability of certificates of	Permits to sell deposit subscriptions
authority, § 6:55	generally, §§ 6:25 to 6:39
Notice	advertising requirements, § 6:31
permits to sell deposit subscrip-	applications, §§ 6:25 to 6:35
tions, below	changes in permits, §§ 6:37 to
sale or transfer of facility, §§ 6:64	6:39
to 6:66, 6:68	contents of application, § 6:28
Nursing services, § 6:9	evidence of preliminary approval
Offenses and penalties	for licensure, § 6:29
generally, §§ 6:83 to 6:94	fees, § 6:32
civil penalties, § 6:92	filing of application, § 6:27
deficiencies noted by Department of Social Services, § 6:88	grounds for denial of application, § 6:34
escrow account, reestablishment of, § 6:90	identification of affiliate organization, § 6:31
forfeiture of permit to sell deposit subscriptions or certificate of	issuance and duration of permits, § 6:35
authority, § 6:84	market feasibility testing, § 6:26
injunctive or other equitable relief,	name, change of, §§ 6:37, 6:38
§ 6:93	notice
lien to secure performance, § 6:89	limitation on transfer, § 6:30
prosecution of actions, § 6:94	material change to application,
rescission, right of, §§ 6:85, 6:86	§ 6:33
statute of limitations, § 6:87	proposed changes, § 6:39
suspension or revocation of permit or certificate, § 6:91	organization change or change in name of provider, § 6:37
violation of statute, § 6:83	processing of application, §§ 6:33
Ownership alternatives	to 6:35
generally, §§ 6:11 to 6:18	proposed changes, § 6:39
community resource/philanthropic	suspension of permits, § 6:36 time limits, processing of applica-
projects, § 6:13	tion, § 6:33
condominiums, § 6:17	Priority of continuing care contract
equity projects, § 6:12	restrictions over limitation on
forms of ownership, §§ 6:15 to	age restrictions, § 6:23 Processing of application, permits to
6:18	sell deposit subscriptions,
for-profit projects, § 6:14	§§ 6:33 to 6:35
ownership vs. rental	Project fees, deposit agreements,
considerations, § 6:18	§ 6:42
project models, §§ 6:11 to 6:14	Provisional certificate of authority,
stock cooperatives, § 6:16	§ 6:53
Payments, deposit agreements, § 6:40	Recordation of notice of limitation on
Penalties. Offenses and penalties,	transfer, § 6:66
above	Refunds
Permits, statutory requirements, § 6:19	contracts for continuing care, § 6:61

CONTINUING CARE	CONTINUING CARE
RETIREMENT	RETIREMENT
COMMUNITIES—Cont'd	COMMUNITIES—Cont'd
Refunds—Cont'd	Residents' rights, § 6:24
deposit agreements, § 6:43	Sale or transfer of facility
reserve requirements, §§ 6:80,	generally, §§ 6:63 to 6:69
6:81 Regulatory provisions, §§ 6:21, 6:22	approval of sale by Department of Social Services, § 6:67
Rehabilitation, liquidation, or dissolution of facility	contracts for continuing care, § 6:58
generally, §§ 6:95 to 6:100	Department of Social Services,
appointment of administrator,	§§ 6:64, 6:67
§ 6:95	notice, §§ 6:64 to 6:66, 6:68
compensation and liability of	presale notice, §§ 6:64, 6:65
administrator, § 6:97	recordation of notice of limitation
liquidation or dissolution of facil-	on transfer, § 6:66
ity, § 6:100	residents and subscribers, presale
powers of administrator, § 6:96	notice to, § 6:65
termination of administrator, § 6:98	transferee, requirements imposed on, § 6:69
termination of rehabilitation of	Services provided
facility, § 6:99	generally, §§ 6:6 to 6:10
Release of funds to applicants,	assisted living, § 6:8
escrow accounts, § 6:46	meals, § 6:7
Reporting requirements	medical care, § 6:10
generally, §§ 6:70 to 6:75	nursing, § 6:9
annual fee for provider, § 6:73	Statute of limitations, § 6:87
annual financial report, §§ 6:71, 6:72	Statutory exemption, § 6:20
approval of proposed financing by	Statutory preemption from regulations, § 6:22
Department of Social Services, § 6:70	Stock cooperatives, § 6:16
exemption from obligation to file	Suspension or revocation of permit or certificate, §§ 6:36, 6:91
annual audited report, § 6:72	Termination of administrator, rehabil-
inspection of records, § 6:75 insurance or bonding against loss of funds, § 6:74	itation, liquidation, or dissolution of facility, § 6:98
proposed financing, § 6:70	Termination of rehabilitation of facil-
Rescission, right of, §§ 6:85, 6:86	ity, § 6:99
Reserve requirements	Time limits, processing of application
generally, §§ 6:76 to 6:82	for permit to sell deposit
amount of reserve funds, § 6:78	subscriptions, § 6:33
· -	Transfer of facility. Sale or transfer of
CID reserves, distinguished, § 6:82	facility, above
deposit in California, § 6:77	Types of retirement communities,
investment of reserve funds, § 6:79	§§ 6:1 to 6:5
refunds, §§ 6:80, 6:81	Upgrades, deposit agreements, § 6:41
Resident council, § 6:24	CONTINUING NIUGANGE
Residential care facility for the	CONTINUING NUISANCE
elderly, § 6:3	Restrictive covenants, § 22:85

CONTRACTORS

Development and Construction (this index)

CONTRACTS AND AGREEMENTS

Continuing Care Retirement Communities (this index)

Owners Associations (this index) Time Share Act of 2004, §§ 7:75, 7:78

CONVERSIONS

Generally, §§ 17:1 to 17:80

Affordable housing program requirements, sales of converted units, § 17:75

Agreement between subdivider and local agency, § 17:22

Anti-conversion local ordinances, § 17:11

Appeal from local agency decision, rights of tenants, § 17:69

Approval by owners, §§ 17:27, 17:30

Building codes, § 17:15

Building plans, § 17:37

California Coastal Act, §§ 12:252, 17:8

California Environmental Quality Act, §§ 12:199, 17:7

Checklists, § 17:36

Combination of units, § 17:38

Commercial/office condominium, § 8:10

Community apartment conversions to condominiums, §§ 17:28 to 17:30

Conditional use permits, local authority, § 17:19

Construction defects, sales of converted units, §§ 17:78, 17:79

Continuing care retirement communities, § 6:50

Dedication and in-lieu fee payments, local authority, § 17:16

Definition, § 17:1

Department of Real Estate regulations, § 17:6

Development and construction, § 14:5

CONVERSIONS—Cont'd

Disclosures, §§ 16:24, 17:34, 17:72, 17:73

Division of units, § 17:39

Economic considerations, § 17:2

Escrow conditions, sales of converted units, § 17:76

Exclusive purchase rights, rights of tenants, § 17:65

Existing leases, § 17:40

Existing subdivision interests disclosure, § 17:73

Federal Condominium and Cooperative Abuse Relief Act, § 17:9

Final map, ten-day notice to existing tenants of approval of, § 17:48

Floating home marinas, notice requirements, § 17:57

Growth control measures, §§ 12:68, 12:83

In-lieu fee payments, local authority, § 17:16

Inspection reports, sales of converted units, § 17:77

Intent to convert, notice, §§ 17:51, 17:52

Intention to sell units to general public, ninety-day notice to prospective tenants, § 17:55

Legal documents, § 17:41

Legal framework

generally, §§ 17:4 to 17:9

California Coastal Act, § 17:8

California Environmental Quality Act, § 17:7

Department of Real Estate, § 17:6

federal Condominium and Cooperative Abuse Relief Act, § 17:9

Subdivided Lands Act, § 17:5

Subdivision Map Act, §§ 17:4, 17:26, 17:29

Local authority

generally, §§ 17:10 to 17:24

agreement between subdivider and local agency, § 17:22

anti-conversion ordinances, § 17:11

bases for conversion restrictions, §§ 17:12 to 17:24

CONVERSIONS—Cont'd CONVERSIONS—Cont'd Local authority—Cont'd Notice to existing tenants—Cont'd intent to convert and termination of building codes, § 17:15 conditional use permits, granting tenancy, one hundred eightday notice of, § 17:51 of, § 17:19 conditions for approval, § 17:10 public report ninety-day notice of issuance of dedication and in-lieu fee payfinal report and exclusive ments, § 17:16 general plan, conflict with, § 17:20 right to purchase, § 17:50 moratoriums on conversions, ten-day notice of application for, § 17:21 § 17:49 notice requirements, § 17:61 tentative map parking ratios, § 17:17 notice by local agency of public hearings on, § 17:47 storage area, amount available, § 17:18 sixty-day notice of filing, § 17:46 subdivision regulation, § 17:14 tenants, adverse impact on, § 17:23 Notice to prospective tenants transit facilities, § 17:24 generally, §§ 17:52 to 17:55 vacancy rate formulas, § 17:12 conversion after final map zoning, § 17:13 approval, § 17:54 Mobilehome park tenants, notice intent to convert, sixty-day notice, requirements, § 17:57 § 17:52 Moratoriums on conversions, § 17:21 intention to sell units to general Notice requirements public, ninety-day notice, generally, §§ 17:45 to 17:62 § 17:55 combining conversion notices, tentative map approval to convert, § 17:59 § 17:53 existing tenants. Notice to existing Owners associations, troubled projtenants, below ects, § 19:107 failure to give conversion notice, Parking ratios, § 17:17 effect of, § 17:60 Phased conversions, § 17:44 local government requirements, Preexisting condominiums operated § 17:61 as rental projects, §§ 17:31 to mobilehome park tenants, § 17:57 17:33 preexisting condominiums oper-Process for conversions, §§ 17:35 to ated as rental projects, sale of 17:44 units, § 17:33 Project budget, § 17:42 prospective tenants. Notice to pro-Public hearings, § 17:56 spective tenants, below Public policy, § 17:10 public hearings, § 17:56 service of notice, § 17:62 Public report, notice to existing tenants, §§ 17:49, 17:50 Subdivision Map Act requirements, § 17:45 Relocation expenses payment, rights of tenants, § 17:68 timing of conversion notices, § 17:58 Sales of converted units Notice to existing tenants generally, §§ 17:70 to 17:80 generally, §§ 17:46 to 17:51 affordable housing program final map, ten-day notice of requirements, conflict with, approval of, § 17:48 § 17:75

CONVERSIONS—Cont'd CONVERSIONS—Cont'd Tentative map, notice, §§ 17:46, Sales of converted units—Cont'd 17:47, 17:53 construction defects, §§ 17:78, 17:79 Timing of conversion notices, § 17:58 disclosure requirements, §§ 17:72, 17:73 Transit facilities, § 17:24 escrow conditions, § 17:76 Vacancy rate formulas, § 17:12 inspection reports, § 17:77 Vested conversion rights, § 17:43 preexisting construction defects, Waiver of purchase rights of tenants, § 17:79 § 17:66 tenancy-in-common conveyance, Warranty disclaimers, sales of inapplicability of conversion converted units, § 17:80 rent control ordinance to, Zoning, § 17:13 § 17:74 tenants as potential purchasers, **COOPERATIVES** § 17:71 **Stock Cooperatives** (this index) warranty disclaimers, § 17:80 COSTA-HAWKINS ACT SB 800, inapplicability, § 17:78 Generally, § 17:43 Service of notice, § 17:62 Stock cooperatives, §§ 5:17, 17:25 to **COSTS** 17:27 Owners associations, § 21:110 Storage area, amount available, § 17:18 **COUNSEL** Subdivided Lands Act, § 17:5 **Attorneys** (this index) Subdivision Map Act, §§ 17:4, 17:26, 17:29, 17:45 COVENANTS, CONDITIONS, AND RESTRICTIONS Subdivision regulation, local authority, § 17:14 Declaration of, §§ 4:17, 18:17 Taxation, § 17:3 **Restrictive Covenants** (this index) Tenancy-in-common conveyance, CREATION OF COMMON inapplicability of conversion INTEREST DEVELOPMENTS rent control ordinance to, § 17:74 Generally, § 1:13 **Tenants** CREATIVE FINANCING adverse impact on, § 17:23 Subdivided Lands Act, amendment of public reports, § 15:83 generally, §§ 17:63 to 17:69 Unit financing, § 13:9 appeal from local agency decision, § 17:69 **CRIMES** change in purchase offer terms, Duty to prevent foreseeable crimes, § 17:67 §§ 21:15, 21:18, 21:36 exclusive purchase rights, Owners associations, liability of, § 17:65 §§ 21:15, 21:18, 21:36 Notice to existing tenants, above Public reports, unlawful acts, § 15:80 relocation expenses payment, Securities law, §§ 16:56, 16:68 § 17:68 Subdivided Lands Act, violation of, special tenant rights, § 17:64 §§ 15:90, 15:93, 16:43 waiver of purchase rights, Subdivision Map Act, violation of, § 17:66 § 12:165

CROSS-COMPLAINTS

Owners associations, § 21:62

CUMULATIVE VOTING

Owners associations, § 18:29

CUSTOM ITEMS

Continuing care retirement communities, deposit agreements, § 6:41

DAMAGES

Owners associations, §§ 21:41, 21:102 to 21:111 SB 800 claims, § 21:103 Subdivided Lands Act, civil actions, § 15:92

DATE

Time and Date (this index)

DAVIS-STIRLING COMMON INTEREST DEVELOPMENT ACT

Commercial common interest developments, generally, § 8:12

Commercial/industrial condominiums, exemption of, § 3:31

Commercial/industrial planned developments, exemption of, § 4:21

Condominiums, §§ 1:14, 3:31

Definitions, § 2:14

Delivery of documents, owners associations, § 19:95

Disclosure requirements, § 19:88

Exemption, Time Share Act of 2004, § 7:50

Handicapped accessibility, § 14:47

Legal framework, § 1:4

Owners associations, delivery of documents, § 19:95

Reporting requirements, § 19:88

Statutory scheme, evolution of, § 1:3 Stock cooperatives, § 5:3

Time Share Act of 2004, exemption, § 7:50

DAY CARE CENTERS

Use and occupancy, § 22:23

DEADLOCKED ASSOCIATIONS

Generally, § **18:65**

DEADLOCKED DIRECTORS

Generally, § 18:65

DE-ANNEXATION

Annexation and De-Annexation (this index)

DEATH

Owners associations, members of, § 18:33

DEBT COLLECTIONS

Generally, § 19:72

DECKS

Maintenance, § 3:47

DECLARATIONS

Contents, § 1:32

Forms (this index)

Owners associations, successor in troubled project, § 19:113

Phased Projects (this index)

Project declaration, § 1:31

DECLARATORY RELIEF

Owners associations, § 21:113 Restrictive covenants, § 22:91

DEDICATION AND IN-LIEU FEE PAYMENTS

Conversions, § 17:16

Subdivision Map Act, § 12:137

DEDUCTIONS

Taxation, §§ 23:32 to 23:37

DEEDS

Condominiums, appurtenant interests, § 3:6

In lieu of foreclosure, owners associations, delinquent assessments, § 19:54

Owners associations, coordination of governing documents, § 18:14

Restrictive covenants, § 22:6

DEEMED APPROVAL

Subdivision and planning process, § 12:63

DEEMED APPROVAL—Cont'd

Subdivision Map Act, tentative subdivision maps, § 12:111

DEFAMATION COVERAGE

Insurance, § 20:27

DEFECTS

Construction Defects (this index)

DEFENSES

Associations and directors. Owners **Associations** (this index)

Enforcement. Restrictive Covenants (this index)

Governing documents, enforcement of, § 1:35

DEFINITIONS

Generally, §§ 2:1 to 2:48

Airspace, § 2:1

Association, § 2:2

Commercial and Industrial Common Interest Development Act, § 2:3

Common area, § 2:4

Common interest development, § 2:6

Common interests, § 2:5

Community apartment project, § 2:7

Condominium, §§ 2:8, 3:1

Condominium plan, § 2:9

Condominium project, § 2:10

Continuing care retirement community, § 2:11

Conversion, § 17:1

Cooperative, § 2:12

Cooperative apartments, § 2:13

Davis-Stirling Common Interest Development Act, § 2:14

Declarant, § 2:15

Declaration of covenants and restrictions, § 2:16

Department of Real Estate, § 2:17

Design, § 12:94

Development agreements, § 12:84

Development project, § 2:18

Dirtless condominium, § 2:19

Exclusive use common area, § 2:20

Governing documents, § 2:21

Improvements, § 12:94

Land, § 2:22

Master planned community, § 2:25

DEFINITIONS—Cont'd

Lead agency, § 2:23

Limited equity housing cooperative,

Mixed-use projects, § 2:26

Partition, § 2:27

§ 2:24

Party wall, § 2:28

Permitted health care resident, § 22:33

Plandominium, § 2:29

Qualified permanent resident, § 22:32

Residential care facility for elderly (RCFE), § 2:31

Responsible agency, § 2:32

Restricted common area, § 2:33

Restriction, § 2:34

Senior citizen housing developments, § 22:30

Stock cooperative, § 2:35

Subdivided Lands Act, § 2:36

Subdividers, §§ 12:96, 15:6

Subdivision, § 12:95

Subdivision Map Act, § 2:37

Three-dimensional subdivision, § 2:38

Time-Share Act of 2004, § 7:51

Time-share estate, § 2:41

Time-share project, § 2:39

Time-share property, § 2:40

Time-share use, § 2:42

Topless and bottomless

condominiums, § 2:43

Townhouse, § 2:44

Undivided interest common area, § 2:45

Vested rights, § 2:46

Workforce housing cooperative trust, § 2:47

Zero-lot line, § 2:48

Zoning, § 12:34

DELEGATION OF DUTIES AND **FUNCTIONS**

Master planned communities, delegate voting, § 10:19

Owners associations, board of directors, §§ 18:59, 18:69

DELINQUENT ASSESSMENTS

Owners Associations (this index)

DELIVERY OF DOCUMENTS

Density bonus, § 12:20 Owners associations, § 19:93 Subdivided Lands Act, § 15:34

DENSITY BONUS LAW

Generally, § 12:20

DEPARTMENT OF REAL ESTATE (DRE)

Condominiums, enabling declarations, § 3:45

Conversions, § 17:6

Definitions, § 2:17

Deposit receipt agreements, review of, § 1:26

Impounding and bonding (DRE form RE 621 procedure), § 15:50

Liens, release or subordination, § 3:11

Master planned communities, § 10:9

Mutual water companies, § 8:24

Owners associations provisions, checklist, § 18:18

Qualified resort vacation clubs, § 7:14

Restrictive covenants, §§ 22:113, 22:117

SPRAG manual, § 15:18

Stock cooperatives, § 5:5

Subdivided Lands Act

application for public report, § 15:31

completion of improvements, impounding and bonding, § 15:50

DRE form RE 621 proceeding, § 15:50

impounding and bonding (DRE form RE 621 procedure), § 15:50

public report, use of DRE application forms, § 15:21

role of Department, § 15:2

Time-share projects, §§ 7:25 to 7:29, 7:89, 7:90

DEPOSITS

Continuing Care Retirement Communities (this index)

Sales and Purchases (this index)

DEPRECIATION

Taxation, § 23:35

DESCRIPTION

Condominiums, § 3:13

DESIGN

Architectural control and design review. **Restrictive Covenants** (this index)

Checklist, § 16:24

Commercial Common Interest Developments (this index)

Live-work projects, § 9:13

Phased projects, § 11:4

Professionals. Development and

Construction (this index)

Universal design checklist, new home, § 24:82

DESTRUCTION OF PROPERTY

Owners associations, troubled projects, § 19:103

DEVELOPMENT AGREEMENTS

Generally, § 12:84

DEVELOPMENT AND CONSTRUCTION

Generally, §§ 14:1 to 14:61

Approvals, §§ 14:1, 14:10 to 14:12

Arbitrary refusal to issue building permits, § 14:27

Arbitration and dispute resolution, contractors, § 14:31

Bonding requirements, contractors, § 14:33

Building codes

generally, §§ 14:13 to 14:16

application of building standards, § 14:16

inspection of construction, § 14:14 local building standards, § 14:15

Uniform Building Code, § 14:13

Building permits

generally, §§ 14:17 to 14:27

DEVELOPMENT AND CONSTRUCTION—Cont'd CONSTRUCTION—Cont'd Building permits—Cont'd Developers—Cont'd arbitrary refusal to issue permits, licensing requirements, § 14:38 § 14:27 warranties on construction, § 14:39 conditions, §§ 14:19 to 14:23 Development projects, §§ 14:8, denial of permits, § 14:26 14:10 fees for permits, § 14:25 Developments agreements, § 12:84 issuance of permits, § 14:17 Dispute resolution, contractors, ministerial vs. discretionary act, § 14:31 § 14:18 **Energy Standards and Disclosures** nexus requirements, § 14:22 (this index) plan-checking, § 14:24 Enhanced protection agreements, processing of applications, § 14:24 §§ 14:41, 16:15 protest of conditions, § 14:23 Environmental approval, time limit reasonable conditions, § 14:20 for, § 14:11 unreasonable conditions, § 14:21 Excise tax on new construction, Completeness of application, time § 14:6 limit for determination of, Factory-produced housing, § 14:60 § 14:9 Conditions, building permits, building permits, § 14:25 §§ 14:19 to 14:23 reasonableness, § 21:175 **Construction Defects** (this index) Fire safety requirements, § 14:59 **Continuing Care Retirement Com-**Handicapped Accessibility (this **munities** (this index) index) Contractors Inspection of construction, building generally, §§ 14:29 to 14:34 codes, § 14:14 arbitration and dispute resolution, Insurance § 14:31 contractors, § 14:30 bonding requirements, § 14:33 design professionals, § 14:36 insurance, § 14:30 Lenders, construction finance mechanics' lien claims, § 14:34 administration, § 14:43 scope of work, § 14:32 Licenses, §§ 14:6, 14:38 Conversions, conditions for, § 14:5 Local agency review, § 14:2 Defects. Construction Defects (this Mechanics' lien claims, contractors, index) § 14:34 Design approval, § 14:1 Ministerial vs. discretionary act, Design professionals building permits, § 14:18 generally, §§ 14:35 to 14:37 Nexus requirements, building insurance, § 14:36 permits, § 14:22 liability of, §§ 21:81, 21:82 Occupancy permits, issuance, responsibility for defects, § 14:35 § 14:28 review of design work, § 14:37 Offsite improvements, § 14:3 Developers Onsite improvements, § 14:3 generally, §§ 14:38 to 14:42 Owners associations, troubled projects, §§ 19:112, 19:116 defects in construction, § 14:42 enhanced protection agreements, Plan-checking, building permits, § 14:24 § 14:41

DEVELOPMENT AND

DEVELOPMENT AND

CONSTRUCTION—Cont'd Continuing care retirement communi-Policy of state favoring housing ties, § 6:102 development, § 14:7 **DISCIPLINARY ACTIONS** Protest of conditions, building Owners associations, delinquent permits, § 14:23 assessments, §§ 19:65, 19:66 Review of design work, § 14:37 Subdivided Lands Act, violations of, Review process § 15:91 generally, §§ 14:8 to 14:12 Time Share Act of 2004, § 7:86 approvals, time limits for, §§ 14:10 to 14:12 DISCLAIMERS completeness of application, time Subdivided Lands Act, out-of-state limit for determination of, land promotions, §§ 15:15, § 14:9 15:16 development projects, time limit for approval of, § 14:10 DISCLOSURES environmental approval, time limit AIDS, § 16:24 for, § 14:11 Airport Influence Area, §§ 16:24, subdivision maps, time limit for 22:2 approval of, § 14:12 BCDC, §§ 16:24, 22:2 time limits, §§ 14:9 to 14:12 Construction defect litigation Solar energy systems requirements, disclosure of, § 21:43 § 14:61 settlement of, § 21:77 Subdivision maps, time limit for Conversions, §§ 17:34, 17:72, 17:73 approval of, § 14:12 Davis-Stirling Act disclosure require-Time limits, review process, §§ 14:9 ments, § 19:88 to 14:12 Earthquakes, § 16:24 Time Share Act of 2004, § 7:52 **Energy Standards and Disclosures** Uniform Building Code, § 14:13 (this index) Warranties, developers, §§ 14:39, Environmental hazards, § 16:24 14:41 **Existing Subdivision Disclosure** Zoning, effect of, § 14:4 Statement, §§ 15:20, 16:20 **DEVELOPMENT PROJECTS Forms** (this index) Generally, §§ 14:8, 14:10 **Insurance** (this index) Megan's Law, § 16:24 **DILUTION OF INTEREST** Mello-Roos districts, § 16:24 Phased projects, § 11:9 Military ordinance locations, § 16:24 DIRECTORS Private transfer fees, § 16:24 Insurance, §§ 20:10, 20:77 Prop 65, § 16:24 **Owners Associations** (this index) Sales and Purchases (this index) **DIRTLESS CONDOMINIUMS** Stock cooperatives, § 5:14 Subdivided Lands Act, existing Generally, § 3:41 subdivision interests, § 15:64 Defined, § 2:19 Supplemental tax bill, §§ 15:20, Mechanics' lien clearance, § 3:54 16:20, 16:24 Phased projects, §§ 3:9, 11:12 Transfer disclosure statement, DISABLED PERSONS § 16:20 **Handicapped Persons** (this index) Transfer fees, §§ 16:24, 18:25

DISASTER PREPAREDNESS PLAN

DISCLOSURES—Cont'd

Universal accessibility features, § 16:20

DISCOVERY

Attorney-client privilege, § 21:49

DISCRIMINATION

Civil Rights (this index)

DISSOLUTION

Construction defect litigation, dissolved corporations, § 21:72

Continuing Care Retirement Communities (this index)

DISTRIBUTIONS

Taxation, § 23:23

DODD-FRANK ACT

Sales and purchases, § 16:25

DRAFT ENVIRONMENTAL IMPACT REPORT

California Environmental Quality Act, § 12:215

DRAFTING OF GOVERNING DOCUMENTS

Owners Associations (this index)

DRAM SHOP COVERAGE

Insurance, § 20:21

DRONES

Generally, § 22:57

DUE DILIGENCE

Subdivision and planning process, purchase contracts, § 12:10

DUE PROCESS

Owners associations, § 21:15 Restrictive covenants, §§ 22:10, 22:79

Subdivision Map Act, regulatory takings, § 12:179

DUPLEX ARRANGEMENTS

Generally, § 8:17

EARNINGS

Continuing care retirement communities, escrow accounts, § 6:48

EARTHQUAKE INSURANCE

Generally, § 20:7

Freddie Mac requirements, §§ 13:18, 20:30

EASEMENTS

Common Areas (this index)
Condominiums, §§ 3:7, 3:16
Exclusive use common easements.

§ 4:15

Live-work projects, § 9:18

Phased projects, § 11:19

Planned developments, §§ 4:14, 4:15 Sales and purchases, deeds, § 16:35

EFFICIENCY UNIT

Generally, § 12:28

ELDERLY PERSONS

Age-Restricted Communities (this index)

ELECTIONS

Inspectors, § 18:64

Owners associations, board of directors, §§ 18:64, 19:13

Rules and procedures, § 24:90

ELECTRIC VEHICLES

Generally, §§ 3:15, 22:49 Charging stations, § 22:49

ELECTRONIC DOCUMENTS

Owners associations, delivery of documents, §§ 19:95, 24:89

Property taxes and assessments, consent to receipt of electronic messages, § 24:86

ELECTRONIC MEETINGS

Owners associations, board of directors, § 18:85

ELEVATOR INSURANCE

Generally, § 20:14

ELLIS ACT

Generally, §§ 17:43, 17:70

EMERGENCIES

Meetings, owners associations board of directors, § 18:81

EMERGENCIES—Cont'd

Owners associations, §§ 19:40, 19:103

EMINENT DOMAIN

Generally, §§ 21:95 to 21:101 Condominiums, § 21:99 Distribution of condemnation proceeds, § 21:98 Negotiation with condemning author-

ity, § 21:96

Planned developments, § 21:100 Settlement, § 21:97 Stock cooperatives, § 21:101

Subdivision Map Act (this index)

EMOTIONAL DISTRESS

Owners associations, § 21:106

ENABLING DECLARATIONS

Condominiums (this index)

ENDANGERED SPECIES ACT

Growth control measures, § 12:75

ENERGY STANDARDS AND DISCLOSURES

Generally, §§ 14:48 to 14:58
Building permit, issuance of, § 14:57
Building regulations, § 14:48
Certificate of compliance, § 14:54
Compliance requirements, §§ 14:51
to 14:53

Computer methods, § 14:52 Construction phase, § 14:56 Development and construction

Development and construction. See specific entries throughout this topic

Energy efficiency standards, § 14:49 Enforcement phases, § 14:56

FTC insulation disclosure regulations, § 14:58

Insulation forms and certificates, § 14:55

Occupancy phase, § 14:56 Options for compliance, § 14:52 Plan check phase, § 14:56 Point system, § 14:52 Prescriptive packages, § 14:52 Residential standards, § 14:50 Schematic/design phase, § 14:56

ENERGY STANDARDS AND DISCLOSURES—Cont'd

Site inspection phase, § 14:56 Steps for compliance, § 14:53

ENFORCEMENT

Energy standards and disclosures, § 14:56

Governing documents, §§ 1:34, 1:35 **Restrictive Covenants** (this index)

Securities law, § 16:66

Stock cooperatives, financial obligations, § 5:10

ENGINEER

Land surveyor, § 12:127

ENHANCED PROTECTION AGREEMENTS

Generally, §§ 14:41, 16:15

ENTRY

Condominiums, § 3:50

ENVIRONMENTAL HAZARDS

Disclosure requirements, § 16:24

ENVIRONMENTAL IMPACT REPORT

Environmental Quality Act of California (this index)

ENVIRONMENTAL QUALITY ACT OF CALIFORNIA

Generally, **§§ 12:181 to 12:235** Actions

generally, §§ 12:228 to 12:235 appeal and judicial review, § 12:228

attorney fees, § 12:231

authority of court, § 12:235

conditional permits, § 12:234

exhaustion of administrative remedies, § 12:229

parties, § 12:230

parties, § 12:230

preference in trial setting, § 12:232 settlement procedures, mandatory, § 12:233

statutes of limitation, § 12:228

Addendum to environmental impact report, § 12:208

ENVIRONMENTAL QUALITY ACT **ENVIRONMENTAL QUALITY ACT** OF CALIFORNIA—Cont'd OF CALIFORNIA—Cont'd Alternatives, identification in Environmental impact report environmental impact report, -Cont'd § 12:213 historic resources, § 12:210 Appeal and review master EIR and focused EIR, generally, § 12:228 § 12:204 judicial review, § 12:228 methods of preparation of report, preliminary review, below § 12:214 time limit, § 12:227 mitigation of adverse effects, Approval or disapproval of project, § 12:212 time limit for, § 12:227 notice, §§ 12:217, 12:223 Attorney fees, § 12:231 preparation of report, §§ 12:214 to Ballot measures, prior compliance 12:224 with CEQA, § 12:184 program EIR. § 12:205 Categorical exemptions, § 12:189 project approval requirements, Certification of environmental impact § 12:221 report, § 12:219 public review, hearings, and notice, Changes in project after final § 12:217 environmental impact report, significant environmental impacts, § 12:224 § 12:210 Commonsense exemptions, § 12:190 statement of overriding Conditional permits, § 12:234 considerations, § 12:222 Consultation with other agencies, subsequent EIR, § 12:206 environmental impact report, supplement to EIR, § 12:207 § 12:216 time limits, § 12:226 Conversions, §§ 12:199, 17:7 types of reports, §§ 12:203 to Cumulative impacts, environmental 12:208 impact report, § 12:211 Evaluation of project, § 12:197 Discretionary projects, § 12:186 Exempt projects Draft environmental impact report, generally, §§ 12:188 to 12:193 § 12:215 categorical exemptions, § 12:189 Environmental impact report commonsense exemptions, generally, §§ 12:203 to 12:224 § 12:190 addendum to EIR, § 12:208 ministerial projects, § 12:191 alternatives, identification of, § 12:213 notice of exemption, § 12:193 certification and filing of EIR, Exhaustion of administrative reme-§ 12:219 dies, § 12:229 changes in project after final EIR, Filing of environmental impact § 12:224 report, § 12:219 consultation with other agencies, Final environmental impact report, § 12:216 § 12:218 contents, §§ 12:209 to 12:213 Focused environmental impact cumulative impacts, § 12:211 report, § 12:204 draft EIR, § 12:215 Growth control measures, § 12:76 final EIR, § 12:218 Guidelines, § 12:183 findings, § 12:220 Hearings, environmental impact growth-inducing impacts, § 12:210 report, § 12:217

ENVIRONMENTAL QUALITY ACT	ENVIRONMENTAL QUALITY ACT
OF CALIFORNIA—Cont'd	OF CALIFORNIA—Cont'd
Historic resources, procedural protec-	Preliminary review—Cont'd
tions, § 12:210	process flow chart, § 12:195
Initial study, § 12:196	Process flow chart, preliminary
Lead agency, § 12:187	review, § 12:195
Legal framework	Program environmental impact
generally, §§ 1:8, 12:182 to	report, § 12:205
12:187	Public review, environmental impact
discretionary projects, § 12:186	report, § 12:217
guidelines, § 12:183	Public/private projects, § 12:185
lead agency and responsible agen-	Responsible agencies, § 12:187
cies, § 12:187	Review. Appeal and review, above
projects subject to act, § 12:184	Settlement procedures, mandatory,
public/private projects, § 12:185	§ 12:233
purposes, § 12:182	Statement of overriding
Master environmental impact report,	considerations, environmental
§ 12:204	impact report, § 12:222
Ministerial projects, exemption of,	Statutes of limitation, § 12:228
§ 12:191	Subdivision and planning process,
Mitigated negative declaration,	§§ 12:4, 12:64
§ 12:200	Subdivision Map Act, time limits for
Mitigation of adverse effects,	approval of tentative subdivision
environmental impact report,	maps, § 12:123
§ 12:212	Subsequent environmental impact
Monitoring program, negative declarations, § 12:202	report, § 12:206
Negative declaration	Supplement to environmental impact
generally, §§ 12:198 to 12:202	report, § 12:207
agency determination, § 12:198	Three-tiered structure, § 12:184
conversions, application to,	Tiering, § 12:205
§ 12:199	Time limits
mitigated negative declaration,	generally, §§ 12:225 to 12:227
§ 12:200	completion and certification of EIR
monitoring program, § 12:202	or completion of negative
notice of determination, § 12:201	declaration, § 12:226
time limits, § 12:226	review and approval or disapproval
Notice	of project, § 12:227
environmental impact report,	Zoning changes, § 12:39
§§ 12:217, 12:223	
exemption, § 12:193	ENVIRONMENTAL REGULATION
Parties to actions, § 12:230	Generally, §§ 12:181 to 12:254
Preference in trial setting, § 12:232	Coastal Act of California (this
Preliminary review	index)
generally, §§ 12:194 to 12:197	Environmental Quality Act of Cali-
evaluation of project, § 12:197	fornia (this index)
initial study, § 12:196	National Environmental Policy Act,
mandatory findings of significance,	§ 12:181
§ 12:196	Phased projects, § 11:41
	* * *

EQUAL PROTECTION

Subdivision Map Act, regulatory takings, § 12:178

EQUITABLE ESTOPPEL

Growth control measures, vested rights of developers, § 12:82

EQUITABLE INDEMNITY

Generally, § 21:90

EQUITABLE RELIEF

Continuing care retirement communities, § 6:93

Injunctions (this index)

Owners associations, §§ 21:112 to 21:115

Rescission (this index)

Shared Equity Arrangements (this index)

EQUITABLE SERVITUDES

Covenants, conditions, and restrictions enforceable as, § 4:17

ERRORS AND OMISSIONS INSURANCE

Generally, § 20:11

ESCROW ACCOUNTS AND PROVISIONS

Continuing Care Retirement Communities (this index)

Converted units, sales of, § 17:76 Sales and purchases, §§ 16:8, 16:9, 16:30

Stock cooperatives, § 5:9

Subdivided Lands Act (this index) Time Share Act of 2004, § 7:68

ESTATE TAXES

Generally, § 23:41

ESTOPPEL

Subdivision and planning process, estoppel of city, §§ 12:12, 12:82

ESTOPPEL CERTIFICATES

Sales and purchases, § 16:32

EXCHANGES

Time-share projects, §§ 7:20, 7:46, 7:53

EXCISE TAX

Exculpatory clauses, §§ 21:17, 21:63 New construction, § 14:6

EXCLUSIONARY ZONING

Generally, § 12:47

Exclusive common areas, § 3:15 Housing elements, §§ 12:23 to 12:25

EXCLUSIVE EASEMENTS

Generally, § 4:15

EXCLUSIVE USE COMMON AREAS

Condominiums, § 3:15 Defined, § 2:20

Owners associations, § 19:77

EXECUTIVE SESSIONS

Owners associations

board of directors, **§§ 18:80, 19:4**

Restrictive covenants, suspension of rights and imposition of fines, § 22:111

EXEMPTIONS

Assessments, exemption from execution, §§ 19:31, 21:17

Environmental Quality Act of California (this index)

Property tax assessments, § 23:50

Subdivided Lands Act (this index)

Subdivision Map Act, § 12:98

Taxation (this index)

EXHAUSTION OF ADMINISTRATIVE REMEDIES

California Environmental Quality Act, § 12:229

EXISTING SUBDIVISION DISCLOSURE STATEMENT

Generally, § 15:20

Conversions, § 17:73

Subdivided Lands Act, application for public report, § 15:64

EXPANSION

Continuing care retirement communities, § 6:101

FACTORY-PRODUCED HOUSING

Development and construction, § 14:60

FAIR DEBT COLLECTION PRACTICES ACT

Owners associations, §§ 19:72, 21:54

FAIR EMPLOYMENT AND HOUSING ACT OF CALIFORNIA

Age-restricted communities, § 22:39 Owners associations, § 21:93

FAIR HOUSING ACT OF CALIFORNIA

Age-restricted communities, §§ 22:40 to 22:42 Handicapped accessibility, § 14:45 Pets, § 22:67

Requirements for claims, §§ 21:20, 21:39, 21:93, 21:94

FAIR HOUSING AMENDMENTS ACT OF 1988

Age-restricted communities, § 22:41

FAIR

HOUSING—DISCRIMINATION
Generally, § 22:20

FALSE IMPRISONMENT COVERAGE

Insurance, § 20:27

FANNIE MAE

Financing, § 13:19 Insurance, § 20:29

Phased projects, §§ 11:5, 11:38

Subdivided Lands Act, public reports for incremental and phased projects, § 15:75

FEDERAL FAIR HOUSING ACT

In General, § 22:47

Combined residential project for elderly, § 22:26

Discrimination in sale, § 22:20 Limitations on business, § 22:15

Limitations on occupants, § 22:16

FEDERAL HOME LOAN MORTGAGE CORPORATION (FHLMC)

Freddie Mac (this index)

FEDERAL HOUSING ADMINISTRATION (FHA)

Financing, § 13:22 Insurance, § 20:31

FEDERAL INTERSTATE LAND SALES ACT

Generally, § 16:26

FEES

Association transfer fees, § 18:25 taxation, § 23:65

Building permits, § 14:25

Continuing Care Retirement Communities (this index)

Development fees, reasonable, § 12:175

Subdivided Lands Act, filing application for public report, § 15:30

Subdivision Map Act, §§ 12:134 to 12:137, 12:150 to 12:152, 12:174, 12:175

Towing of wrongfully parked motor vehicle, §§ 19:82, 22:52

FIDELITY BONDS

Developers, liability of, § 21:68

FIDELITY INSURANCE AND BONDS

Generally, § 20:9

FIDUCIARY DUTY

Owners associations, liability of directors, § 21:22

FINAL SUBDIVISION MAPS

Subdivision Map Act (this index)

FINANCIAL OBLIGATIONS

Stock cooperatives, enforcement, § 5:10

FINANCIAL REPORTS

Forms (this index)

FINANCING

Generally, §§ 13:1 to 13:27

FINANCING—Cont'd FINANCING—Cont'd Assessment districts, § 13:15 Resales, § 13:13 Attorney's opinion letters, secondary Secondary mortgage market mortgage market, §§ 13:20, generally, §§ 13:17 to 13:20 24:33, 24:34 attorney's opinion letters, Bridge loans, § 13:4 §§ 13:20, 24:33, 24:34 Carry-back financing by developer, Fannie Mae requirements, § 13:19 § 13:8 Freddie Mac requirements, § 13:18 Commitment for loan, § 13:6 Sources of financing, §§ 13:16 to Construction financing, § 13:3 13:25 Creative financing, §§ 13:9, 15:83 Stock cooperatives, §§ 5:10, 5:11 Equity participation of project lender, Subsidized financing, § 13:25 § 13:26 Title insurance, unit financing, Fannie Mae requirements, § 13:19 § 13:11 Federal Truth-in-Lending Act and Unit financing Regulation Z, § 13:24 generally, §§ 13:8 to 13:13 FHA requirements, § 13:22 carry-back financing by developer, Freddie Mac requirements, § 13:18 § 13:8 Front-end financing, § 13:1 creative financing, § 13:9 Government loans and regulations leasehold financing, § 13:12 generally, §§ 13:21 to 13:24 lenders' title insurance, § 13:11 federal Truth-in-Lending Act and resales, § 13:13 Regulation Z, § 13:24 special loan requirements of com-FHA requirements, § 13:22 mon interest subdivisions, HUD requirements, § 13:23 § 13:10 VA requirements, § 13:21 universal accessibility features, HUD requirements, § 13:23 § 16:24 Joint venture with landowner, § 13:2 universal design checklist, § 16:24 Leasehold financing, § 13:12 VA requirements, § 13:21 Liability of project lender, § 13:27 Live-work projects, § 9:16 FINES AND PENALTIES Opinion letters, secondary mortgage California Coastal Act, § 12:254 market, §§ 13:20, 24:33, 24:34 Continuing Care Retirement Com-Owners association loans, § 13:14 **munities** (this index) Permanent financing, § 13:5 Interstate Land Sales Full Disclosure Act, § 16:28 Project financing Owners associations, § 18:44 generally, §§ 13:1 to 13:7 bridge loans, § 13:4 **Restrictive Covenants** (this index) Subdivision Map Act, § 12:165 construction financing, § 13:3 Time Share Act of 2004, § 7:91 front-end financing, § 13:1 joint venture with landowner, FIRE SAFETY REQUIREMENTS § 13:2 Development and construction, lender requirements, § 13:7 § 14:59 loan commitment, § 13:6 Planned developments, § 4:4 owners association, troubled projects, § 19:112 FIRST REFUSAL RIGHT permanent financing, § 13:5 Restrictive covenants, transfer of Public improvements, § 13:15 ownership interests, § 22:48

FIT AND FINISH

Warranties, §§ 14:41, 16:38

FIX-IT BILL

SB 800 (this index)

FLAGS

Restrictive covenants, § 22:62

FLEXIBLE PHASE

Generally, § 11:32

FLEXIBLE SPACE

Commercial common interest developments, § 8:7

Commercial/industrial condominiums, § 3:33

FLOATING HOME MARINAS

Conversions, notice requirements, § 17:57

FLOATING HOMES

Generally, § 8:20

FLOOD INSURANCE

Generally, §§ 20:8, 20:30

FLOOR-RATIO AREAS

Growth control measures, § 12:71

FORECLOSURE

Judicial foreclosure, § 19:54

Owners associations, delinquent assessments, §§ 19:47 to 19:66, 19:105

FORFEITURE

Continuing care retirement communities, permit to sell deposit subscriptions or certificate of authority, § 6:84

FORMS

Action by sole incorporator of owners association, § 24:23

Agenda for board of directors meeting, § 24:52

Agreement for lease of facilities, § 24:31

Alternative dispute resolution notice of alternative dispute resolution requirements, § 24:80 request for, §§ 24:74, 24:75

FORMS—Cont'd

Alternative dispute resolution —Cont'd

response to request for alternative dispute resolution, § 24:75

Annexation, declaration of, § 24:5
Annual financial report and summary,
§ 24:72

Annual meeting, § 24:47

Approval and adoption of management contract, § 24:28

Approval of action and consent to amendment of declaration, § 24:4

Approval of action and consent to amendment to bylaws, § 24:12

Articles of incorporation, restated, § 24:9

Articles of incorporation for owners association, § 24:7

Association documents, request for delivery by email, § 24:89

Attorney's opinion letter (Fannie Mae), §§ 24:33, 24:34

Board of directors

agenda for board of directors meeting, § 24:52

consent to board of directors action without holding a meeting, § 24:54

minutes of first meeting, § 24:24 minutes of special meeting of board of directors, § 24:78

notice to owners of regular board of directors meeting, § 24:50

notice to owners of special board of directors meeting, § 24:51

resolution of board of directors, § 24:55

Bylaws of owners association

generally, § 24:10

amendment, § 24:11

approval of action and consent to amendment to bylaws, § 24:12

Cable TV installation contract, § 24:30

California Budget Worksheet, § 24:13

FORMS—Cont'd	FORMS—Cont'd
Certificate of amendment, § 24:8	Election rules and procedures,
Collection policy form, § 24:84	§ 24:90
Common interest development	Enabling declaration
association management agree-	condominium multi phase, § 24:1
ment, § 24:27	first amendment, § 24:3
Condominiums	Enforcement of association rules,
condominium conversion	§ 24:73
disclosure, § 24:35	Executive session board meeting,
conversion notice, § 24:41	§ 24:65
deed, § 24:22	Financial reports
multi phase, enabling declaration, § 24:1	annual financial report and sum- mary, § 24:72
rescission of enabling declaration	monthly, § 24:15
establishing a plan for condominium ownership, § 24:6	First amendment to bylaws of owner association, § 24:11
Consent to board of directors action	First amendment to enabling declara-
without holding a meeting, § 24:54	tion establishing a plan for condominium ownership, § 24:3
Davis-Stirling Conversion Table,	Five (5) day notice to tenants of
§ 24:87	receipt of final public report,
Declarations	§ 24:40
annexation, § 24:5	House rules and regulations, § 24:26
approval of action and consent to	Increase on assessments, § 24:76
amendment of declaration, § 24:4	Insurance disclosure summary, § 24:79
condominium multi phase, enabling declaration, § 24:1	Landscape maintenance agreement, § 24:29
enabling declaration	Lease/option agreement, § 24:20
condominium multi phase,	Leases
§ 24:1	agreement for lease of facilities,
first amendment, § 24:3	§ 24:31
planned development, phased,	lease/option agreement, § 24:20
§ 24:2	townhouse lease, § 24:21
rescission of enabling declaration establishing a plan for condo-	Letter to new owner of unit/lot, § 24:77
minium ownership, § 24:6	Liens, release of assessment of lien,
Deed, condominium, § 24:22	§ 24:70
Default payment of assessment, § 24:69	Management contracts, approval and adoption of management
Delinquent assessment, § 24:68	contract, § 24:28
Disclosures	Maps
assessment and reserve funding disclosure summary, § 24:14	example of conventional three- dimensional subdivision map
condominium conversion	§ 24:81
disclosure, § 24:35	notice to existing tenants of public
insurance disclosure summary, § 24:79	hearing on tentative map for conversion, § 24:37

FORMS—Cont'd	FORMS—Cont'd
Maps—Cont'd	Notice—Cont'd
notice to prospective tenants of	supplemental property tax bill, § 24:83
approval of tentative map to convert, § 24:44	ů .
notice to prospective tenants of	180 day notice to existing tenants of intention to convert and termina-
conversion after final map	tion of tenancy, § 24:42
approval, § 24:45	Owner's and engineer's certificates,
sixty day notice to existing tenant	§ 24:66
of filing tentative map,	Owners associations
§ 24:36	action by sole incorporator of own-
Member's opting out, notice to	ers association, § 24:23
association, § 24:85	articles of incorporation for owners
Minutes of special meeting of board	association, § 24:7
of directors, § 24:78	membership meeting agenda,
Monthly financial review, § 24:71	§ 24:49
New home universal design checklist,	Past due assessments, § 24:67
§ 24:82	Property tax bill, supplemental,
Ninety day notice to existing tenants of intention to sell rental unit,	notice, § 24:83
§ 24:46	Property taxes and assessments,
Notice	consent to receipt of electronic messages, § 24:86
alternative dispute resolution	
requirements, § 24:80	Proxy, §§ 24:56, 24:57
annual meeting, § 24:47	Release of assessment of lien, § 24:70
default payment of assessment,	Rescission of enabling declaration
§ 24:69	establishing a plan for condo-
delinquent assessment, § 24:68	minium ownership, § 24:6
executive session board meeting,	Residential purchase agreement and
§ 24:65	escrow instructions, § 24:17
existing tenants of public hearing on tentative map for conver-	Resignation, sample letter of, § 24:32
sion, § 24:37	Resolution of board of directors,
increase on assessments, § 24:76	§ 24:55
owners of regular board of direc-	Response to request for alternative
tors meeting, § 24:50	dispute resolution, § 24:75
owners of special board of direc-	Restated articles of incorporation,
tors meeting, § 24:51	§ 24:9
past due assessments, § 24:67	Revocation of proxy, § 24:57
prospective tenants of approval of	Sample secret ballot
tentative map to convert,	amendment to declaration, § 24:62
§ 24:44	election of board (cumulative voting), § 24:59
prospective tenants of conversion after final map approval,	election of board (no cumulative
§ 24:45	voting), § 24:60
release of assessment of lien,	election of board—staggered
§ 24:70	terms, cumulative testing,
special membership meeting,	§ 24:61
§ 24:48	Sign-in sheet, § 24:58

FORMS—Cont'd

Sixty day notice to existing tenant of filing tentative map, § 24:36

Sixty day notice to prospective tenants of intention to convert, § 24:43

Solicitation materials, §§ 24:63, 24:64

Special membership meeting, § 24:48 Special tax, notice of, § 24:88 Subsidization contract, § 24:16 Ten day notice to existing tenants of

approval of application for public report, § 24:39

Ten day notice to existing tenants of approval of final map for proposed conversion, § 24:38

Townhouse lease, § 24:21

Transition from developer control, § 24:25

Universal design checklist, new home, § 24:82

Waiver of notice and consent to board meeting, § 24:53

Warranty, §§ 24:18, 24:19

FOUNDATIONS

Planned developments, § 4:7

FRANCHISE TAXES

Generally, § 23:25

FRAUD

Liability of developers, § 21:3 Sales and purchases, § 16:41

FREDDIE MAC

Earthquake insurance, § 13:18
Financing, § 13:18
Insurance, § 20:30
Leasehold condominium requirements, § 3:28
Phased projects, §§ 11:5, 11:39

FRONT-END FINANCING

Generally, § 13:1

FUMIGATION

Wood-destroying pests or organisms, condominiums, § 3:51

FUNCTIONALITY STANDARDS

SB 800, §§ 16:15, 16:38

FURNITURE

Time-share projects, § 7:23

GARAGE KEEPERS' LIABILITY INSURANCE

Generally, § 20:25

GARBAGE COLLECTION

Owners associations, § 19:85

GATED COMMUNITIES

Master Planned Communities (this index)

GENERAL LAW CITIES

Generally, § 12:13

GENERAL PLAN

Generally, §§ 12:21 to 12:32 Conflict with, § 17:20 Conformity, § 12:32

GEOLOGIC HAZARDS

Abatement districts, § 13:15 Subdivided Lands Act, application for public report, § 15:63

GEOLOGICAL REPORT

Subdivision Map Act, final subdivision maps, § 12:131

GIFT TAXES

Generally, § 23:40

GLASS COVERAGE

Insurance, § 20:15

GOLF

Carts, insurance, § 20:26 Courses, disclosures, sales and purchases, § 16:24

GOOD FAITH

Insurance, § 20:73

Owners associations, liability of directors, § 21:24

GOVERNANCE OF DEVELOPMENTS

Master Planned Communities (this index)

GOVERNING ASSOCIATIONS Residential/Commercial Projects (this index)

GOVERNING DOCUMENTS

Generally, §§ 1:31 to 1:36 Alternative dispute resolution, § 21:116

Amendments, § 1:36
Contents of declaration, § 1:32
Declaration of covenants, conditions, and restrictions, § 1:31
Defenses to enforcement, § 1:35
Defined, § 2:21

Enforcement of restrictions, §§ 1:34, 1:35

Internal dispute resolution, § 21:116 Owners Associations (this index) Use restrictions, § 1:33

GRANDFATHER CLAUSES

Pets, § 22:66

GREENHOUSE GASES

Generally, § 12:192

GREEN-LINING APPROACH

Growth control measures, § 12:67

GRID SYSTEM

Commercial common interest developments, § 8:8

Commercial/industrial condominiums, § 3:33

GROUND LEASES

Condominiums, § 3:26

GROUP HOMES

Generally, §§ 22:24, 22:25

GROWTH CONTROL MEASURES

Generally, §§ 12:66 to 12:92
Acquisition of vested rights, § 12:79
Aesthetic considerations, § 12:74
Annexation, effect on development agreements, § 12:86
Archeological restrictions, § 12:73
California Environmental Quality Act challenges, § 12:76
Challenge to ordinance, § 12:48

GROWTH CONTROL MEASURES —Cont'd

Challenges to development agreements, planning and zoning decisions, § 12:88

Condominium conversions, §§ 12:68, 12:83

Development agreements generally, §§ 12:84 to 12:89 amendment or cancellation, § 12:85

annexation or incorporation, effect of, § 12:86

challenges, § 12:88

contents of and recording agreements, § 12:85

freeze on zoning, § 12:87
purpose of agreements, § 12:84
validity, § 12:87
vesting tentative maps, compared,
§ 12:89

Development moratoriums, § 12:70 Down-zoning to lower residential density, § 12:69

Endangered Species Act, § 12:75 Equitable estoppel, vested rights of developers, § 12:82

Floor-ratio areas, restrictive, § 12:71 Green-lining approach, § 12:67 Historic preservation rules, § 12:72 Incorporation, effect on development agreements, § 12:86

Litigation of vested rights, § 12:81 Local measures to control growth, §§ 12:66 to 12:77

Multiple permits, vested rights of developers, § 12:80

Planning and zoning decisions, and development agreements, challenges to, § 12:88

Recording development agreements, § 12:85

Validity of development agreements, § 12:87

Vested rights of developers generally, §§ 12:78 to 12:92 acquisition of vested rights, § 12:79

condominium conversions, § 12:83

GROWTH CONTROL MEASURES —Cont'd

Vested rights of developers—Cont'd development agreements, above equitable estoppel, § 12:82 litigation of vested rights, § 12:81 multiple permits, § 12:80 ordinances, policies, and standards applicable on approval of tentative map, § 12:91 preclusion of additional conditions for building permits after approval of tentative or parcel

map, § 12:92 significance of vested rights, § 12:78

Vesting tentative maps, § 12:89 Wetlands, § 12:77

GUARANTEES

Owners associations, assessments, § 19:45

GUESTS

Age-restricted communities, § 22:34

HANDICAPPED ACCESSIBILITY

Generally, §§ 14:44 to 14:47 Americans With Disabilities Act, § 14:46

Davis-Stirling Common Interest Development Act, § 14:47

Development and construction. See specific entries throughout this topic

Federal Fair Housing Act, § 14:45

HANDICAPPED PERSONS

Accessibility. **Handicapped Accessibility** (this index)

Alterations (this index)

Americans With Disabilities Act (this index)

Condominiums, §§ 3:18, 3:19
Restrictive Covenants (this index)

HAZARD INSURANCE

Generally, §§ 20:3, 20:41

HAZARDOUS MATERIALS

Owners associations, liability of, § 21:19

HEARINGS

Environmental impact report, § 12:217

HIGH-RISE BUILDINGS

Condominiums, design review, § 3:17

HISTORIC PRESERVATION RULES

Growth control measures, § 12:72

HISTORIC RESOURCES

Procedural protections under CEQA, § 12:210

HOMESTEADS

Condominiums, § 3:22
Owners associations, delinquent assessments, § 19:63
Planned developments, § 4:12
Stock cooperatives, § 5:7

HOT WATER HEATERS

Maintenance, § 3:47

HOTEL CONDOMINIUMS

Generally, §§ 1:24, 8:19

HOTEL TIME-SHARES

Generally, § 7:15 HUD mortgage letter, § 13:22

HOUSING ACCOUNTABILITY ACT

Legislation fostering housing, § 12:28

Public policies fostering housing, § 12:28

HOUSING DEVELOPMENT PROJECT

Generally, § 12:28

HOUSING SUSTAINABILITY DISTRICTS

Generally, § 12:28

HUD REQUIREMENTS

Financing, § 13:23 Insurance, § 20:31

IDR

Generally, § 21:116

IMMUNITY

Governmental immunity as defense, § 21:63

Volunteer directors and officers, §§ 18:58, 21:64

IMPLIED WARRANTIES

Construction, § 14:39

IMPOUNDING

Subdivided Lands Act, completion of improvements, § 15:50

IMPROVEMENT ACTS

Generally, § 13:15

IMPROVEMENTS

Condominiums (this index)

Insurance, improvements and betterments coverage, § 20:49

Security for public improvements, § 12:140

INCLUSIONARY ZONING

Dolan's rough proportionality requirement, § 12:173
Regulatory taking, § 12:169
Residential density bonus, § 12:20
Subdivision and planning process, § 12:18

INDEMNIFICATION

Construction defect litigation, § 21:90

Derivative actions for indemnity, § 21:87

Directors and officers of owners associations, § 21:67

General contractor indemnities, § 21:90

Managers, § 19:76

Officers and directors of owners associations, § 21:67

Subdivision Map Act, final subdivision maps, § 12:141

INDEPENDENT RETIREMENT LIVING

Continuing care retirement communities, § 6:2

INFLATION GUARD ENDORSEMENT

Insurance, § 20:60

INJUNCTIONS

Continuing care retirement communities, § 6:93

Restrictive covenants, § 22:95

IN-LIEU FEE PAYMENTS

Constitutionality, § 12:46 Conversions, § 17:16 Phased projects, § 11:7

INSPECTION

Ballots, § 19:93

Building codes, § 14:14

Continuing care retirement communities, § 6:75

Converted units, sales of, §§ 17:72, 17:73, 17:77

Owners associations, records and reports, § 19:94

Prospective buyer, inspection by, **§ 16:14**

INSPECTOR OF ELECTION

Generally, § 18:64

INSTALLMENT LAND SALES CONTRACTS

Subdivided Lands Act, § 16:6

INSULATION

Energy standards and disclosures, §§ 14:55, 14:58, 16:14

INSURANCE

Generally, §§ 20:1 to 20:77

Additional insured, § 20:75

Additional living expense coverage, § 20:46

Automobile insurance, §§ 20:17, 20:18

Auxiliary structures, § 20:20

Bad faith, § 20:73

Bidding on polices, § 20:68

Boiler and machinery insurance, § 20:13

Builder-developer

generally, §§ 20:52 to 20:55

product liability insurance, § 20:53

Nonconforming building endorse-

ment, § 20:61

INSURANCE—Cont'd INSURANCE—Cont'd Garage keepers' liability insurance, Builder-developer—Cont'd § 20:25 risk insurance, § 20:54 transition period, insurance during, General liability insurance, § 20:5 § 20:55 Glass coverage, § 20:15 California Residential Property Insur-Golf cart coverage, § 20:26 ance Disclosure Statement, Good faith, § 20:73 § 20:59 Hazard insurance, §§ 20:3, 20:41 Casualty insurance, §§ 20:3, 20:41 HUD/FHA requirements, § 20:31 Checklist for insurance coverage, Improvements and betterments cover-§ 20:2 age, § 20:49 Claims-made coverage, § 20:56 Individual owners Co-insurance, § 20:65 generally, §§ 20:36 to 20:51 Community apartments, § 20:39 additional living expense coverage, Condominiums, §§ 3:52, 20:36 § 20:46 Construction defect litigation, casualty/hazard insurance, § 20:41 §§ 21:78, 21:91 community apartments, § 20:39 Continuing care retirement communicondominium units, § 20:36 ties, loss of funds, § 6:74 coverage, §§ 20:40 to 20:51 Cross-liability coverage, § 20:66 improvements and betterments Cumis counsel, § 20:72 coverage, § 20:49 Declarations page, disclosures on, liability insurance, § 20:42 § 20:59 loss assessment coverage, § 20:43 Deductible clause, § 20:67 personal property coverage, Defamation and false imprisonment § 20:47 coverage, § 20:27 planned developments, § 20:37 Defense of claim, § 20:70 rainwater damage coverage, Developers, liability of, § 21:68 § 20:45 **Development and Construction** rental loss coverage, § 20:48 (this index) stock cooperatives, § 20:38 Directors, §§ 20:10, 20:77 title insurance, § 20:50 Disclosures tort liability for injuries occurring generally, § 20:35 in common area, § 20:51 declarations page, disclosures on, workers' compensation insurance, § 20:59 § 20:44 Dram shop coverage, § 20:21 Inflation guard endorsement, § 20:60 Earthquake insurance, § 20:7 Landscaping insurance, § 20:16 Elevator insurance, § 20:14 Liability insurance, § 20:42 Errors and omissions insurance, Loss adjustment, § 20:76 § 20:11 Loss assessment coverage, § 20:43 False imprisonment coverage, Mandated coverage amounts, § 20:77 § 20:27 Manifestation rule, § 20:58 Federal National Mortgage Associa-Master policies for condominium tion requirements, § 20:29 projects, § 20:4 Fidelity insurance and bonds, § 20:9 Members of association, liability for Flood insurance, §§ 20:8, 20:30 excess judgment, § 21:37 Forms, disclosure summary, § 24:79

Freddie Mac requirements, § 20:30

INSURANCE—Cont'd INSURANCE—Cont'd Owners associations-Cont'd Non-owner automobile insurance, § 20:18 personal property owned by Occurrence coverage, § 20:57 association, § 20:22 Officers, § 20:10 product liability insurance, § 20:23 Operation and management, § 1:42 property damage insurance, § 20:6 rain and water damage coverage, Owners associations § 20:19 generally, §§ 19:73, 20:1 to 20:28 recreational facilities, § 20:28 automobile insurance, §§ 20:17. secondary market and federal 20:18 requirements, §§ 20:29 to auxiliary structures, § 20:20 20:32 bidding on polices, § 20:68 title insurance, § 20:33 boiler and machinery insurance, transition from builder-developer § 20:13 to owners association, § 20:34 checklist for insurance coverage, types of coverage, §§ 20:3 to § 20:2 20:28 comprehensive general liability VA requirements, § 20:32 coverage, § 20:2 watercraft insurance, § 20:24 defamation and false imprisonment workers' compensation insurance, coverage, § 20:27 § 20:12 directors and officers insurance, Personal property, §§ 20:22, 20:47 § 20:10 Phased projects, § 11:46 disclosure requirements, § 20:35 Planned developments, §§ 4:26, dram shop coverage, § 20:21 20:37 earthquake insurance, §§ 20:7, Policy exclusions, § 20:62 20:30 Policy limits, § 20:74 elevator insurance, § 20:14 Product liability insurance, §§ 20:23, errors and omissions insurance, 20:53 § 20:11 Property damage insurance, § 20:6 Federal National Mortgage Rain and water damage coverage, Association requirements, §§ 20:19, 20:45 § 20:29 Recreational facilities, § 20:28 fidelity insurance and bonds, Rental loss coverage, § 20:48 § 20:9 Replacement cost/value insurance, flood insurance, §§ 20:8, 20:30 § 20:59 Freddie Mac requirements, § 20:30 Reservation of rights, § 20:71 garage keepers' liability insurance, Risk insurance, § 20:54 § 20:25 Secondary market and federal general liability insurance, § 20:5 requirements, §§ 20:29 to 20:32 glass coverage, § 20:15 Stock cooperatives, §§ 5:15, 20:38 golf cart coverage, § 20:26 Subrogation, §§ 20:63, 20:64 hazard/casualty insurance, § 20:3 Tender, § 20:69 HUD/FHA requirements, § 20:31 Time Share Act of 2004, § 7:73 landscaping insurance, § 20:16 **Title Insurance** (this index) master policies for condominium Tort liability for injuries occurring in common area, § 20:51 projects, § 20:4 non-owner automobile insurance, Transition period, insurance during, § 20:18 §§ 20:34, 20:55

INSURANCE—Cont'd

VA requirements, § 20:32
Waiver of subrogation, § 20:64
Watercraft insurance, § 20:24
Workers' compensation insurance, § \$ 20:12, 20:44
Wrap-up insurance, § 14:30

INTENTIONAL MISREPRESENTATION

Liability of developers, § 21:3

INTEREST

Continuing care retirement communities, escrow accounts, § 6:48

Owners associations, delinquent assessments, §§ 19:60, 21:111

Phased projects, § 11:3

INTERNAL DISPUTE RESOLUTION (IDR)

Generally, § 21:116

INTERPRETATION OF COVENANTS

Restrictive covenants, § 22:90

INTERSTATE LAND SALES FULL DISCLOSURE ACT

Generally, §§ 16:26 to 16:29

Application of act, § 16:26

Completed building exemption, § 16:27

Legal framework, § 1:10

Penalties, § 16:29

State filing, use to satisfy federal requirements, § 16:28

INTERVENTION

Owners associations, § 21:39 Timeliness, § 21:39

INVESTMENTS

Continuing Care Retirement Communities (this index)

JOINDER OF MEMBERS

Generally, § 21:63

JOINT VENTURES

Financing, § 13:2

JUDICIAL ARBITRATION

Generally, § 21:121 Judicial reference, §§ 16:10, 21:122 Jury trials, §§ 16:10, 21:76, 21:117

JUDICIAL DEFERENCE

Generally, § 18:58
Restrictive covenants, § 22:90

JUDICIAL FORECLOSURE

Generally, § 19:54

JUDICIAL REFERENCE

Generally, § 21:117
Alternate dispute resolution, § 16:10

JUNIOR ACCESSORY DWELLING UNIT

Generally, § 12:28

JUST

COMPENSATION—TAKINGS
Generally, § 12:20

LACHES

Restrictive covenants, § 22:107

LAND SURVEYOR

Civil engineer as, § 12:127

LANDLORD AND TENANT

Leases (this index)

LANDSCAPE AND LIGHTING ACT OF 1972

Generally, § 13:15

LANDSCAPE MAINTENANCE AGREEMENT

Forms, § 24:29

LANDSCAPES AND LANDSCAPING

Insurance, § 20:16

Low water-using plants, § 22:55 Owners associations, maintenance, § 19:80

LATE CHARGES

Owners associations, delinquent assessments, §§ 19:60, 21:111

LATENT DEFECTS

Construction defect litigation, § 21:88

Index-40

LAWYERS

Attorneys (this index)

LEAD AGENCY

Generally, § 14:10

LEASES

Common area facilities, lease to developer, § 19:84

Condominiums (this index)

Financing, § 13:12

Forms (this index)

Insurance, rental loss coverage, § 20:48

Owners associations, **§§ 19:84**, **19:107**

Restrictions on, §§ 22:15, 22:19

Sales and purchases, § 16:16

Stock cooperative, master proprietary lease, §§ 5:6, 5:7

Time-share projects, §§ 7:42, 7:45

Troubled projects, § 19:107

Vacation leases, § 7:13

LEGAL FRAMEWORK

Generally, §§ 1:3 to 1:12

Coastal Act of California (this index)

Commercial Common Interest Developments (this index)

Continuing Care Retirement Communities (this index)

Conversions (this index)

Davis-Stirling Common Interest Development Act, § 1:4

Environmental Quality Act of California (this index)

Evolution of statutory scheme, § 1:3 Interstate Land Sales Full Disclosure Act, § 1:10

Land use regulations, § 1:5

Securities laws, § 1:11

Stock cooperatives, §§ 5:3 to 5:5

Subdivided Lands Act (this index)

Subdivision and Planning Process (this index)

Subdivision Map Act, § 1:6 Uniform laws, § 1:12

LETTER OF CREDIT

Subdivided Lands Act, onsite improvements, § 15:48

LIABILITY INSURANCE

Generally, § 20:42

LIBEL COVERAGE

Insurance, § 20:27

LICENSES AND PERMITS

Building Permits (this index)

California Coastal Act, § 12:243

Conditional Permits (this index)

Condominiums, § 3:7

Continuing Care Retirement Communities (this index)

Development and construction, §§ 14:6, 14:38

Mutual water companies, issuance prior to completion of system, § 8:26

Occupancy Permits (this index)

Owners associations, § 21:61

Securities law, § 16:61

Time-share projects, § 7:25

LIENS

Continuing care retirement communities, § 6:89

Mechanics' Liens (this index)

Owners associations, assessments, § 19:34

Restrictive covenants, monetary penalties, § 22:112

Time Share Act of 2004, § 7:69

LIFE CARE RETIREMENT COMMUNITIES

Generally, § 6:5

LIMITATION OF ACTIONS

Statutes of Limitation (this index)

LIMITED EQUITY HOUSING COOPERATIVES

Generally, §§ 1:19, 8:15

Defined, § 2:24

Owners associations, amendment of project documents, § 18:55

Subdivision Map Act, § 12:159

LIMITED EQUITY HOUSING COOPERATIVES—Cont'd

Workforce housing cooperative trust defined, § 2:47

LIMITED LIABILITY **COMPANIES**

Actions against, § 21:73 Subdivided Lands Act, amendment of public records, § 15:84

LIQUIDATED DAMAGES

Sales and purchases, deposit receipt agreements, §§ 16:11 to 16:13

LIQUIDATION

Continuing Care Retirement Communities (this index)

LIVE-WORK PROJECTS

Generally, §§ 1:22, 9:12 to 9:25 Adaptive reuse, § 9:14 Assessments, §§ 9:7, 9:23 Construction financing, § 9:16 Design, § 9:13 Development, § 9:14 Easements, § 9:18 Financing, § 9:16 Flexibility, § 9:14 Insurance, § 9:24 Land use, § 9:14 Legal structure, § 9:14 Liability of developer, § 9:25 Maintenance, § 9:20 Management, § 9:21

Mapping and platting, § 9:14 Operation, § 9:20

Parking, §§ 9:14, 9:24

Purchaser financing, § 9:16

Regulation, § 9:15

Restricted common areas, § 9:19

Sales and marketing, § 9:15

Structural issues, § 9:14

Subdivided Lands Act, § 15:10

Use restrictions, §§ 9:17, 9:24

Utilities, § 9:24

Voting, § 9:22

Zoning, § 9:14

LOANS

Financing (this index)

LOCAL AGENCIES

Condominium project approval, § 3:37

LOFT CONDOMINIUMS

Commercial common interest developments, § 8:5

LOT LINE ADJUSTMENTS

Subdivision and planning process, § 12:56

Subdivision Map Act, § 12:164

LOYALTY

Owners associations, liability of directors, § 21:26

MACHINERY INSURANCE

Generally, § 20:13

MAGNUSON-MOSS WARRANTY ACT

Sales and purchases, § 16:39

MAINTENANCE AND REPAIR

See also **Alterations** (this index) Condominiums, §§ 3:47 to 3:51 Live-work projects, § 9:20

Master planned communities, § 10:22

Owners Associations (this index)

Planned developments, § 4:25

Residential/commercial projects, § 9:3

Subdivided Lands Act, § 15:43

MAINTENANCE MANUAL

Generally, §§ 21:84, 21:89

MANAGERS AND MANAGEMENT

Generally, §§ 1:37 to 1:43

Board of directors, owners associations, §§ 18:68 to 18:70

Certified common interest development managers, §§ 19:8, 19:76

Community associations, role of, § 1:37

Condominiums, § 3:55

Construction defects, liability of developers, § 1:41

MANAGERS AND MANAGEMENT MANAGERS AND MANAGEMENT —Cont'd —Cont'd Owners associations-Cont'd Contracts and agreements initial management by developer owners associations generally, §§ 19:1 to 19:15 contracts, management, Common Interest Development §§ 19:74 to 19:76 Open Meeting Act, § 19:4 initial management by documents to be delivered to developer, regulatory association by developer, restrictions on developer § 19:15 contracts, § 19:11 early participation of new owntime-share projects, § 7:7 ers on board, § 19:5 Delegation of duties and functions election of board of directors, master planned communities, dele-§ 19:13 gate voting, § 10:19 first meeting of association owners associations, board of members, § 19:14 directors, §§ 18:59, 18:69 original board of directors, Developers, liability of, § 1:41 § 19:3 Directors of owners associations, professional management, liability of, § 1:39 §§ 19:7 to 19:9 Indemnification, § 19:76 regulatory restrictions on Insurance, § 1:42 developer contracts, Liability, §§ 1:38 to 1:41 § 19:11 Live-work projects, §§ 9:20, 9:21 relationship between developers and owners, § 19:6 Master planned communities retention of control by approval of project management developer, § 19:2 documents, § 10:11 SB 800 issues, §§ 19:2, 19:15 governance of developments, timing of membership meetings, management documents, § 19:12 §§ 10:12 to 10:14 transfer of control from regulation of developments, developer to association approval of project managemembers, § 19:10 ment documents, § 10:11 liability of, §§ 1:38 to 1:40 resort projects, § 10:29 management functions, board of Members of owners associations, directors, §§ 18:68 to 18:70 liability of, § 1:40 operation and management **Operation and Management** (this generally, §§ 1:38 to 1:40, 19:1 index) to 19:116 Owners associations bonded obligations of board of directors, management subdivider, enforcement by functions, §§ 18:68 to 18:70 board of, § 19:23 certified common interest developbudget and fiscal matters. ment managers, §§ 19:8, §§ 19:18, 19:87 19:76 committees, formation of, contracts, management, §§ 19:74 § 19:17 to 19:76 contracts for management, first meeting of association §§ 19:74 to 19:76 members, initial management membership meetings, §§ 19:20, 19:21 by developer, § 19:14

MANAGERS AND MANAGEMENT MANAGERS AND MANAGEMENT —Cont'd —Cont'd Owners associations—Cont'd Time-share projects operation and management generally, §§ 7:39 to 7:92 —Cont'd budgets, § 7:43 records requirements, § 19:22 contracts, § 7:7 regular meetings, §§ 19:19, developer subsidies, § 7:44 19:20 employment of managing agent, regulation of managing agent, § 7:25 § 19:76 exchange programs, § 7:46 special membership meetings, management agreement, § 7:17 § 19:21 mixed-use time-share projects, transfer from developer control, § 7:41 § 19:16 rental and resales program, § 7:45 professional management, initial rental pool, § 7:42 management by developer, MANIFESTATION RULE §§ 19:7 to 19:9 Insurance, § 20:58 retention of control by developer, initial management by **MANUFACTURED HOMES** developer, § 19:2 Generally, § 16:38 Planned developments MAPS generally, §§ 4:22 to 4:27 **Condominiums** (this index) allocation of assessments, § 4:23 Forms (this index) assessments, §§ 4:23, 4:24 Owners associations, coordination of insurance, § 4:26 governing documents, § 18:13 maintenance, § 4:25 Phased projects, § 11:16 mechanics' liens, § 4:27 **Subdivision Map Act** (this index) owners association, duties of, **MARINAS** § 4:22 Generally, § 8:20 proration of assessments, § 4:24 SB 800, initial management by MARKETING PHASE developer, §§ 19:2, 19:15 Generally, § 11:32 Stock cooperatives MASTER ENVIRONMENTAL generally, §§ 5:15 to 5:18 IMPACT REPORT conversion of rental apartments, § 5:17 California Environmental Quality Act, § 12:204 owners association, duties of, § 5:15 MASTER PLANNED taxation, § 5:16 **COMMUNITIES** tort liability, § 5:18 Generally, §§ 10:1 to 10:36 Subdivided Lands Act Amendments to master declaration, § 10:13 application for public report, master management docu-Annexations, § 10:26 ment review, § 15:33 Approval of project management documents, § 10:11 master management document review, application for public Architectural control, §§ 10:10, report, § 15:33 10:23 Taxation, § 1:43 Assessments, § 10:21

MASTER PLANNED	MASTER PLANNED
COMMUNITIES—Cont'd	COMMUNITIES—Cont'd
Board members, developer right to elect majority, § 10:10	Governance of developments —Cont'd
Bylaws of master association,	community common areas, § 10:20
§ 10:14	cost allocations and assessments,
Commercial areas, allocation of	§ 10:21
assessments for, § 10:21	functions of master association,
Control and assessments	§ 10:18
Cost allocations and assessments, § 10:21	governing associations, §§ 10:15,
Defined, § 2:25	included property, § 10:17
Delegate voting, § 10:19	maintenance contract, § 10:22
Department of Real Estate regula-	management documents, §§ 10:12
tions, § 10:9	to 10:14
Description of developments, § 10:1	master associations, §§ 10:14,
Distribution of publications, gated	10:15
communities, § 10:36 Formation	master declaration, §§ 10:12, 10:13, 10:17 to 10:27
generally, §§ 10:1 to 10:8	membership and voting, § 10:19
defined, § 10:2	multiple associations, § 10:16
description of developments,	neighborhood restrictions, § 10:25
§ 10:1	phasing and annexations, § 10:26
master declaration and master association, § 10:4	provisions in master declaration, §§ 10:17 to 10:27
relationship between master	shared recreational facilities,
builder and merchant builder, §§ 10:3 to 10:8	§ 10:27
role of master builder, § 10:3	subsidy arrangement, § 10:22 use restrictions, § 10:24
sales agreements, § 10:6	Included property, § 10:17
separate documentation, § 10:5	Interstate Land Sales Full Disclosure
Subdivided Lands Act, application	Act, application to resort proj-
to merchant builders, § 10:8	ects, § 10:32
zoning ordinances and Subdivision	Lodging, resort projects, § 10:31
Map Act, application in sale	Maintenance contract, § 10:22
to merchant builders, § 10:7	Major special benefit facilities,
Gated communities generally, §§ 10:33 to 10:36	§ 10:10
distribution of publications,	Management documents, §§ 10:12 to
§ 10:36	Master assessments, § 10:21
security, § 10:35	Master associations, § 10:21
service of process, §§ 10:34, 21:38	10:15
Governance of developments	Master declaration, §§ 10:4, 10:12,
generally, §§ 10:13 to 10:27	10:13, 10:17 to 10:27
amendments to master declaration,	Master planned developments,
§ 10:13	§ 10:10
architectural control, § 10:23	Membership and voting, § 10:19
bylaws of master association,	Multiple associations, § 10:16
§ 10:14	Neighborhood assessments, § 10:21

Disclosure requirements, § 16:24

MASTER PLANNED MATERIAL CHANGE COMMUNITIES—Cont'd Generally, § 15:80 Neighborhood restrictions, § 10:25 MCCARTHY TIME LIMITS Phasing and annexations, § 10:26 Subdivided Lands Act, application Quorum requirements, § 10:19 for public report, § 15:25 Recreational facilities, § 10:27 Regulation of developments **MEALS** generally, §§ 10:9 to 10:11 Continuing care retirement communiapproval of project management ties, § 6:7 documents, § 10:11 **MECHANICS' LIENS** Department of Real Estate regula-Condominiums, conveyance of first tions, § 10:9 unit, § 3:54 master planned developments, Development and construction. § 10:10 § 14:34 Resort projects Planned developments, § 4:27 generally, §§ 10:28 to 10:32 Subdivided Lands Act, completion of amenities, § 10:29 improvements, § 15:53 development, § 10:29 Interstate Land Sales Full **MEDIATION** Disclosure Act, application of, Generally, § 21:125 § 10:32 Land disputes, § 12:7 lodging, § 10:31 MEDICAL CARE management, § 10:29 Continuing care retirement communioperation, § 10:30 ties, § 6:10 recreational facilities, § 10:29 structure. § 10:29 MEET AND CONFER PROGRAM Sales agreements, § 10:6 Generally, §§ 19:48, 19:51, 19:55, Security, gated communities, § 10:35 19:57, 19:62, 24:67 Service of process, gated communi-MEETINGS ties, § 10:34 Governing body, § 7:82 Special benefit assessments, § 10:21 Members, § 7:79 Special benefit facilities, § 10:10 Owners Associations (this index) Special projects generally, §§ 10:28 to 10:36 MEGAN'S LAW gated communities, above Disclosures, sales and purchases, resort projects, above § 16:24 Sub-association assessments, § 10:21 MELLO-ROOS COMMUNITY Subdivided Lands Act, application to **FACILITIES ACT OF 1982** merchant builders, § 10:8 Generally, §§ 12:14, 13:15, 16:24 Subdivision Map Act, application in sale to merchant builders, § 10:7 **MEMBERSHIP** Subsidy arrangement, § 10:22 Master planned communities, § 10:19 Use restrictions, § 10:24 Owners Associations (this index) User fees, § 10:21 MILITARY ORDNANCE Voting, §§ 10:10, 10:19 **LOCATIONS** Zoning ordinances, application in

sale to merchant builders, § 10:7

MINIMUM FILING PACKAGE (MFP)

Subdivided Lands Act, application for public report, § 15:26

MINISTERIAL PROJECTS

Subdivision and planning process, § 12:191

MINI-TRIALS

Generally, § 21:126

MINORITY INTERESTS

Owners associations, § 18:32

MINUTES

Owners Associations (this index)

MISREPRESENTATION

Liability of developers, § 21:3 Sales and purchases, § 16:41

MITIGATED NEGATIVE DECLARATION

California Environmental Quality Act, § 12:200

MITIGATION FEE ACT

Subdivision Map Act, § 12:175

MIXED-USE COMMON INTEREST DEVELOPMENTS

Generally, §§ 9:1 to 9:25
Live/Work Projects (this index)
Residential/Commercial Projects
(this index)

MIXED-USE SUBDIVISION MAPS

Subdivision Map Act, § 12:161

MOBILEHOMES

Age-restricted communities, § 22:43 Conversions, notice requirements, § 17:57

MORATORIUMS

Conversions, § 17:21

Growth control measures, § 12:70 Subdivision Map Act, effect on expiration of tentative subdivision maps, § 12:119

MORTGAGES

Leasehold condominiums, revenue bonds, § 3:24
Taxation, interest deduction, § 23:33

MOTELS

Condominiums, §§ 1:24, 8:19 Time-shares, § 7:15

MOTOR VEHICLES

Electric vehicles, §§ 3:15, 22:49
Insurance, §§ 20:17, 20:18
Restrictive Covenants (this index)
Towing of wrongfully parked vehicles
compliance with Vehicle Code,
§§ 19:82, 22:52
owners associations, maintenance and operating contracts,
§ 19:82

restrictive covenants, §§ 22:50, 22:52

MUNICIPAL COURT

Owners associations, § 21:47

MUTUAL WATER COMPANIES

Generally, §§ 1:25, 8:21 to 8:29 Department of Real Estate requirements, § 8:24

Financial requirements, § 8:29
January 1, 1998, formation before or after, §§ 8:22, 8:23

Owners associations, compared, § 8:28

Permit, issuance prior to completion of system, § 8:26

Regulatory requirements, § 8:25 State agencies, relationship between, § 8:27

NAMES

Continuing care retirement communities, change of name, §§ 6:37, 6:38

Owners associations, § 18:10

NATIONAL ENVIRONMENTAL POLICY ACT

Generally, § 12:181

NATURAL HAZARDS

Disclosure requirements, § 16:20

NEGATIVE DECLARATION

Environmental Quality Act of California (this index)

NEGLIGENCE

Architects, liability, § 21:3 Comparative negligence as defense, § 21:63

Construction defects, §§ 21:81, 21:82 Developers, liability, § 21:3

NEW HOME UNIVERSAL

Generally, §§ 16:24, 24:82

NEXUS REQUIREMENTS

Building permits, § 14:22 Studies, regulatory takings, § 12:169 Subdivision Map Act, regulatory takings, § 12:172

NO ACTION LETTER

Securities law, § 16:48

NOISE

Noise element, general plans, § 12:23

NOLLAN-DOLAN REQUIREMENTS

Subdivision Map Act, regulatory takings, §§ 12:171 to 12:173

NOMINATION

Owners associations, board of directors, § 18:63

NONCONTIGUOUS PROPERTY

Condominiums, owners associations, § 3:56

NON-JUDICIAL FORECLOSURE

Association assessments, § 19:54

NOTICE

Continuing Care Retirement Communities (this index)

Conversions (this index)

Environmental Quality Act of California (this index)

Mail, § 18:37

Owners Associations (this index)

NOTICE—Cont'd

Property Taxes and Assessments (this index)

Restrictive covenants, violations of, § 22:88

Special tax, § 24:88

Subdivided Lands Act, subdivision with blanket encumbrance, § 15:58

Subdivision Map Act, **§§ 12:106**, **12:165**

Towing of wrongfully parked motor vehicle, §§ 19:82, 22:52

NOTICE OF SPECIAL TAX

Generally, § 16:24

NUISANCE

Generally, § 22:95

NURSING SERVICES

Continuing care retirement communities, § 6:9

OBEDIENCE

Owners associations, liability of directors, § 21:25

OBSOLESCENCE

Owners associations, troubled projects, § 19:104

OCCUPANCY

Use and Occupancy (this index)

OCCUPANCY LIMITATIONS

Generally, § 22:16

OCCUPANCY PERMITS

Issuance, § 14:28

Local government regulation, § 12:58

OCCURRENCE COVERAGE

Insurance, § 20:57

OFFENSES AND VIOLATIONS

Continuing Care Retirement Communities (this index)

Securities law, §§ 16:55, 16:56, 16:66 to 16:69

Subdivided Lands Act, §§ 15:90, 15:91

Subdivision Map Act, §§ 12:165, 12:166

OFFERINGS

Time Share Act of 2004, material change, § 7:57

OFFICE CONDOMINIUMS

Commercial common interest developments, § 8:2

OFFICERS

Insurance, § 20:10 Owners associations, § 18:70

OFFSET RIGHTS

Owners associations delinquent assessments, § 19:56

ONE FORM OF ACTION

Generally, § 19:68

OPEN MEETINGS

Owners associations, §§ 18:79, 19:4

OPEN SPACE

Open space element, general plans, § 12:23

OPERATING COST MANUAL FOR HOMEOWNERS' ASSOCIATIONS

Reserve requirements, owners associations, § 19:25
Variable assessments, owners associations, § 19:36

OPERATION AND MANAGEMENT

Generally, §§ 1:37 to 1:43

Certified common interest development managers, § 19:8

Commercial Common Interest Developments (this index)

Community associations, role of,

§ 1:37 Construction defects, liability of developers, § 1:41

Developers, liability of, § 1:41

Directors of owners associations, liability of, § 1:39

Insurance, § 1:42

Liability, §§ 1:38 to 1:41

Live-work projects, §§ 9:20, 9:21

Members of owners associations, liability of, § 1:40

Owners Associations (this index)

OPERATION AND MANAGEMENT —Cont'd

Planned Developments (this index)
Possessory rights, assertion of, § 1:44
Stock Cooperatives (this index)
Taxation, § 1:43

Time-Share Projects (this index)

OPTING OUT

Construction defects, § 21:75

OPTION FUNDS

Subdivided Lands Act, escrow, § 15:62

ORDINANCES

Condominium maps, local ordinance requirements, § 3:38

OTARD

Generally, § 22:58

OUT-OF-STATE LAND PROMOTIONS

Subdivided Lands Act, **§§ 15:14 to 15:16**

OWNERS ASSOCIATIONS

Generally, §§ 18:1 to 18:86, 19:1 to 19:102

Acceleration of delinquent assessments, § 19:61

Access to separate interest, denying, § 18:47

Adjournment of meetings of board of directors, § 18:86

Age of project, § 19:104

Allocation of assessments, § 19:35

Allocation of damages, § 21:108

Alternative Dispute Resolution (this index)

Alternative procedure, petition to court for, § 18:53

Amendments of project documents generally, §§ 18:49 to 18:55

alternative procedure, petition to court for, § 18:53

articles of incorporation, §§ 18:49, 18:55

bylaws, §§ 18:54, 18:55

construction and marketing provisions, deletion of, § 18:52

OWNERS ASSOCIATIONS—Cont'd	OWNERS ASSOCIATIONS—Cont'd
Amendments of project documents	Attorney fees, §§ 19:71, 21:110
—Cont'd	Attorney for developer, action
declaration, § 18:50	against, § 21:52
limited equity housing coopera-	Ballots, inspection, §§ 18:64, 19:13
tives, § 18:55	Bank account of association, § 19:96
regulatory requirements, § 18:51	Bankruptcy, § 19:67
Antitrust law, liability of developers, § 21:13	Board of directors
Appointment of first directors,	generally, §§ 18:58 to 18:73
§ 18:60	activity of association, commencement of, § 18:62
Approval. Consent or approval,	adjournment of meetings, § 18:86
below	agenda of meetings, § 18:76
Articles of incorporation, §§ 18:16, 18:49, 18:55	appointment of first directors, § 18:60
Assessments	ballots, inspection, §§ 18:64, 19:13
generally, §§ 19:31 to 19:72	business judgment rule, § 18:58
allocation, § 19:35	calling of meetings, § 18:75
collection, §§ 19:44, 21:54	committees, § 18:68
commencement of assessments,	compensation of directors, § 18:67
§ 19:43 delinquent assessments, below	consolidated meetings, § 18:83
developer, payment or guarantee	definition of meeting of directors,
by, §§ 19:45, 19:46	§ 18:77
disclosure documents, § 19:89	delegation of duties and functions, §§ 18:59, 18:69
emergencies, increase necessitated	duties, §§ 18:58, 18:59
by, § 19:40	elections, §§ 18:64, 19:13
exemption from execution,	emergency meetings, § 18:81
§§ 19:31, 21:17	executive sessions, §§ 18:80, 19:4
guarantees by developer, § 19:45	first meeting, § 18:61
increases, §§ 19:37, 19:39	Forms (this index)
initial assessments set by developer, § 19:32	inspectors of elections, § 18:64
liens	management functions, §§ 18:68
foreclosure limitations, § 19:49	to 18:70
liability of members, § 21:37	meetings, §§ 18:61, 18:74 to
notice of assessments, §§ 19:42,	18:86, 19:4
19:47	member's right to speak at meet-
obligation and lien, § 19:34	ing, § 18:82
payment plan, § 19:51	no action without meeting, § 18:84
payment under protest, § 19:51	nomination, § 18:63
phased assessments, § 19:41	notice of meetings, §§ 18:41 , 18:76
regular assessments levied by	
board, § 19:33	number of directors, § 18:65 officers, § 18:70
special assessments, § 19:38	open meetings, § 18:79
troubled projects, triggering of assessments, § 19:111	qualification, § 18:63
variable assessments, § 19:111	quarification, § 18:05 quorum of directors, § 18:78
Assignment of rights, § 18:43	regular meetings, § 18:74
Assignment of rights, § 10:43	regular meetings, § 10:74

OWNERS ASSOCIATIONS—Cont'd	OWNERS ASSOCIATIONS—Cont'd
Board of directors—Cont'd	Class actions, § 21:40
removal, § 18:71	Collection of assessments, § 19:44
replacement, § 18:73	Commencement of assessments,
resignation, § 18:72	§ 19:43
selection of directors, §§ 18:60 to	Committees, §§ 18:68, 19:17
18:67	Common areas
telephonic or electronic meetings,	exclusive use, § 19:77
§ 18:85	improvements, repairs, and
terms of office, § 18:66	reconstruction, § 19:78
troubled projects, § 19:114	title to and transfer of, §§ 19:83,
Bonded obligations of subdivider,	19:84
enforcement by board of, § 19:23	Common Interest Development Open Meeting Act, § 19:4
Borrowing money, § 18:43	Common Interests Development
Budgets	(Form NP/CID), statement,
liability of association, § 21:18	§ 19:92
liability of developers, § 21:7	Comparative fault, § 21:109
operation and management,	Compensation of directors, § 18:67
§§ 19:18, 19:87	Condominiums (this index)
troubled projects, § 19:112	Conflict of interest, liability of
Bulk purchaser, operation of troubled	developers, § 21:11
projects, §§ 19:108, 19:109	Consolidated meetings, board of
Business judgment rule, §§ 18:58,	directors, § 18:83 Construction and marketing provi-
21:65	sions, amendment of project
Bylaws	documents, § 18:52
generally, § 18:19 amendment of project documents,	Construction defects and deficiencies.
§§ 18:54, 18:55	§§ 19:112, 19:116
Forms (this index)	Contracts
regulatory review, § 18:20	coordination of governing documents, § 18:14
Cable television, § 19:81	liability of association, § 21:17
California Fair Employment and	liability of developers, § 21:4
Housing Act, § 21:93	liability of directors, §§ 21:29,
Calling of meetings of board of directors, § 18:75	21:30
Capacity to sue, § 21:39	liability of members, § 21:35
Catastrophic destruction, § 19:103	management, §§ 19:74 to 19:76
Certificates of membership, §§ 18:23,	shared use agreements, § 19:110
19:98	troubled projects, § 19:110
Certified common interest development managers, §§ 19:8, 19:76	Conversion, operation of troubled projects, § 19:107
Challenging assessments, § 19:55	Corporate business standards,
Changed conditions or circumstances	§ 21:15
liability of developers, § 21:9	Costs, § 21:110
owner/member, § 22:86	Counsel, authority to retain and
Checklists, §§ 18:9, 18:18	contract to pay attorney fees,
Civil rights actions, §§ 21:92 to	§ 21:49
21:94	Covenants, duty to enforce, § 21:18

tory requirements, § 19:59

OWNERS ASSOCIATIONS—Cont'd OWNERS ASSOCIATIONS—Cont'd Crime, foreseeable, duty to prevent, Delinquent assessments § 21:18 generally, §§ 19:47 to 19:72 Cross-complaint by developer, acceleration of delinquent assess-§ 21:62 ments, § 19:61 Cumulative voting, § 18:29 action to collect delinquent assess-Damages, §§ 21:41, 21:102 to 21:111 ments, §§ 19:67 to 19:72 Death of member, voting, § 18:33 alternative dispute resolution, Declaration of covenants, conditions. § 19:57 attorney fees, recovery of, § 19:71 and restrictions, §§ 18:17, 18:18 Declaration of successor, troubled bankruptcy, § 19:67 projects, § 19:113 challenging assessments, § 19:55 Declaratory relief, § 21:113 deed in lieu of foreclosure, § 19:54 Deed in lieu of foreclosure, delindisciplinary action against owner, quent assessments, § 19:54 §§ 19:65, 19:66 Deeds, coordination of governing DRE, notice to, § 15:75 documents, § 18:14 enforcement of lien, § 19:53 Defects in construction, troubled Fair Debt Collection Practices Act. projects, § 19:116 § 19:72 Defenses of association and directors foreclosure of lien, §§ 19:47 to generally, §§ 21:63 to 21:68 19:66 assumption of risk, § 21:63 homestead exemption, waiver of, business judgment rule, §§ 21:63, § 19:63 21:65 January 1, 2003, procedures for comparative negligence, § 21:63 liens recorded before or after, § 19:62 consent, § 21:63 exculpatory clauses, § 21:63 judicial foreclosure, § 19:54 expert advice, obtaining, § 21:63 late charges and interest, § 19:60 limitation, foreclosure of assessfidelity bonds for directors and ment liens, § 19:49 officers, § 21:68 immunity, §§ 21:63, 21:64 material change, § 15:79 monetary penalties, lien for, indemnity of directors and officers, § 19:64 § 21:67 notice, §§ 15:75, 19:48, 19:50, insurance coverage for directors 19:66 and officers, § 21:68 offset rights, § 19:56 judicial deference standard of one form of action rule, § 19:68 review, § 21:65 personal liability, § 19:67 no breach of duty, § 21:63 post-notice delinquencies, incluproximate cause, lack of, § 21:63 sion of, § 19:61 statutes of limitation, § 21:66 power of sale, § 19:54 volunteer directors and officers, priority of liens, §§ 19:52, 19:58 § 21:64 reversal of charges, § 1:4 vote of members, authorization by, satisfaction and release of lien. § 21:63 § 19:62 Definition of meeting of directors, small claims court, §§ 19:70, § 18:77 21:46 Delegation of duties and functions. board of directors, §§ 18:59, subordination provisions, regula-

18:69

OWNERS ASSOCIATIONS—Cont'd	OWNERS ASSOCIATIONS—Cont'd
Delinquent assessments—Cont'd	Elections
time limits on liens, § 19:53	board of directors, §§ 18:64, 19:13
troubled projects, excessive	inspectors of, § 18:64
delinquencies, § 19:105	rules and procedures, § 24:90
venue of action to collect delinquent assessments, § 19:69	Electronic delivery of documents, § 19:93
Delivery of documents, obligation of subdivider, § 19:93	Electronic meetings of board of directors, § 18:85
Department of Real Estate checklist	Emergencies
of provisions, § 18:18	increase in assessments neces-
Derivative claims, parties and	sitated by, § 19:40
actions, § 21:56	troubled projects, catastrophic
Developer	destruction, § 19:103
Initial management by developer, below	Emergency meetings, board of directors, § 18:81
Liability of developers, below	Eminent Domain (this index)
Diminution in value, damages,	Emotional distress, § 21:106
§ 21:104 Directors	Employees of association, liability of members for injuries to, § 21:34
Board of directors, above	Enforcement of lien, delinquent
Liability of directors, below	assessments, § 19:53
meetings, board of directors,	Enforcement of restrictions, § 1:34
§§ 18:61, 18:74 to 18:86	Equitable relief, §§ 21:112 to 21:115
Disclosure of litigation, § 21:43	Exclusive use common area, § 19:77
Disclosure requirements of Davis-	Executive sessions, board of directors, §§ 18:80, 19:4
Stirling Act, § 19:88	Expenditure of reserves, limitations
Disputed assessments, protest,	on, § 19:29
§ 19:51	Extension of term, § 18:56
Distribution of disclosure documents, § 19:89	Fair Debt Collection Practices Act, §§ 19:72, 21:54
Domestic corporation statement,	Fees for transfer, § 18:25
§ 19:91	Fiduciary duty, liability of directors,
Drafting of governing documents	§ 21:22
generally, §§ 18:11 to 18:15	Financing, § 13:14
deeds and contracts, coordination with, § 18:14	Fines, imposition of, § 18:44
drafting considerations, § 18:12	First meeting of association
Freddie Mac and Fannie Mae	members, initial management by
guidelines, § 18:15	developer, § 19:14
legal framework, § 18:11	First meeting of board of directors, § 18:61
lender requirements, coordination	Fiscal matters, §§ 19:18, 19:87
with, § 18:15	Foreclosure of lien
maps and plans, coordination with,	delinquent assessments, §§ 19:47
§ 18:13	to 19:66
Due process requirements, §§ 18:42, 21:15	notice of assessments and foreclo- sure, § 19:47
Duties. Powers and duties, below	right of redemption, § 19:54

due process requirements, § 21:15

OWNERS ASSOCIATIONS—Cont'd OWNERS ASSOCIATIONS—Cont'd Formation of incorporated or unin-Initial management by developer corporated association, § 18:3 —Cont'd Forms (this index) retention of control by developer, § 19:2 Forum, choice of, § 21:45 SB 800 issues, §§ 19:2, 19:15 Functions, § 18:2 timing of membership meetings, Garbage collection contract, § 19:85 § 19:12 Gated communities, service of protransfer of control from developer cess. § 21:38 to association members, Good faith, liability of directors, § 19:10 § 21:24 Initial organization by developer, Governance, §§ 18:11 to 18:86 § 18:8 Governing documents Inspection rights, records and reports, generally, §§ 18:11 to 18:57 § 19:94 drafting of governing documents, Inspector of election, § 18:64 above **Insurance** (this index) Guarantees by developer, assess-Interest on delinquent assessments, ments, § 19:45 §§ 19:60, 21:111 Hazardous materials, liability of Intervention, § 21:39 association, § 21:19 January 1, 1980, law applicable to Homestead exemption, delinquent associations incorporated before assessments, § 19:63 or after, §§ 18:4, 18:5 Increases in assessments, §§ 19:37, Judicial foreclosure, delinquent 19:39 assessments, § 19:54 Indemnity of directors and officers, Landlord standard of care, § 21:15 § 21:67 Landscape maintenance, § 19:80 Individual liability of members, Late charges on delinquent assess-§ 21:32 ments, §§ 19:60, 21:111 Initial management by developer Lease of common area facilities to generally, §§ 19:1 to 19:15 developer, § 19:84 Common Interest Development Leasing of troubled projects, § 19:107 Open Meeting Act, § 19:4 documents to be delivered to Liability of association association by developer, generally, §§ 1:38 to 1:40, 21:14 § 19:15 to 21:20, 21:63 to 21:68 early participation of new owners budget, duty to prepare, § 21:18 on board, § 19:5 business judgment rule, § 21:65 election of board of directors, common area, duty to maintain, § 19:13 § 21:18 first meeting of association contractual liability, § 21:17 members, § 19:14 corporate business standards, original board of directors, § 19:3 § 21:15 professional management, §§ 19:7 covenants, duty to enforce, § 21:18 to 19:9 crime, foreseeable, duty to prevent, § 21:18 regulatory restrictions on developer contracts, § 19:11 Defenses of association and directors, above relationship between developers

and owners, § 19:6

OWNERS ASSOCIATIONS—Cont'd	OWNERS ASSOCIATIONS—Cont'd
Liability of association—Cont'd	Liability of directors
hazardous materials, § 21:19	generally, §§ 21:21 to 21:30
landlord standard of care, § 21:15	contractual liability, §§ 21:29,
mini-government standard, § 21:15	21:30
notice to members, duty to give,	Defenses of association and direc-
§ 21:18	tors, above
reports, duty to make, § 21:18	duties, §§ 21:21 to 21:26
specific areas of liability, § 21:18	fiduciary duty, § 21:22
standards applied to associations, § 21:15	good faith, duty of, § 21:24
statutes of limitation, § 21:65	loyalty, duty of, § 21:26 obedience, duty of, § 21:25
tort liability, § 21:16	personal liability, § 21:27
unincorporated associations,	reasonable care standard, § 21:23
§ 21:20	tort liability, § 21:28
Liability of developers	unincorporated associations,
generally, §§ 21:1 to 21:13	§ 21:30
antitrust law, breach of, § 21:13	Liability of members
budget deficiencies, § 21:7	generally, §§ 21:31 to 21:38
business judgment rule, § 21:65	assessment liens
changed circumstances, modifica-	attachment of, § 21:37
tion of restrictions due to,	foreclosure limitation, § 19:49
§ 21:9	contractual liability, § 21:35
completion of development and	duties, § 21:31
delivery of promised facili-	employees of association, injuries
ties, § 21:8	to, § 21:34
conflict of interest, § 21:11	gated communities, service of pro-
contractual liability, § 21:4	cess, § 21:38
fidelity bonds, § 21:68	incorporated associations, § 21:35
fraud, § 21:3	individual liability, § 21:32
indemnification, § 21:67	insurance policy of association,
insurance coverage, § 21:68	judgment in excess of,
intentional misrepresentation,	§ 21:37 tenants in common, members hold-
§ 21:3	ing title as, § 21:36
levels of responsibility, § 21:11	tort liability, § 21:33
mix or design of units, change in,	unincorporated associations,
§ 21:10	§ 21:35
negligence, § 21:3	License requirements, § 21:61
negligent misrepresentation, § 21:3	Liens, §§ 18:44, 19:34
nondisclosure/concealment, § 21:3	Limited equity housing cooperatives,
restrictions, failure to enforce,	amendment of project docu-
§ 21:5	ments, § 18:55
securities law, breach of, § 21:12	Litigation
statutes of limitation, § 21:65	generally, §§ 21:39 to 21:115
statutory liability, § 21:2	California Fair Employment and
third-party beneficiary theory,	Housing Act, § 21:93
§ 21:6	civil rights actions, §§ 21:92 to
tort liability, § 21:3	21:84

OWNERS ASSOCIATIONS—Cont'd	OWNERS ASSOCIATIONS—Cont'
Litigation—Cont'd	Membership—Cont'd
Construction Defects (this index) Defenses, above	list of members, inspection rights, § 19:94
Eminent Domain (this index)	meetings, §§ 18:82, 19:20, 19:21
filing discrimination action with HUD or federal civil action,	member actions without, § 18:40
§ 21:94	membership interests, § 18:22
judicial deference standard of review, § 21:65	restrictions on transfer of membership, § 18:26
parties and actions, below	suspension, § 18:34
Post-SB 800, defense considerations, § 21:84	transfer of membership, §§ 18:24, 18:26
Pre-SB 800, defense considerations, § 21:83	Minority interest, protection of, § 18:32
remedies, below	Minutes
Unruh Civil Rights Act, § 21:92	book, § 19:99
Local government regulation, § 18:7	executive sessions, § 19:2
Loyalty, liability of directors, § 21:26 Maintenance and operating contracts	Mix or design of units, liability of developers, § 21:10
generally, §§ 19:77 to 19:85	Monetary penalties, §§ 18:44, 19:64
cable television, § 19:81	Municipal court, § 21:47
common areas, above	Mutual water companies, compared,
garbage collection contract,	§ 8:28
§ 19:85	Name of corporation, reservation of, § 18:10
landscape maintenance, § 19:80	Nomination of board of directors,
lease of common area facilities to	§ 18:63
developer, § 19:84	Notice requirements
maintenance manual, §§ 21:84, 21:89	generally, §§ 18:37 to 18:41
parking, § 19:82	adjournment, § 18:37
pest control, § 19:79	assessments, §§ 19:42, 19:47
private roads, use of, § 19:82	association, to, §§ 19:23, 19:88
responsibilities for maintenance,	board meetings, §§ 18:41, 18:76,
§ 19:77	counting days, § 18:37
towing of wrongfully parked	delinquent assessments, §§ 15:75,
vehicles, § 19:82	19:48, 19:50, 19:66
Management functions, board of	duty to give notice, § 21:18
directors, §§ 18:68 to 18:70	executive session of board of
Maps, coordination of governing	directors, § 19:4
documents, § 18:13	mail, § 18:37
Meetings, board of directors,	meetings, § 18:76
§§ 18:61, 18:74 to 18:86	membership meetings, § 18:37
Membership	parties and actions, § 21:43
generally, §§ 18:21 to 18:26	pesticides, §§ 19:22, 19:88
certificates of membership, §§ 18:23, 19:98	regulatory notice requirements, § 18:38
Liability of members, above	special meetings, § 18:37

OWNERS ASSOCIATIONS—Cont'd	OWNERS ASSOCIATIONS—Cont'd
Notice requirements—Cont'd	Parking, § 19:82
waiver of notice and consent,	Parties and actions
§ 18:39	generally, §§ 21:39 to 21:62
Number of directors, § 18:65	assessment, collection of, § 21:54
Obedience, liability of directors, § 21:25	association, actions against, § 21:58
Obligation and lien, assessments, § 19:34	association as plaintiff, §§ 21:39 to 21:55
Obsolescence of projects, § 19:104	attorney for developer, action
Officers, § 18:70	against, § 21:52
Offset rights, delinquent assessments,	class actions, § 21:40
§ 19:56	commencement of litigation on
One form of action rule, delinquent	behalf of association, § 21:44
assessments, § 19:68	cross-complaint by developer,
Open meetings, board of directors,	§ 21:62
§ 18:79	damage to or loss of association
Operating rules, § 18:46	property, § 21:41
Operation and management	decision to litigate, § 21:42
generally, §§ 1:38 to 1:40, 19:1 to	derivative claims, § 21:56
19:102 assessments, above	developer, actions against, §§ 21:50, 21:57
bonded obligations of subdivider, enforcement by board of,	developer as plaintiff, §§ 21:60 to 21:62
§ 19:23 budget and fiscal matters,	Fair Debt Collection Practices Act, § 21:54
§§ 19:18, 19:87	forum, choice of, § 21:45
committees, formation of, § 19:17	intervention, § 21:39
contracts for management,	license requirements, § 21:61
§§ 19:74 to 19:76	member, action against, § 21:53
delinquent assessments, above initial management by developer,	member of association as plaintiff, §§ 21:56 to 21:59
above	municipal court, § 21:47
Insurance (this index)	notice requirements, § 21:43
maintenance and operating	retention of counsel and contract to
contracts, above	pay attorney fees, § 21:49
membership meetings, §§ 19:20,	small claims court, § 21:46
19:21	standing or capacity to sue,
records and reports, below	§ 21:39
records requirements, § 19:22	superior court, § 21:48
regular meetings, §§ 19:19, 19:20	surety, action to enforce bond,
regulation of managing agent,	§ 21:51
§ 19:76	third party, action against, § 21:55
reserves, below	unification of trial courts, effect of,
special membership meetings,	§ 21:47
§ 19:21	Penalties, imposition of, § 18:44
transfer from developer control, § 19:16	Personal liability of directors, § 21:27
troubled projects, below	Pest control. § 19:79

OWNERS ASSOCIATIONS—Cont'd	OWNERS ASSOCIATIONS—Cont'd
Pesticides, annual notice, § 19:88	Records and reports—Cont'd
Phased assessments, § 19:41	bank account of association,
Planned developments, § 4:22	§ 19:96
Plans, coordination of governing documents, § 18:13	Davis-Stirling Act requirements, § 19:88
Political action committee, donation	delivery of documents
to, § 18:42	Davis-Stirling Act, § 19:95
Post-notice delinquencies, inclusion	email, § 24:89
of, § 19:61	obligation of subdivider, § 19:93
Power of sale, § 19:54	disclosure documents, § 19:89
Powers and duties	disclosure requirements, § 19:88
generally, §§ 18:42 to 18:47	distribution of disclosure docu-
borrowing money, § 18:43	ments, § 19:89
fines and penalties, imposition of, § 18:44	domestic corporation statement, §§ 19:91, 19:92
project rules of operation, adoption	duty to make reports, § 21:18
of, § 18:45	electronic records, §§ 19:95, 24:89
restrictions, enforcement of,	inspection rights, § 19:94
§§ 18:47, 18:48	membership certificates, § 19:98
rules of operation, adoption of,	minute book, § 19:99
§ 18:45	nonprofit mutual benefit
statutory powers, § 18:42	corporations, generally,
Priority of liens, delinquent assess-	§ 19:86
ments, §§ 19:52, 19:58	operating budget, § 19:87
Private roads, use of, § 19:82	relevant information, statement of,
Procedure, §§ 18:8 to 18:10	§ 19:90
Professional management, initial	reserves, § 19:30
management by developer, §§ 19:7 to 19:9	seal of corporation, § 19:97
Prohibited actions without member approval, § 18:42	Secretary of State, submissions to, § 19:86
Project rules of operation, adoption of, § 18:45	tax exemption, application for, § 19:100
Protest, disputed assessments,	tax returns, filing of, § 19:101
§ 19:51	troubled projects, sales documents,
Proxies, § 18:36	§ 19:115
Punitive damages, § 21:107	Regulatory review of bylaws, § 18:20
Purposes, § 18:2	Release of assessment lien, § 19:62
Qualification of board of directors, § 18:63	Relevant information, statement of, § 19:90
Quorum of directors, § 18:78	Remedies
Quorum of members, § 18:35	generally, §§ 21:102 to 21:115
Reasonable care standard, liability of	allocation of damages, § 21:108
directors, § 21:23	attorney fees and costs, § 21:110
Records and reports	comparative fault, § 21:109
generally, §§ 19:86 to 19:101	damages, §§ 21:102 to 21:115
assessments, disclosure docu-	declaratory relief, § 21:113
ments, § 19:89	diminution in value, § 21:104
11101100, 5 17:07	Similarion in value, 5 ZI.IUT

OWNERS ASSOCIATIONS—Cont'd	OWNERS ASSOCIATIONS—Cont'd
Remedies—Cont'd	Sales and purchases
emotional distress, § 21:106	bulk purchaser, §§ 19:108, 19:109
equitable relief, §§ 21:112 to	conversion from sales to leasing,
21:115	§ 19:107
late charges and interest on delinquent assessments, § 21:111	documents of sale, troubled projects, § 19:115
punitive damages, § 21:107	failure of sales program, § 19:106
repair cost, § 21:105 rescission, § 21:114	review of association operation by bulk purchaser, § 19:109
restitution, § 21:115 Removal of board of directors,	troubled projects, §§ 19:106, 19:107, 19:109, 19:115
§ 18:71	Satisfaction of lien, delinquent
Repair cost, § 21:105	assessments, § 19:62
Replacement of board of directors,	Seal of corporation, § 19:97
§ 18:73	Secondary mortgage market require-
Reports. Records and reports, above Rescission, § 21:114	ments, § 19:26
Reservation of corporate name,	Secret ballot for director elections, § 18:28
§ 18:10 Reserves	Securities law, liability of developers, § 21:12
generally, §§ 19:24 to 19:30	Selection of directors, §§ 18:60 to
administration of reserves, § 19:28	18:67
duty to maintain, § 21:18 expenditure of reserves, limitations	Shared use agreements, troubled projects, § 19:110
on, § 19:29	Small claims court, §§ 19:70, 21:46
regulatory requirements, § 19:25	Special assessments, § 19:38
secondary mortgage market requirements, § 19:26	Special membership meetings, § 19:21
startup funds, § 19:27	Standards governing actions, § 1:38
studies and reports, § 19:30 Resignation of board of directors,	Standing or capacity to sue, §§ 21:39, 21:83, 22:85
§ 18:72	Startup funds, § 19:27
Resignation of member, voting, § 18:33	Statement to be filed by unincorporated association, § 18:6
Restitution, § 21:115	Statutes of limitation, § 21:65
Restrictions	Stock cooperatives, § 5:15
enforcement, §§ 18:47, 18:48, 21:5	Subordination provisions, delinquent assessments, § 19:59
failure of developer to enforce, § 21:5	Successor, troubled projects,
transfer of membership, § 18:26	§ 19:113
Retention of control by developer,	Superior court, § 21:48
initial management by developer, § 19:2	Surety, action to enforce bond, § 21:51
Review of operation by bulk	Suspension of membership, § 18:34
purchaser, § 19:109	Taxation (this index)
Rules of operation, adoption of, §§ 18:45, 18:46	Telephonic meetings of board of directors, § 18:85

OWNERS ASSOCIATIONS—Cont'd Tenants in common, liability of	OWNERS ASSOCIATIONS—Cont'd Unincorporated associations, §§ 18:6,
members, § 21:36	21:20, 21:30
Termination of project, § 18:57	Unruh Civil Rights Act, § 21:92
Third party, action against, § 21:55	Variable assessments, § 19:36
Third-party beneficiary theory, liability of developers, § 21:6	Venue of action to collect delinquent assessments, § 19:69
Tort liability	Vesting of voting rights, § 18:31
associations, § 21:16	Volunteer directors and officers,
developers, § 21:3	immunity from liability, § 21:64
directors, § 21:28	Voting
members, § 21:33	generally, §§ 18:27 to 18:34
Towing of wrongfully parked motor	cumulative voting, § 18:29
vehicles, § 19:82	death of member, § 18:33
Transfers	equal voting, § 18:27
developer control, from, § 19:16	minority interest, protection of,
fees, § 18:25	§ 18:32
memberships, §§ 18:24, 18:26	record date for determining
Triggering of assessments, § 19:111	members entitled to notice or
Troubled projects	entitled to vote, § 18:30
generally, §§ 19:102 to 19:116	resignation of member, § 18:33
board of directors control,	secret ballot for director elections,
§ 19:114	§ 18:28
budget deficiencies, § 19:112	vesting of voting rights, § 18:31
bulk purchaser, §§ 19:108, 19:109	vote of members as defense,
catastrophic destruction, § 19:103	§ 21:63
construction, § 19:116	Waiver of notice and consent,
construction deficiencies, § 19:112	§ 18:39
conversion from sales to leasing, § 19:107	Warranties, troubled projects, § 19:116
defects in construction, § 19:116	PARCEL MAPS
events causing trouble, §§ 19:102 to 19:106	
	Subdivision Map Act (this index)
excessive delinquencies, § 19:105	PARKING
failure of sales program, § 19:106 obsolescence, § 19:104	City/county enforcement of parking
operation of troubled projects,	restrictions on private property,
§§ 19:107 to 19:106	§ 19:82
records, sales documents, § 19:115	Commercial/industrial
review by bulk purchaser, § 19:109	condominiums, § 3:34
sales and purchases, §§ 19:106,	Conversions, § 17:17
19:107, 19:109, 19:115	Disabled persons, § 22:46
shared use agreements, § 19:110	Live-work projects, § 9:14
successor declarant, § 19:113	Owners associations, § 19:82
triggering of assessments, § 19:111	Phased projects, § 11:30
warranty concerns, § 19:116	Restrictive Covenants (this index)
Unification of trial courts, effect of,	Towing of wrongfully parked motor
§ 21:47	vehicle, § 19:82

PARK-IN-LIEU FEES

Generally, § 12:137

PARTIES

California Environmental Quality Act, § 12:230

Class Actions (this index)

Construction defect litigation,

§§ 21:69 to 21:80, 21:83 to 21:91

Owners Associations (this index)

Standing and Capacity to Sue (this index)

PARTITION

Condominiums, common areas, § 3:12

Defined, § 2:27

PARTY WALLS

Planned developments, § 4:6

PATENT DEFECTS

Construction defect litigation, § 21:88

PATIOS

Maintenance, § 3:47

PAYMENTS

Continuing care retirement communities, deposit agreements, § 6:40

PENALTIES

Fines and Penalties (this index)

PERMISSION

Consent or Approval (this index)

PERMIT STREAMLINING ACT

Generally, § 14:8

Subdivision Map Act, time limits for approval of tentative subdivision maps, § 12:122

PERMITS

Licenses and Permits (this index)

PERSONAL AGRICULTURE

Use restrictions, § 22:14

PERSONAL PROPERTY

Insurance, §§ 20:22, 20:47 Time-share projects, § 7:23

PEST CONTROL

Owners associations, § 19:79 Wood-destroying pests or organisms, § 3:51

PETS

Generally, §§ 22:63 to 22:67 Amendments to pet provisions, § 22:66

Board, rules promulgated by, § 22:65 Fair Housing Act, § 22:67 General scope and language, § 22:64 Grandfather clauses, § 22:66

PHASED PROJECTS

Generally, §§ 11:1 to 11:53 Advantages

generally, §§ 11:1 to 11:7

assessments, reduction of, § 11:2

bonding requirements, reduction of, § 11:6

design and marketing, flexibility of, § 11:4

Fannie Mae and Freddie Mac requirements, satisfaction of, § 11:5

front-end subdivision fees, reduction of, § 11:7

interest costs, reduction of, § 11:3 Advertising materials, § 11:35 Annexation

generally, **§§ 11:48 to 11:53** additional amenities, **§ 11:51**

assessment adjustments, § 11:48 budget modifications, § 11:49

development of future phases without annexation, § 11:53

mechanics, § 11:20

recreational facilities, shared use of, § 11:52

subsidy agreement, § 11:50

Application, § 11:23

Architectural controls, § 11:47

Assessments, §§ 11:2, 11:48, 19:41

Block system, § 11:10

Bond requirements, §§ 11:6, 11:33

Budgets, §§ 11:29, 11:49

Completion guarantees, § 11:34

Condominiums, §§ 3:9, 11:17

PHASED PROJECTS—Cont'd	PHASED PROJECTS—Cont'd
Consent of association members to	Mechanics—Cont'd
annexation, § 11:27	condominium plans, § 11:17
Conversions, § 17:44	de-annexation, § 11:21
De-annexation, § 11:21	declaration of covenants and
Declarations	conditions, § 11:18
annexation, § 11:26	easements, § 11:19
covenants and conditions, § 11:18	subdivision map, § 11:16
Department of Real Estate require-	Methods
ments, § 11:23	generally, §§ 11:8 to 11:14
Design, flexibility of, § 11:4	block system, § 11:10
Developers	dilution of interest, § 11:9
generally, §§ 11:42 to 11:45	dirtless condominiums, §§ 3:9,
completion of obligations, § 11:42	11:12
promises and representations,	phased conversions, § 11:14
§ 11:45	plandominiums, § 11:13
subsidization contract, § 11:44	trust system, § 11:11
voting control, retention of,	Multiple public reports, § 11:31
§ 11:43	Parking, allocation of, § 11:30
Development of future phases	Phased conversions, § 11:14
without annexation, § 11:53	Plandominiums, § 11:13
Dilution of interest, § 11:9	Preservation of unilateral phasing
Dirtless condominiums, §§ 3:9, 11:12	rights, § 11:25
Easements, § 11:19	Promises of developers, § 11:45
Environmental requirements, § 11:41	Public reports, §§ 11:31, 11:32
Fannie Mae requirements, §§ 11:5, 11:38	Recreational facilities, §§ 11:22, 11:52
Flexible phase public reports, § 11:32	Regulatory requirements
Freddie Mac requirements, §§ 11:5,	generally, §§ 11:23 to 11:35
11:39	advertising materials, § 11:35
Front-end subdivision fees, reduction	bond requirements, § 11:33
of, § 11:7	budget and assessments, § 11:29
In-lieu park fees, § 11:7	completion guarantees, § 11:34
Insurance, § 11:46	consent of association members to
Interest costs, reduction of, § 11:3	annexation, § 11:27
Lender requirements	declaration of annexation, § 11:26
generally, §§ 11:36 to 11:40	effect of annexation on existing
construction lenders, § 11:37	members, § 11:28
Fannie Mae presale regulations, § 11:38	flexible phase public reports, § 11:32
Freddie Mac requirements, § 11:39	multiple public reports, § 11:31
securities, § 11:40	parking, allocation of, § 11:30
Marketing, flexibility of, § 11:4	preservation of unilateral phasing
Master planned communities, § 10:26	rights, § 11:25
Mechanics	unilateral phasing, §§ 11:24, 11:25
generally, §§ 11:15 to 11:22	Representations of developers,
additional amenities, § 11:22	§ 11:45
annexation, § 11:20	Sales and purchases, §§ 1:30, 16:37

PHASED PROJECTS—Cont'd	PLANNED DEVELOPMENTS
Securities, § 11:40	—Cont'd
Subdivided Lands Act (this index)	Common areas—Cont'd
Subdivision map, § 11:16	insurance, § 4:26
Subsidization contract, §§ 11:44,	maintenance and repair, § 4:22
11:50	Condominium project, distinguished
Trust system, § 11:11	from, §§ 4:1, 4:5, 4:6
Unilateral phasing, §§ 11:24, 11:25	Covenants, conditions, and restric-
Voting control, retention by	tions, declaration of, § 4:17
developer, § 11:43	Creation of planned developments
PIERCING THE CORPORATE	generally, §§ 4:16 to 4:21
VEIL	commercial/industrial planned
Generally, § 21:71	developments, above declaration of covenants, condi-
Limited liability companies, actions	tions, and restrictions, § 4:17
against, § 21:73	Subdivision Map Act, § 4:16
PLANDOMINIUMS	Davis-Stirling Common Interest
Generally, § 3:42	Development Act, exemption of
Defined, § 2:29	commercial/industrial planned
Phased projects, §§ 3:9, 11:13	developments, § 4:21
1 0	Declaration of covenants, conditions,
PLANNED DEVELOPMENTS	and restrictions, § 4:17
Generally, §§ 1:15, 4:1 to 4:27	Defined, § 4:1
Acquisition financing, § 4:10	Elements
Allocation of assessments, § 4:23	generally, §§ 4:5 to 4:15
Assessments, §§ 4:23, 4:24	common areas, above
Carports, § 4:15	separate interests, below
Characteristics, § 4:2	Eminent domain, § 21:100
Cluster home projects, § 4:1	Equitable servitude, covenants, conditions, and restrictions
Commercial/industrial planned developments	enforceable as, § 4:17
generally, §§ 4:18 to 4:21, 8:9	Exclusive use common easement
Davis-Stirling Common Interest	areas, § 4:15
Development Act, exemption	Fire wall requirements, § 4:4
from, § 4:21	Formation, § 4:3
owners association, § 4:18	Foundation, shared, § 4:7
Subdivided Lands Act, exemption	Garages, § 4:15
from, § 4:20	Garden plots, § 4:15
Subdivision Map Act, exemption	Homesteads, § 4:12
from, § 4:19	Industrial planned developments.
use restrictions, § 4:18	Commercial/industrial planned
Common areas	developments, above
generally, §§ 4:13 to 4:15	Insurance, §§ 4:26, 20:37
assessments, § 4:23	Land use requirements, § 4:3
common easement areas, §§ 4:14,	Lien rights, § 4:14
4:15	Maintenance, § 4:25
defined, § 4:1	Management. Operation and management, below
exclusive use common easement areas, § 4:15	Mechanics' liens, § 4:27
areas, 8 4:15	Mechanics nens, § 4:21

PLAYGROUND EQUIPMENT PLANNED DEVELOPMENTS —Cont'd Generally, § 19:77 Operation and management POWER OF SALE generally, §§ 4:22 to 4:27 **FORECLOSURES** allocation of assessments, § 4:23 Owners associations, § 19:54 assessments, §§ 4:23, 4:24 insurance, § 4:26 **PREEMPTION** maintenance, § 4:25 Restrictive covenants, antennas and satellite dishes, § 22:58 mechanics' liens, § 4:27 owners association, duties of, Subdivision Map Act, § 12:97 § 4:22 **PREFERENCES** proration of assessments, § 4:24 California Environmental Quality Owners association, duties of, § 4:22 Act, § 12:232 Parking spaces, § 4:15 PRELIMINARY PUBLIC REPORTS Party walls, § 4:6 Permits, local government regulation, **Subdivided Lands Act** (this index) § 12:53 PRELIMINARY REVIEW Property taxes, §§ 4:11, 23:54 **Environmental Quality Act of Cali-**Proration of assessments, § 4:24 fornia (this index) Roofs, shared, § 4:8 Separate interests PREVAILING PARTY generally, §§ 4:5 to 4:12 Generally, § 21:110 acquisition financing, § 4:10 **PRIORITY** defined, § 4:1 Continuing care contract restrictions homesteads, § 4:12 vs. limitation on age restrictions, ownership of individual lots, § 4:5 § 6:23 party walls, § 4:6 Owners associations, delinquent property taxes, § 4:11 assessments, §§ 19:52, 19:58 shared foundations, § 4:7 PRIVATE INUREMENT TEST shared roofs, § 4:8 Taxation, § 23:10 zero-lot line subdivisions, § 4:9 Shared foundations, § 4:7 PRIVATE ROADS Shared roofs, § 4:8 Owners associations, § 19:82 Storage spaces, § 4:15 PROCESS FLOW CHART Subdivided Lands Act, exemption of California Environmental Quality commercial/industrial planned Act, preliminary review, developments, § 4:20 § 12:195 Subdivision Map Act, §§ 4:16, 4:19, 12:160 PRODUCT LIABILITY Time-share projects, § 7:9 INSURANCE Townhouse developments, § 4:1 Generally, §§ 20:23, 20:53 Uniform Building Code, application PROPERTY DAMAGE of, § 4:4 **INSURANCE** Zero-lot line subdivisions, § 4:9 Generally, § 20:6 Zoning, § 12:43 Zoning requirements, § 4:3 PROPERTY TAXES AND ASSESSMENTS PLANNING AND ZONING LAW **Zoning** (this index) Generally, §§ 23:49 to 23:64

PROPERTY TAXES AND PROPERTY TAXES AND ASSESSMENTS—Cont'd ASSESSMENTS—Cont'd Change in ownership, reevaluation of Supplemental bill, notice, § 24:83 property, § 23:59 Time-share projects, §§ 7:92, 23:57 Collection policy form, § 24:84 **PROPOSITION 13** Common area, transfer of undivided Property tax assessments, §§ 23:63, interests to association, § 23:58 23:64 Community apartment projects, PROPOSITION 60 § 23:56 Condominiums, §§ 3:21, 23:53, Property tax assessments, §§ 23:63, 23:55 23:64 Consent to receipt of electronic mes-**PROPOSITION 65** sages, § 24:86 Generally, § 16:24 Davis-Stirling Conversion Table, § 24:87 PROPOSITION 218 Electronic messages, consent to Special districts, effect on, § 12:15 receipt of, § 24:86 **PRORATION** Exemptions, § 23:50 New projects, reevaluation of prop-Planned developments, assessments, erty, § 23:62 § 4:24 **PROTEST** member's opting out, notice to Owners associations, disputed assessassociation, § 24:85 ments, § 19:51 supplemental bill, § 24:83 Planned developments, §§ 4:11, 23:54 Owners associations, § 18:36 Proposition 13 tax basis, §§ 23:63, PROXIMATE CAUSE 23:64 Defenses of association and directors, Proposition 60, §§ 23:63, 23:64 § 21:63 Reevaluation of property generally, §§ 23:58 to 23:62 PROXY actions that should not trigger Forms, §§ 24:56, 24:57 reevaluation, § 23:60 PUBLIC ACCESS actions that will trigger reevalua-California Coastal Act, § 12:250 tion, § 23:61 change in ownership, § 23:59 PUBLIC POLICY common area, transfer of Restrictive covenants, defenses to undivided interests to associaenforcement, § 22:99 tion, § 23:58 PUBLIC REPORTS new projects, § 23:62 Replacement dwelling, proposition Age-restricted communities, § 22:36 13 tax basis, **§ 23:64** Conditional public reports, § 15:67 Restrictions, land subject to, § 23:52 Conversions, notice to existing tenants, §§ 17:49, 17:50 Single-family dwellings, valuation of, § 23:51 Phased projects, §§ 11:31, 11:32 Special tax, notice of, § 24:88 **Subdivided Lands Act** (this index) Stock cooperatives, § 23:56 Tenancy-in-common arrangements, § 8:16 Subdivision and planning process,

§§ 12:14 to 12:20

Unlawful acts, § 15:80

PUBLIC REVIEW

California Environmental Quality Act, § 12:217

PUNITIVE DAMAGES

Owners associations, § 21:107

PURCHASES

Sales and Purchases (this index)

OUALIFICATION

Owners associations, board of directors, § 18:63
Securities law, § 16:62

QUALIFIED PERMANENT RESIDENT

Generally, § 22:32

QUALIFIED RESORT VACATION CLUBS

Generally, §§ 7:14, 8:18 Quimby Act, § 12:137

OUIMBY ACT

Qualified resort vacation clubs, § 12:137

QUORUM

Owners associations, §§ 18:35, 18:78

RAIN AND WATER DAMAGE COVERAGE

Insurance, §§ 20:19, 20:45

RCFE (RESIDENTIAL CARE FACILITY FOR ELDERLY)

Definitions, § 2:31

Residential Care Facilities (this index)

REAL ESTATE BROKERS

Sales and Purchases (this index)

REAL ESTATE SETTLEMENT PROCEDURES ACT (RESPA)

Sales and purchases, § 16:25

RECOGNITION AGREEMENTS

Stock cooperatives, § 5:10

RECORDING

Condominium plan, § 3:39

RECORDS AND REPORTS

Annual Reports (this index)

Continuing Care Retirement Communities (this index)

Davis-Stirling Act reporting requirements, § 19:88

Owners Associations (this index)

Time Share Act of 2004, §§ 7:62, 7:63

Transfer taxes, § 23:45

RECREATIONAL FACILITIES

Insurance, § 20:28

Master planned communities, § 10:27 Phased projects, §§ 11:22, 11:52 Redemption, right of, § 19:53 Residential/commercial projects, § 9:6

RECYCLED WATER

Generally, §§ 3:44, 16:24

REEVALUATION OF PROPERTY

Property Tax Assessments (this index)

REFEREES

Alternative dispute resolution, § 21:122

REFUNDS

Continuing Care Retirement Communities (this index)

Regional housing needs, § 12:27

REGISTRATION STATEMENT

Securities law, § 16:47

Time Share Act of 2004, §§ 7:55, 7:56, 7:60

REGULATION X

Generally, § 16:25

REGULATION Z

Generally, §§ 13:24, 16:25

REGULATORY TAKINGS

Subdivision Map Act (this index)

REHABILITATION

Continuing Care Retirement Communities (this index)

Index-66

RELEASE

Continuing care retirement communities, escrow accounts, § 6:46

Owners associations, assessment lien, § 19:62

RELOCATION EXPENSES

Conversions, rights of tenants, § 17:68

REMEDIES

Owners Associations (this index)

Restrictive covenants, §§ 22:94 to 22:96

Subdivision Map Act, regulatory takings, § 12:177

REMOVAL

Owners associations, board of directors, § 18:71

Wrongfully parked motor vehicle, §§ 19:82, 22:52

RENTALS

Control of rent, applicability to common interest developments, § 17:32

Leases (this index)

Restrictions, §§ 22:15, 22:16, 22:19, 22:30, 22:67

Stabilization ordinance, §§ 17:32, 17:70

REPAIR

Maintenance and Repair (this index)

REPLACEMENT

Cost/value insurance, generally, § 20:59

Owners associations, board of directors, § 18:73

REPORTS

Records and Reports (this index)

REQUEST FOR NOTICE OF FORECLOSURE

Generally, § 19:54

RESALES

Financing, § 13:13 Securities law, § 16:53

RESALES—Cont'd

Time-share projects, §§ 7:42, 7:45

RESCISSION

Continuing care retirement communities, §§ 6:85, 6:86

Owners associations, § 21:114

Sales and purchases, § 16:42

Subdivided Lands Act, civil actions, § 15:92

Time-share projects, §§ 7:27, 7:64

RESEARCH AND INDUSTRIAL PARKS

Commercial common interest developments, § 8:6

RESERVATION

Owners associations, corporate name, § 18:10

Rights, insurance, § 20:71

RESERVES

Continuing Care Retirement Communities (this index)

Funding disclosure summary, assessment and reserve, § 24:14

Owners Associations (this index)

RESIDENTIAL CARE FACILITIES

Definitions, § 2:31

Use and occupancy, §§ 22:24, 22:25

RESIDENTIAL/COMMERCIAL PROJECTS

Generally, §§ 9:1 to 9:11

Bylaws, § 9:10

Common area issues, § 9:7

Condominium and time-share elements, combination of, § 9:5

Cost centers, § 9:3

Cross-easements, § 9:8

Garages, § 9:8

Governing associations

generally, §§ 9:7 to 9:11

master associations, § 9:10

multiple associations, § 9:9

residential development and planned development,

combined, § 9:11

separate associations, § 9:8

RESIDENTIAL/COMMERCIAL PROJECTS—Cont'd

Governing associations—Cont'd single condominium association, § 9:7

Insurance, § 9:8

Maintenance standards, § 9:3

Master associations, § 9:10

Multiple associations, § 9:9

Recreational facilities, shared, § 9:6

Residential condominium and commercial lots, combined, § 9:4

Residential condominium and planned development, combined, § 9:11

Separate associations, § 9:8

Single condominium association, § 9:7

Special zoning, § 9:2

Types of projects, § 9:1

Voting rights, § 9:7

RESIGNATION

Owners associations, §§ 18:33, 18:72

RESORT PROJECTS

Generally, §§ 8:18, 8:20

Master Planned Communities (this index)

RESPA

Sales and purchases, § 16:25

RESPONSIBLE AGENCY

Generally, § 14:10

RESTITUTION

Owners associations, § 21:115

RESTRICTED COMMON AREAS

Generally, § 3:15

RESTRICTIVE COVENANTS

Generally, §§ 22:1 to 22:128

Acquiescence to previous violations, § 22:101

Aesthetics, §§ 22:55, 22:56

Age-Restricted Communities (this

Airport in vicinity, notice of, § 22:2
Alternative dispute resolution,
§ 22:74

RESTRICTIVE COVENANTS —Cont'd

Amendments of declaration and restrictive covenants

generally, §§ 22:114 to 22:125

co-owner voting provisions, **§ 22:119**

Department of Real Estate, approval prior to membership vote, § 22:117

developer provisions, deletion of, § 22:125

irrevocable balloting, § 22:121

legislative amendments, § 22:123

members of each class, approval by, § 22:118

owners subject to amendment, § 22:122

project documents, updating,

§ 22:124

recordation, § 22:120

reduced percentage of vote required to amend declaration or bylaws, petition to court for, § 22:116

statutory requirements, § 22:115

Americans With Disabilities Act, § 22:45

Antennas, satellite dishes and drones

generally, **§§ 22:57 to 22:60** case law prior to 1996 Telecom-

munications Act, § 22:59

federal preemption, § 22:58
installation or use of video or television antennas, statutory
requirements for restrictions

on, § 22:60

Arbitration clause, § 22:75

Architectural control and design review

generally, §§ 22:53 to 22:56

aesthetic impacts, §§ 22:55, 22:56

committees, § 22:55

low water-using plants, § 22:55

variances, approval of, § 22:54

view restrictions, § 22:56

Attorney fees, recovery of, § 22:96 Balancing of interests, § 22:77

RESTRICTIVE COVENANTS RESTRICTIVE COVENANTS —Cont'd —Cont'd Banners, § 22:62 Drones. Antennas, satellite dishes and Business judgment rule, § 22:90 drones, above Changed conditions, § 22:98 Due process, §§ 22:10, 22:79 Enforcement Class actions, § 22:83 generally, §§ 22:4, 22:5, 22:73 to Committees, architectural control and design review, § 22:55 22:113 alternative dispute resolution, Comparative fault, § 22:108 § 22:74 Condominiums, use of common association, enforcement by, areas, § 3:7 §§ 22:86 to 22:92 Contents of declaration of covenants attorney fees, recovery of, § 22:96 and restrictions, § 22:2 authority to enforce, § 22:9 Continuing nuisance, violation as, § 22:85 balancing of interests, § 22:77 Co-owner voting provisions, amendbusiness judgment rule, § 22:90 ments of declaration and restricclass actions, § 22:83 tive covenants, § 22:119 continuing nuisance, violation as, Declaratory actions, § 22:91 § 22:85 Deeds, recitations in, § 22:6 covenants running with land, Defenses to enforcement § 22:80 generally, §§ 22:97 to 22:108 declaratory actions, § 22:91 acquiescence to previous violadefenses to enforcement, above tions, § 22:101 developer, enforcement by, § 22:93 changed conditions, § 22:98 due process, § 22:79 comparative fault, § 22:108 duty of association, § 22:89 laches, § 22:107 duty of association to interpret and party seeking enforcement, violaenforce restrictions, § 22:11 tion by, § 22:100 failure to enforce, §§ 22:12, 22:92 power to adopt rule or restriction, injunctions, § 22:95 lack of, § 22:104 interpretation of covenants, procedures, failure to follow, § 22:90 § 22:103 joinder of owners in action by public policy, § 22:99 association, § 22:87 statute of limitations, §§ 22:105, judicial interpretation of governing 22:106 documents, § 22:81 unfairness, § 22:102 notices of violations, § 22:88 waiver, § 22:107 owners, enforcement by, §§ 22:82 Department of Real Estate, to 22:85 §§ 22:113, 22:117 power of association, § 22:75 Disabilities, owners with procedural prerequisites, § 22:76 generally, §§ 22:44 to 22:46 project rules, § 22:128 Americans With Disabilities Act, remedies, §§ 22:94 to 22:96 § 22:45 scope of authority, § 22:78 modifications or improvements, §§ 22:44, 22:46 standing to sue, §§ 22:84, 22:86 suspension of rights and imposi-Discriminatory language in declarations, § 22:20 tion of fines, below Equitable servitudes, § 22:4 Drafting methodology, § 22:3

Zoning, conflicts with, § 12:45

RESTRICTIVE COVENANTS RESTRICTIVE COVENANTS -Cont'd —Cont'd Executive session, permissible Property tax assessments, § 23:52 subjects, § 22:111 Public policy, defenses to enforce-Extensions of term, § 18:56 ment, § 22:99 Federal preemption, antennas and Publications, distribution of, § 22:69 satellite dishes, § 22:58 Reasonableness standard, §§ 22:7, Fines 22:8 suspension of rights and imposi-Recordation, amendments of declaration of fines, below tion and restrictive covenants, First refusal right, transfer of owner-§ 22:120 ship interests, § 22:48 Reduced percentage of vote required Flags, § 22:62 to amend declaration or bylaws, Governing documents, § 1:33 petition to court for, § 22:116 Injunctions, § 22:95 Remedies, §§ 22:94 to 22:96 Irrevocable balloting, amendments of Satellite dishes. Antennas, satellite declaration and restrictive covedishes and drones, above nants, § 22:121 Signs, § 22:61 Joinder of owners in action by Smoking, §§ 22:126, 22:127 association, § 22:87 Solar energy systems, § 22:70 Judicial deference, § 22:90 Standing to sue, §§ 22:84, 22:86 Laches, § 22:107 Statute of limitations, §§ 22:105, Leaflets, distribution of, § 22:69 22:106 Legislative amendments of declaration and restrictive covenants, Stock cooperatives, § 5:13 § 22:123 Suspension of rights and imposition Lien for monetary penalty, § 22:112 of fines Live-work projects, § 9:17 generally, §§ 22:109 to 22:113 Marketing of owner's interest, Department of Real Estate requirerestrictions on, § 22:71 ments for fines, § 22:113 Master planned communities, § 10:24 executive session, § 22:111 Motor vehicles and parking lien for monetary penalty, § 22:112 generally, §§ 22:49 to 22:52 statutory requirements for parking assignments and restricmonetary penalties, § 22:110 tions, § 22:50 Towing of wrongfully parked private roads subject to Vehicle vehicles, § 22:52 Code, § 22:51 Transfer of ownership interests, towing of wrongfully parked §§ 22:47, 22:48 vehicles, §§ 22:50, 22:52 Types of use restrictions, §§ 22:13 to Newsletters, distribution of, § 22:69 22:72 Nonresident owners, § 22:68 Unfairness, § 22:102 Notices of violations, § 22:88 Use and Occupancy (this index) Nuisance, § 22:95 **Owners Associations** (this index) Use restrictions, §§ 1:33, 22:9 to 22:69 Parking. Motor vehicles and parking, ahove Variances, architectural control and design review, § 22:54 Pets (this index) Political activity, § 22:72 Waiver, §§ 22:92, 22:107

Project rules, §§ 22:126 to 22:128

RETAIL CONDOMINIUMS

Commercial common interest developments, § 8:3

RETIREMENT COMMUNITIES

Generally, § 1:18

Continuing Care Retirement Communities (this index)

REVENUE BONDS

Mortgage revenue bonds, § 3:24 Reversal of charges, § 19:61

REVERSION TO ACREAGE

Settlement, § 21:97

REVIEW

Appeal and Review (this index)

REVOCATION

Suspension or Revocation (this index)

RICO

Time-share projects, § 7:34

RIGHT TO REPAIR ACT

Generally, §§ 14:40, 21:74, 21:75 SB 800 (this index)

RIPENESS

Subdivision Map Act, regulatory takings, § 12:176

RISK INSURANCE

Generally, § 20:54

RISK OF LOSS

Sales and purchases, § 16:34

RIVERSIDE COUNTY

Age-restricted communities, § 22:35

ROOFS

Planned developments, § 4:8

ROUGH PROPORTIONALITY REQUIREMENT

Subdivision Map Act, regulatory takings, § 12:173

RULE AGAINST PERPETUITIES

Generally, § 22:48

RULES

Owner's association, §§ 18:45, 18:46, 22:126

SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986

Generally, § 16:24

SAFETY

Association's duty to prevent foreseeable crimes, § 21:18 Safety element, general plans, § 12:23

SALES AND PURCHASES

Generally, §§ 1:26 to 1:30, 16:1 to 16:6

Actions, §§ 16:41 to 16:44

Arbitration clauses, deposit receipt agreements, § 16:10

Broker's duty to inquire about construction defect litigation, § 16:23

Closings

generally, §§ 16:30 to 16:37 buyer's concerns, § 16:31 deed forms, § 16:35 escrow and escrow instructions, § 16:30

estoppel certificates, § 16:32

phased development

considerations, § 16:37 pre-closing requirements of lender,

§ 16:36 risk of loss, **§ 16:34**

title insurance, § 16:33

Construction defect litigation, disclosure requirements, §§ 16:22, 16:23

Continuing Care Retirement Communities (this index)

Conversions (this index)

Deed forms, § 16:35

Delivery of documents, § 1:28

Deposit receipt agreements

generally, §§ 16:7 to 16:16

arbitration clauses, § 16:10

Department of Real Estate, review by, § 1:26

SALES AND PURCHASES—Cont'd SALES AND PURCHASES—Cont'd Deposit receipt agreements—Cont'd Disclosures—Cont'd transfer of residential property, deposit receipt and purchase agreement, § 16:7 § 16:20 Truth in Lending Act, § 16:25 escrow provisions, §§ 16:8, 16:9 lease and lease/options, § 16:16 Discrimination, § 16:44 liquidated damages, §§ 16:11 to Dodd-Frank Act, § 16:25 16:13 Escrow provisions and instructions, optional extras, §§ 16:9, 16:13 §§ 16:8, 16:9, 16:30 release of purchase money as liqui-Estoppel certificates, § 16:32 dated damages, § 16:12 Fraud, § 16:41 SB 800 contract provisions, Functionality standards, SB 800, § 16:15 §§ 16:15, 16:38 Spanish translation of legal docu-Inspections by prospective buyer, ments, § 16:17 § 16:14 Disclosures Installment land sales contracts, generally, §§ 1:27, 16:19 to 16:29 Subdivided Lands Act, § 16:6 agency, § 16:24 Lease and lease/options, § 16:16 AIDS, § 16:24 Liquidated damages, deposit receipt blanket encumbrances, § 16:24 agreements, §§ 16:11 to 16:13 broker's duty to inquire about Live-work projects, § 9:15 construction defect litigation, Magnuson-Moss Warranty Act, § 16:23 § 16:39 California provisions, §§ 16:19 to Maintenance standards and 16:24 guidelines, § 16:15 construction defect litigation, Master planned communities, § 10:6 §§ 16:22, 16:23 Misrepresentation, § 16:41 conversions, § 16:24 Natural Hazard Disclosure Report/ Dodd-Frank Act, § 16:25 Statement, § 16:18 earthquakes, § 16:24 environmental hazards, § 16:24 Owners Associations (this index) federal provisions, §§ 16:25 to Phased development considerations, 16:29 §§ 1:30, 16:37 industrial uses, § 16:24 Real estate brokers **Interstate Land Sales Full** agency, disclosure of, § 16:24 **Disclosure Act** (this index) education requirements, § 16:18 military ordnance locations, Real Estate Settlement Procedures § 16:24 Act, § 16:25 Natural Hazard Disclosure Report/ Release of purchase money as liqui-Statement, § 16:18 dated damages, deposit receipt natural hazards, § 16:24 agreements, § 16:12 Real Estate Settlement Procedures **Resales** (this index) Act, § 16:25 Rescission, § 16:42 separate interest, owner of, § 16:21 RESPA, § 16:25 special tax, § 16:24 Right to Repair Act, § 1:26 Subdivided Lands Act, § 16:4 Risk of loss, § 16:34 subsequent purchasers, § 16:24 SB 800 contract provisions, § 16:15 transfer disclosure statement. § 16:20 **Securities Law** (this index)

SALES AND PURCHASES—Cont'd Spanish translation of legal documents, deposit receipt agreements, § 16:17 Statute of limitations, § 16:43 **Stock Cooperatives** (this index) Subdivided Lands Act generally, §§ 16:1 to 16:16 builder/developer, sale to, § 16:2 deposit receipt agreements, above disclosure of documents, § 16:4 installment land sales contracts, § 16:6 lot or unit in development, sale of, §§ 16:1 to 16:6 preliminary public report, offering under, § 16:5 public report, delivery of, § 16:3 Subsequent purchasers, disclosure requirements, § 16:24 Taxation, §§ 23:38, 23:39 TILA, § 16:25 Time Share Act of 2004, §§ 7:56, 7:65, 7:70 Title insurance, § 16:33 Truth in Lending Act, § 16:25

SATELLITE DISHES

§ 16:40

Restrictive Covenants (this index)

Veterans Administration warranties,

Warranties, §§ 1:29, 16:38 to 16:40

SATISFACTION OF LIEN

Owners associations, delinquent assessments, § 19:62

SB 800

Generally, §§ 1:26, 1:41
Alternative dispute resolution processes, use of, §§ 16:10, 16:15

Calderon Act (this index)

Changes in project documents, § 15:82

Condominium conversions, inapplicability, § 17:78

Contracts and disclosure forms, § 16:15

Damages, § 21:103

SB 800—Cont'd

Functionality standards, §§ 16:15, 16:38

Initial management by developer, §§ 19:2, 19:15

Maintenance standards and guidelines, § 16:15

Negligence and strict liability, § 21:82

Original purchaser, notice to, § 16:15 Right to Repair Act (this index) Standing to sue, § 21:71 Strict liability, §§ 14:40, 21:82

Warranties (this index)

SCHOOL FEES

Subdivision Map Act, final subdivision maps, §§ 12:135, 12:136, 12:152

SEAL OF CORPORATION

Owners associations, § 19:97

SECONDARY MARKET

Financing (this index)
Insurance, §§ 20:29 to 20:32
Owners associations, § 19:26

SECRET BALLOT

Amendments, §§ 18:28, 22:114 Owners associations, election of directors, § 18:28

SECRETARY OF STATE

Required filings by owners associations, § 19:86

Generally, §§ 16:45 to 16:69

SECURITIES LAW

Advertising, § 16:64
Blue sky law, § 16:65
Broker registration, § 16:54
California law
generally, §§ 16:57 to 16:69
advertising, § 16:64
blue sky law, § 16:65
civil liability, § 16:67
criminal liability, § 16:68
enforcement, § 16:66
interpretative opinions, § 16:60
investment contract, § 16:58

SECURITIES LAW—Cont'd SECURITIES LAW—Cont'd California law—Cont'd Sale of real property, § 16:59 permit to offer securities, § 16:61 Sales and brokerage, § 16:63 qualification, § 16:62 Statutes of limitation, § 16:69 sale of real property, § 16:59 Violations, §§ 16:55, 16:56, 16:66 to sales and brokerage, § 16:63 16:69 statutes of limitation, § 16:69 SECURITY violations, §§ 16:66 to 16:69 Association's duty to prevent fore-Civil liability, §§ 16:55, 16:67 seeable crimes, § 21:18 Cooperative units, sale of, §§ 5:12, Completion of improvements, 16:49 § 12:140 Criminal liability, §§ 16:56, 16:68 Gated communities, § 10:35 Definition of security, § 16:46 SENIOR CITIZENS Enforcement, § 16:66 Age-Restricted Communities (this Exemption under regulation A, index) § 16:51 Federal law SEPARATE INTERESTS generally, §§ 16:45 to 16:56 **Condominiums** (this index) broker registration, § 16:54 **Planned Developments** (this index) civil liability, § 16:55 SERVICE OF PROCESS cooperative units, sale of, § 16:49 Gated communities, § 10:34 criminal liability, § 16:56 definition of security, § 16:46 **SET-ASIDE FUNDS** exemption under regulation A, Construction defect litigation, breach § 16:51 of warranty, § 21:80 intrastate exemption, § 16:52 SET-ASIDE LETTER no action letter, § 16:48 Subdivided Lands Act, onsite private offering exemption under improvements, § 15:49 regulation D, § 16:50 registration statement, § 16:47 **SETTLEMENT** resales of units, § 16:53 Compromise or Settlement (this violations, §§ 16:55, 16:56 index) Interpretative opinions, § 16:60 SHARED EQUITY Intrastate exemption, § 16:52 ARRANGEMENTS Investment contract, § 16:58 Generally, § 8:16 Legal framework, § 1:11 Shelf condominiums, §§ 17:1, 17:34, No action letter, § 16:48 21:85 Owners associations, liability of SHARED USE AGREEMENTS developers, § 21:12 Owners associations, troubled proj-Permit to offer securities, § 16:61 ects, § 19:110 Phased projects, § 11:40 Pooling, § 16:58 SHELF CONDOMINIUMS Private offering exemption under Generally, § 17:43 regulation D, § 16:50 **SIGNS** Qualification, § 16:62 Restrictive covenants, § 22:61 Registration statement, § 16:47 Resales of units, § 16:53 SLANDER COVERAGE

Insurance, § 20:27

Resort condominiums, § 7:8

SLAPP SUITS

Generally, § 21:28

SMALL CLAIMS COURT

Owners associations, §§ 19:70, 21:46

SMOKING

Generally, §§ 22:126, 22:127

SOIL REPORT

Subdivision Map Act, final subdivision maps, § 12:130

SOLAR ENERGY SYSTEMS

Development and construction, § 14:61

Restrictive covenants, § 22:70

SPANISH TRANSLATION

Sales and purchases, deposit receipt agreements, § 16:17

SPECIAL ASSESSMENTS

Owners associations, § 19:38

SPECIAL MASTERS

Alternative dispute resolution, § 21:124

SPECIAL PROJECTS

Master Planned Communities (this index)

SPECIAL TAX NOTICE

Generally, § 16:24

SPRAG MANUAL

Generally, § 15:18

STANDING AND CAPACITY TO SUE

Construction defect litigation, § 21:71

Owner/member, § 22:86

Owners associations, § 21:39

Restrictive covenants, §§ 22:84, 22:86

STARTUP FUNDS

Owners associations, § 19:27

STATE COASTAL COMMISSION

California Coastal Act, § 12:237

STATEMENT BY COMMON INTEREST DEVELOPMENT

Form NP/CID, § 19:92

STATEMENT OF INFORMATION

Form NP/CID, § 19:91

STATUTES OF LIMITATION

California Environmental Quality Act, § 12:228

Construction defect litigation, § 21:87

Continuing care retirement communities, § 6:87

Owners associations, § 21:66

Restrictive covenants, §§ 22:105, 22:106

Sales and purchases, § 16:43

Securities law, § 16:69

Subdivided Lands Act, civil actions, § 15:93

Subdivision Map Act, §§ 5:3, 12:148, 12:165, 12:180

Tolling, § 21:87

Zoning, § 12:48

STATUTES OF REPOSE

Construction defect litigation, § 21:87

STOCK COOPERATIVES

Generally, §§ 1:16, 5:1 to 5:19

Approval for transfer of shares, § 5:13

Articles of incorporation, § 5:6

Assessment liens, § 5:15

Assignment of assumption of proprietary lease, § 5:6

Basic legal documents, § 5:6

Blanket encumbrances, sales, § 5:9

Board of directors, § 5:15

Bylaws, § 5:6

California statutes, § 5:3

Casualty losses, § 5:16

Common areas, § 5:1

Condominium, compared, §§ 5:2,

Continuing care retirement communities, § 6:16

Contractual claims, § 5:18

STOCK COOPERATIVES—Cont'd	STOCK COOPERATIVES—Cont'd
Conversions, §§ 5:17, 17:25 to 17:27	Restrictions on use and transfer,
Cooperative plan, § 5:6	§ 5:13
Creation of stock cooperatives,	Right of first refusal, § 5:13
§§ 5:6, 5:7	Sales
Creditors' rights, § 5:18	generally, §§ 5:8 to 5:14
Davis-Stirling Common Interest	blanket encumbrances, § 5:9
Development Act, § 5:3	disclosure of defects, § 5:14
Defined, § 2:35	escrow of funds, § 5:9
Department of Real Estate regula-	financing, §§ 5:10, 5:11
tions, § 5:5	problems with sales and financing,
Description of interest, § 5:1	§ 5:11
Disclosure of defects, sales, § 5:14	restrictions on use and transfer,
Eminent domain, § 21:101	§ 5:13
Enforcement of financial obligations,	securities exemption, § 5:12
§ 5:10	Securities law, §§ 5:12, 16:49
Escrow of funds, sales, § 5:9	Statutory scheme, § 5:3
Federal Condominium and Cooperative Abuse Relief Act, §§ 5:4,	Subdivided Lands Act, § 5:3
17:9	Subdivision Map Act, § 12:159
Federal statutes, § 5:4	Taxation, §§ 5:16, 23:22
Financing, §§ 5:10, 5:11	Termination, conditions for, §§ 5:14, 5:19
Grant deed, § 5:6	Third-party claims, § 5:18
Homesteads, § 5:7	Tort liability, § 5:18
Insurance, §§ 5:15, 20:38	Transfer taxes, § 23:48
Interior maintenance, § 5:15	Trust deed securing assessments,
Legal framework, §§ 5:3 to 5:5	§ 5:6
Limited equity housing cooperative,	
distinguished, § 5:1	STORAGE AREAS
Loans, § 5:10	Conversions, § 17:18
Major systems defined, § 5:14	STREET LIGHTING ACT OF 1919
Management. Operation and manage-	Generally, § 13:15
ment, below	·
Master proprietary lease, §§ 5:6, 5:7	STRICT LIABILITY
Negligence, liability for, § 5:18	Construction defect litigation,
Operation and management	§ 21:89
generally, §§ 5:15 to 5:18	SB 800, §§ 14:40, 21:82
conversion of rental apartments,	SUBDIVIDED LANDS ACT
§ 5:17	Generally, §§ 15:1 to 15:93
owners association, duties of,	Abandonment of application for pub-
§ 5:15	lic report, § 15:32
taxation, § 5:16	Acquisition of subdivision interests
tort liability, § 5:18	subject to public report, § 15:81
Owners association, duties of, § 5:15	Advertising, unauthorized use of final
Property taxes	public report in, § 15:79
assessments, § 23:56	Allocation of assessments, § 15:36
segregation, § 5:16	Amendment of public reports
Recognition agreements, § 5:12	generally, §§ 15:80 to 15:88

SUBDIVIDED LANDS ACT SUBDIVIDED LANDS ACT -Cont'd —Cont'd Amendment of public reports Application for public report —Cont'd —Cont'd acquisition of subdivision interests disclosure, existing subdivision subject to public report, interests, § 15:64 § 15:81 escrow deposits, §§ 15:60 to 15:62 application for amended public existing subdivision interests report, §§ 15:86 to 15:88 disclosure, § 15:64 assessments, changes in, § 15:85 fees for filing, § 15:30 creative financing, § 15:83 geologic hazards, § 15:63 entities, change in, § 15:84 legal and governing documents, expediting processing of applicareview of, §§ 15:33, 15:34 tion for amended public master geographic letter, § 15:63 report, § 15:88 master management document foreclosing financial institution, review, § 15:33 exemption for, § 15:87 McCarthy time limits, § 15:25 governing documents, modificaminimum filing package (MFP), tions to, § 15:82 § 15:26 limited liability companies, obtaining application, § 15:19 § 15:84 option funds, escrow of, § 15:62 material changes, §§ 15:80 to preliminary public reports, § 15:69 15:85 preparation of application, SB 800 issues, changes dealing §§ 15:18 to 15:24 with, § 15:82 preparation of forms, § 15:23 Appeal from denial of public report, prior review of documents, § 15:33 §§ 15:65, 15:66 processing of application, §§ 15:25 Application for public report to 15:32 generally, §§ 15:18 to 15:64 qualitative review of substantially abandonment of application, complete application, § 15:28 § 15:32 quantitative review of substantially airport influence areas, § 15:20 complete application, § 15:27 amended public report, §§ 15:86 to questionnaire, § 15:20 15:88 recording, filing, and adopting approved tentative map, necessity legal documents, § 15:34 for, § 15:27 response to Department of Real blanket encumbrances, below Estate, § 15:31 bond in lieu of escrow deposit, review of documents, §§ 15:33 to § 15:61 15:43 budget documents, below senior citizen housing developcompletion of improvements, ment, § 15:20 below short-form application, § 15:24 contents of application, § 15:20 single responsible party, § 15:22 deficiency letters, § 15:31 Subdivision Public Report Application Guide (SPRAG delays in processing, avoidance of, § 15:29 Manual), § 15:18 Department of Real Estate forms, subordination to declarations. use of, § 15:21 § 15:34

SUBDIVIDED LANDS ACT SUBDIVIDED LANDS ACT —Cont'd —Cont'd Application for public report Commercial/industrial planned developments, exemption of, —Cont'd § 4:20 substantially complete application, §§ 15:27, 15:28 Completion of improvements title considerations, § 15:44 generally, §§ 15:45 to 15:54 Assessments, §§ 15:41, 15:85 condominium conversion onsite improvement guarantees, Attorney fees, recovery of, § 15:92 § 15:54 Blanket encumbrances escrow instructions for guarantees, generally, §§ 15:55 to 15:59 § 15:51 alternatives when no unconditional guarantee of completion for onsite release clause, § 15:56 improvements, §§ 15:47, escrow requirements for subdivi-15:54 sion without blanket impounding and bonding (DRE encumbrance, § 15:57 form RE 621 proceeding), exempt subdivided property, § 15:50 § 15:59 letter of credit for onsite improvenotice requirements for subdivision ments, § 15:48 with blanket encumbrance, § 15:58 mechanics' lien claims, § 15:53 release clauses, § 15:55 offsite improvements, § 15:45 Bonds, §§ 15:50, 15:61 onsite improvements, §§ 15:46 to **Budget documents** 15:49, 15:54 set-aside letter for onsite improvegenerally, §§ 15:35 to 15:43 ments, § 15:49 assessment guarantees, § 15:41 vacant lots with home construction conversion project budgets, contracts, § 15:52 § 15:39 cost center budgets, § 15:39 Conditional public report, § 15:67 Condominium conversion onsite duplicate budget package, § 15:38 improvement guarantees, maintenance agreements, § 15:43 § 15:54 operating cost manual, § 15:37 Conversions, § 17:5 phased budgets, § 15:39 Creative financing, amendment of preparation of budget, § 15:40 public reports, § 15:83 range-of-assessment budgets, Criminal liability for violations, § 15:39 § 15:90 subdivider liability for preparation of budget, § 15:40 Damages, civil actions, § 15:92 subsidy agreements, § 15:42 Definitions, § 2:36 types of budgets, § 15:39 Delays in processing of application for public report, avoidance of, vacant lot budgets, § 15:39 § 15:29 Civil actions, §§ 15:92, 15:93 Denial of public report, §§ 15:65, Commercial common interest 15:66 developments, exemption of, Department of Real Estate, §§ 15:2, § 8:13 15:21 Commercial/industrial condominiums, exemption of, Disciplinary actions, violations of

act, § 15:91

§ 3:30

SUBDIVIDED LANDS ACT

—Cont'd —Cont'd Disclaimers, out-of-state land promo-Flexible phase public report, tions, §§ 15:15, 15:16 incremental and phased projects, § 15:76 Disclosure, existing subdivision interests, § 15:64 Foreclosing financial institution, exemption for, § 15:87 Duplicate budget package, § 15:38 Forms, use of Department of Real Encumbrances. Blanket Estate forms, § 15:21 encumbrances, above Geologic hazards, application for Entities, change in, § 15:84 public report, § 15:63 Escrow Governing documents, modifications blanket encumbrance, subdivision without, § 15:57 to, § 15:82 Guarantee of completion for onsite deposits, application for public improvements, §§ 15:47, 15:54 report, §§ 15:60 to 15:62 Impounding, completion of improveinstructions for guarantees, ments, § 15:50 completion of improvements, Incremental and phased projects, § 15:51 public reports for Exemptions generally, §§ 15:72 to 15:76 generally, §§ 15:8 to 15:13 Fannie Mae requirements, § 15:75 blanket encumbrances, § 15:59 flexible phase public report, certain improved residential proj-§ 15:76 ects, § 15:9 phased projects, § 15:73 industrial/commercial subdiviphased senior citizen housing sions, § 15:10 development, § 15:74 sale of parcels not subdivided Industrial/commercial subdivisions, under state law, § 15:11 exemptions, § 15:10 sale to builders/developers, Legal framework § 15:12 generally, §§ 1:7, 15:1 to 15:16 standard subdivisions, § 15:9 Department of Real Estate, role of, third parties, acquisition of §§ 1:7, 15:2 subdivision interests from, disclaimers, out-of-state land § 15:13 promotions, §§ 15:15, 15:16 Existing subdivision interests exemptions, above disclosure, § 15:64 land projects, § 15:7 Expediting processing of application offering for sale, requirements for, for amended public report, § 15:88 § 15:3 out-of-state land promotions, Fannie Mae requirements, public reports for incremental and §§ 15:14 to 15:16 phased projects, § 15:75 provisions of act, §§ 15:3 to 15:16 Fees for filing application for public public report, application for, report, § 15:30 § 15:4 Final public reports purpose of act, § 15:1 advertising, unauthorized use in, subdivided lands and subdivision, § 15:79 defined, § 15:5 content, disclosures and disclaimsubdivider, § 15:6 ers, § 15:78 Letter of credit for onsite improveuse and retention of, § 15:77 ments, § 15:48

SUBDIVIDED LANDS ACT

SUBDIVIDED LANDS ACT —Cont'd

Limited liability companies, amendment of public reports, § 15:84

Maintenance agreements, § 15:43

Master geographic letter, application for public report, § 15:63

Master management document review, application for public report, § 15:33

Master planned communities, § 10:8 Material changes, amendment of public reports, §§ 15:80 to 15:85

McCarthy time limits, application for public report, § 15:25

Mechanics' lien claims, completion of improvements, § 15:53

Merchant builders, applicability, § 10:8

Minimum filing package (MFP), application for public report, § 15:26

Notice requirements for subdivision with blanket encumbrance, § 15:58

Offering for sale, requirements for, § 15:3

Offsite improvements, completion of, § 15:45

Onsite improvements, completion of, §§ 15:46 to 15:49, 15:54

Operating cost manual, § 15:37 Option funds, escrow of, § 15:62

Out-of-state land promotions, §§ 15:14 to 15:16

Overall preliminary public report, § 15:71

Preliminary public reports
generally, §§ 15:68 to 15:71
application for report, § 15:69
overall preliminary public report,
§ 15:71

use of report, § 15:70

Preparation of budget, § 15:40

Processing of application for public report, §§ 15:25 to 15:32

Public report, issuance of generally, §§ 15:17 to 15:79

SUBDIVIDED LANDS ACT —Cont'd

Public report, issuance of—Cont'd advertising, unauthorized use of final public report in, § 15:79 application for public report, above conditional public report, § 15:67 denial of public report, §§ 15:65, 15:66

final public reports, above incremental and phased projects, public reports for, above preliminary public reports, above summary of process, § 15:17 types of public reports, §§ 15:67 to 15:79

use and retention of final public report, § 15:77

use of final public report, § 15:79

Qualitative review of substantially complete application for public report, § 15:28

Quantitative review of substantially complete application for public report, § 15:27

Renewal of public reports, § 15:89

Rescission, civil actions, § 15:92

Retention of public reports, § 15:77

Review of documents, application for public report, §§ 15:33 to 15:43

Sales and Purchases (this index)

Set-aside letter for onsite improvements, § 15:49

Short-form application for public report, § 15:24

Statutes of limitation, civil actions, § 15:93

Stock cooperatives, § 5:3

Subdivision Map Act, distinguished, § 15:1

Subdivision Public Report Application Guide (SPRAG Manual), application for public report, § 15:18

Subordination to declarations, application for public report, § 15:34

Subsidy agreements, § 15:42

SUBDIVIDED LANDS ACT —Cont'd

Substantially complete application for public report, §§ 15:27, 15:28

Third parties, acquisition of subdivision interests from, § 15:13

Time-share projects, §§ 7:2, 7:24

Title considerations, application for public report, § 15:44

Use of public reports, §§ 15:70, 15:77, 15:79

Vacant lots with home construction contracts, completion of improvements, § 15:52

Variable assessments, § 15:36 Violations of act, §§ 15:90, 15:91

SUBDIVIDERS

Defined, §§ 12:96, 15:6

SUBDIVISION AND PLANNING PROCESS

Generally, §§ 12:1 to 12:254

Abandonment of public streets, §§ 12:106, 12:127

Adoption of plans, local government regulation, §§ 12:21 to 12:33

Affordable housing, § 12:28

Amendments to general plans, local government regulation, §§ 12:30, 12:31

Annexation and de-annexation, § 12:12

Below-market-rate programs, §§ 12:18, 12:19

Building permits, § 12:57

California Coastal Act, § 12:5

California Environmental Quality Act, §§ 12:4, 12:64

Circulation element, general plans, § 12:23

Community Redevelopment Law, § 12:6

Conditional use permits, local government regulation, § 12:54

Conservation element, general plans, § 12:23

Deemed approval of project or permit, § 12:63

SUBDIVISION AND PLANNING PROCESS—Cont'd

Developers

generally, §§ 12:8 to 12:20 annexation and de-annexation, § 12:12

below-market-rate programs, §§ 12:18, 12:19

charter city and general law city, distinguished, § 12:13

choice of common interest developments, § 12:8

development fees, **§§ 12:14 to 12:20**

due diligence period in purchase contracts, § 12:10

formation of development team, § 12:9

imposition of development fees, § 12:16

inclusionary zoning, § 12:18 local concerns, assessment of, § 12:11

Mello-Roos Community Facilities Act of 1982, § 12:14

property taxes, §§ 12:14 to 12:20 Proposition 218, effect on special districts, § 12:15

regulation of development fees, § 12:17

residential density bonuses, § 12:20

special districts, **§§ 12:14 to 12:20** Development permits

generally, § 12:59 to12:65

California Environmental Quality Act, time limits for approval of project subject to, § 12:64

deemed approval of project or permit, § 12:63

processing of application, § 12:60 public notice requirements, § 12:62

purpose and intent of act, § 12:59 review of application, § 12:61 Subdivision Map Act, time limits for approval of project under, § 12:65

government regulation, § 12:53

Planning and Zoning Law, § 12:2

SUBDIVISION AND PLANNING SUBDIVISION AND PLANNING PROCESS—Cont'd PROCESS—Cont'd Development permits—Cont'd Local government regulation time limits for approval of project, —Cont'd §§ 12:64, 12:65 general plans, adoption of, Due diligence period in purchase §§ 12:21 to 12:32 contracts, § 12:10 Growth Control Measures (this **Environmental Regulation** (this index) index) housing element, general plans, General plans, adoption by local §§ 12:24 to 12:28 governments, §§ 12:21 to 12:32 initiatives, amendments to general **Growth Control Measures** (this plans by, § 12:31 index) legislation fostering housing, gen-Housing element, general plans, eral plans, § 12:28 §§ 12:24 to 12:28 limitations on new housing units, general plans, § 12:26 Imposition of development fees, § 12:16 lot line adjustment, § 12:56 Inclusionary zoning, § 12:18 mandatory elements, general plans, Initiatives, amendments to general § 12:23 plans by, § 12:31 occupancy permits, § 12:58 Land use element, general plans, planned development permits, § 12:23 § 12:53 Legal framework preparation and adoption of gengenerally, §§ 12:1 to 12:7 eral plans, § 12:22 public policies fostering housing, California Coastal Act, § 12:5 general plans, § 12:28 California Environmental Quality regional housing needs, general Act, § 12:4 plans, § 12:27 Community Redevelopment Law, specific plan, adoption of, § 12:33 § 12:6 subdivision map requirement, mediation of land disputes, § 12:7 § 12:52 Planning and Zoning Law, § 12:2 types of land use entitlements, Subdivision Map Act, § 12:3 §§ 12:51 to 12:58 Legislation fostering housing, general variances, § 12:55 plans, § 12:28 Local concerns, assessment of, waiver, § 22:107 **Zoning** (this index) § 12:11 Local government regulation Lot line adjustment, § 12:56 generally, §§ 12:21 to 12:92 Mediation of land disputes, § 12:7 adoption of plans, §§ 12:21 to Mello-Roos Community Facilities 12:33 Act of 1982, § 12:14 amendments to general plans, Ministerial projects, § 12:191 §§ 12:30, 12:31 Noise element, general plans, § 12:23 building permits, § 12:57 Occupancy permits, local governconditional use permits, § 12:54 ment regulation, § 12:58 conformity to general plans, Open space element, general plans, § 12:32 § 12:23 deficiencies in general plans, Planned development permits, local

§ 12:29

development permits, above

SUBDIVISION AND PLANNING PROCESS—Cont'd

Processing of application for development permit, § 12:60 Property taxes, §§ 12:14 to 12:20

Proposition 218, effect on special districts, § 12:15

Public notice requirements, development permits, § 12:62

Public policies fostering housing, general plans, § 12:28

Regional housing needs, general plans, § 12:27

Residential density bonuses, § 12:20 Review of application for development permit, § 12:61

Safety element, general plans, § 12:23

Special districts, §§ 12:14 to 12:20 Subdivision Map Act (this index)

Subdivision map requirement, local government regulation, § 12:52

Time limits for approval of project, §§ 12:64, 12:65

Variances, local government regulation, § 12:55

Water supply, § 12:112

SUBDIVISION MAPACT

Generally, §§ 12:3, 12:65, 12:93 to 12:167

Amended condominium plan, § 12:158

Amendment of final subdivision maps, § 12:143

Appeals, §§ 12:115, 12:146

Approval of maps, §§ 12:110, 12:111, 12:114, 12:120 to 12:123, 12:133 to 12:142

Bonds, final subdivision maps, § 12:132

California Environmental Quality
Act, time limits for approval of
tentative subdivision maps,
§ 12:123

Certificates of compliance, § 12:167

Certificates of correction, final subdivision maps, § 12:144

Challenges to final subdivision map approvals, denials, or conditions

SUBDIVISION MAPACT—Cont'd of approval, §§ 12:147 to 12:152

Commercial common interest developments, § 8:11

Commercial/industrial condominiums, exemption of, § 3:30

Community apartment projects, § 12:159

Conditional approval of tentative subdivision maps, § 12:110

Conditional certificates of compliance, § 12:167

Condominiums

generally, §§ 3:35 to 3:38, 12:153 to 12:159

amended condominium plan, § 12:158

covenants, conditions, and restrictions, condominium plan attached to declaration of, § 12:157

separate condominium plan, § 12:154

subdivision, condominium plan as, § 12:155

three-dimensional portions, separation into condominiums, § 12:156

Contesting development fees, § 12:150

Conversions, §§ 17:4, 17:26, 17:29, 17:45

Covenants, conditions, and restrictions, condominium plan attached to declaration of, § 12:157

Criminal penalties, § 12:165

Dedication of land for parks or inlieu fees, final subdivision maps, § 12:137

Deemed approval of tentative subdivision maps, § 12:111

Definitions, § 2:37

Density, approval of tentative subdivision maps conditioned on lower, § 12:114

Design, defined, § 12:94

SUBDIVISION MAPACT—Cont'd

SUBDIVISION MAPACT—Cont'd Duration, tentative subdivision maps, §§ 12:117 to 12:119, 12:125 Eminent domain. Regulatory takings, below Equal protection, regulatory takings, § 12:178 Exemptions, § 12:98 Extension of tentative subdivision maps, § 12:118 Fair hearings, § 12:147 Fees, §§ 12:134 to 12:137, 12:150 to 12:152, 12:174 Filing, §§ 12:104, 12:116, 12:128, 12:142 Final subdivision maps generally, §§ 12:126 to 12:152 abandonment of public street, §§ 12:106, 12:127 amendment of map, § 12:143 appeal from denial of map, § 12:146 approval, §§ 12:133 to 12:142 bond, posting of, § 12:132 certificates of correction, § 12:144 challenges to map approvals, denials, or conditions of approval, §§ 12:147 to 12:152 civil engineer or land surveyor, preparation by, § 12:127 dedication of land for parks or inlieu fees, § 12:137 denial of map, §§ 12:145, 12:146 fair hearings, § 12:147 fees, §§ 12:134 to 12:137, 12:150 to 12:152 filing and processing, §§ 12:128, 12:142 form and contents, § 12:127 geological report, § 12:131 indemnification of local agency, § 12:141 limitations periods, challenges to map approvals, denials, or conditions of approval, § 12:148

offsite improvements, construction

of. § 12:139

```
Final subdivision maps—Cont'd
  processing of map, §§ 12:126 to
       12:132
  school fees, §§ 12:135, 12:136,
       12:152
  scope of review, § 12:129
  soil report, § 12:130
  special taxes, challenges to fees as,
       § 12:151
  subdivision improvement agree-
       ments and bonds, § 12:140
  taxes and assessments, §§ 12:132,
       12:138
Geological report, final subdivision
    maps, § 12:131
Improvements, defined, § 12:94
Indemnification of local agency, final
    subdivision maps, § 12:141
Legal framework, § 1:6
Limited equity housing cooperatives,
    § 12:159
Lot line adjustments, § 12:164
Master planned communities, § 10:7
Mitigation Fee Act, § 12:175
Mixed-use subdivision maps,
    § 12:161
Moratoriums, effect on expiration of
    tentative subdivision maps,
     § 12:119
Nexus, regulatory takings
  requirements, § 12:172
  studies, § 12:169
Nollan-Dolan requirements, regula-
    tory takings, §§ 12:171 to
     12:173
Notices, §§ 12:106, 12:165
Offsite improvements, construction
    of, § 12:139
Parcel maps
  generally, §§ 12:100 to 12:102
  form and content, § 12:101
  improvements required, § 12:102
Penalties for violations of Act,
    § 12:165
Permit Streamlining Act, time limits
     for approval of tentative
    subdivision maps, § 12:122
```

SUBDIVISION MAP ACT—Cont'd	SUBDIVISION MAPACT—Cont'd
Planned developments, §§ 4:16, 4:19,	Subdivider, defined, § 12:96
12:160	Subdivision
Preemption of subdivision regulation,	condominium plan as, § 12:155
§ 12:97	defined, § 12:95
Processing of maps, §§ 12:105,	Takings. Regulatory takings, above
12:126 to 12:132	Taxes and assessments, final subdivi-
Purpose, § 12:94	sion maps, §§ 12:132, 12:138
Regulatory takings	Tentative subdivision maps
generally, §§ 12:168 to 12:180	generally, §§ 12:103 to 12:125
civil rights, § 12:179	appeal, § 12:115
defined, § 12:169	approval, §§ 12:110, 12:111,
delay, § 12:170	12:114, 12:120 to 12:123
due process remedies, § 12:179 equal protection, § 12:178	California Environmental Quality
	Act, time limits for approval
error in approval process, § 12:170	of maps, § 12:123
fees imposed on development, § 12:174	combined subdivision map and
Mitigation Fee Act requirements	condominium plan, § 12:109
for imposition of development	conditional approval, § 12:110
fees, § 12:175	deemed approval, § 12:111
nexus, §§ 12:169, 12:172	denial, § 12:112
Nollan-Dolan requirements,	density, approval conditioned on
§§ 12:171 to 12:173	lower, § 12:114
remedies, § 12:177	duration of approved maps,
ripeness, § 12:176	§§ 12:117 to 12:119
rough proportionality requirement,	duration of rights after vesting of
§ 12:173	tentative subdivision map, § 12:125
scope of taking, § 12:170	extension of maps, § 12:118
statutes of limitation, § 12:180	filing application for public report,
temporary regulations, § 12:170	§ 12:116
Remainder parcels, § 12:163	filing of map, § 12:104
Remedies, regulatory takings,	findings of agency, § 12:113
§ 12:177	moratoriums, effect on expiration
Ripeness, regulatory takings, § 12:176	of maps, § 12:119
Rough proportionality requirement,	notices, § 12:106
regulatory takings, § 12:173	ordinances, policies, and standards
School fees, final subdivision maps,	applicable, § 12:108
§§ 12:135, 12:136, 12:152	Permit Streamlining Act, time
Security for public improvements,	limits for approval of maps,
§ 12:140	§ 12:122
Soil report, final subdivision maps,	prescribed standards, procedures,
§ 12:130	and conditions for approval,
Special taxes, challenges to fees as,	§ 12:107
§ 12:151	processing of map, § 12:105
Statutes of limitation, §§ 12:148,	requirements, § 12:103
12:165, 12:180	time limits for approval of maps,
Stock cooperatives, §§ 5:3, 12:159	§§ 12:120 to 12:123

SUBDIVISION MAPACT—Cont'd

Tentative subdivision maps—Cont'd vesting tentative subdivision maps, §§ 12:124, 12:125

Three-dimensional maps, § 12:162
Three-dimensional portions, separation into condominiums,
§ 12:156

Time limits for approval of tentative subdivision maps, §§ 12:120 to 12:123

Types of maps, §§ 12:99 to 12:164

SUBDIVISION PUBLIC REPORT APPLICATION GUIDE (SPRAG MANUAL)

Subdivided Lands Act, § 15:18

SUBORDINATION

Condominiums, § 3:46
Owners associations, delinquent assessments, § 19:59

Subdivided Lands Act, application for public report, § 15:34

SUBROGATION

Insurance, §§ 20:63, 20:64

SUBSIDIES

Master planned communities, § 10:22 Phased projects, §§ 11:44, 11:50 Subdivided Lands Act, § 15:42 Time Share Act of 2004, § 7:67

SUBSTITUTE CONDOMINIUMS

Generally, § 8:17

SUCCESSOR

Owners associations, troubled projects, § 19:113

SUPERIOR COURT

Owners associations, § 21:48

SUPPORTIVE HOUSING

Generally, § 12:192

SURETY

Owners associations action to enforce bond, § 21:51

SURVEYS AND SURVEYORS

Apartment communities, § 23:56 Boundaries, § 3:14 Civil engineers, § 12:127 Condominium plan, § 3:39 Party walls, § 4:6 Statute of limitations, § 21:87 Subdivisions, §§ 12:101, 12:103, 12:126, 12:127, 12:164

SUSPENSION OR REVOCATION

Continuing care retirement communities, permit or certificate, §§ 6:36, 6:91

Owners association membership, § 18:34

Restrictive Covenants (this index)

SYNTHETIC TURF

Generally, § 22:55

TAKINGS

Regulatory takings. **Subdivision Map Act** (this index)

TAXATION

Generally, §§ 23:1 to 23:65

Assessments of owners associations, §§ 23:2, 23:3

Casualty loss deduction, individual owners, § 23:34

Commercial owners associations, § 23:21

Construction defects, payments by developer for settlement of, § 23:3

Conversions, § 17:3

Deductions, individual owners, §§ 23:32 to 23:37

Depreciation, individual owners, § 23:35

Developers, §§ 23:29, 23:30

Distributions, owners associations, § 23:23

Election under section 528, factors in, §§ 23:12 to 23:15

Estate taxes, individual owners, § 23:41

Exclusion from election under section 528, § 23:15

Index-86

TAXATION—Cont'd	TAXATION—Cont'd
Exempt associations	Individual owners—Cont'd
generally, §§ 23:4 to 23:15	Property Tax Assessments (this
election under section 528, factors	index)
in, §§ 23:12 to 23:15	real property tax deductions, § 23:32
exclusion from election under section 528, § 23:15	rental deduction, § 23:36
, ,	· -
ninety percent expenditure test, § 23:9	sale or exchange of property, §§ 23:38, 23:39
organization and operations test,	state taxation, §§ 23:42, 23:43
§ 23:7	time-share, loss on sale of, § 23:39
private inurement test, § 23:10	Transfer Taxes (this index)
procedures, factors in election under section 528, § 23:13	Mortgage interest deduction, individual owners, § 23:33
revenues exempt from association gross income, § 23:11	Ninety percent expenditure test, exempt associations, § 23:9
short-term tenancies, § 23:6	Operation and management, § 1:43
sixty percent exempt-function test,	Organization and operations test,
§ 23:8	exempt associations, § 23:7
substantially residential development, § 23:5	Owners associations generally, §§ 19:100, 19:101, 23:2
tax rate, factors in election under section 528, § 23:14	to 23:30 assessments of association,
Expenditures of owners associations, §§ 23:2, 23:3	§§ 23:2, 23:3 city taxes, § 23:28
Franchise tax, prepayment by owners	commercial owners associations,
associations, § 23:25	§ 23:21
Gift taxes, individual owners, § 23:40	construction defects, payments by
Grid system, commercial common interest developments, § 8:8	developer for settlement of, § 23:3
Income tax treatment, individual	corporate suspension, § 23:26
owners, §§ 23:31, 23:42	county taxes, § 23:28
Individual owners	distributions, § 23:23
generally, §§ 23:31 to 23:64	exempt associations, above
assessments not deductible, § 23:37	expenditures of association, §§ 23:2, 23:3
casualty loss deduction, § 23:34	failure to file returns or pay
deductions, §§ 23:32 to 23:37	franchise tax, consequences
depreciation, § 23:35	of, § 23:26
estate taxes, § 23:41	failure to qualify, non-exempt
federal taxation, §§ 23:31 to 23:41	associations, § 23:16
gift taxes, § 23:40	federal taxation, §§ 23:2 to 23:23
income tax treatment, §§ 23:31,	file returns or pay franchise tax,
23:42	consequences of failure to,
local taxation, §§ 23:44 to 23:64	§ 23:26
mortgage interest deduction,	franchise tax, prepayment of,
\$ 23:33	§ 23:25 franchise tax or file returns, conse-
principal residence, gain on sale of,	quences of failure to pay,

TAXATION—Cont'd

Owners associations—Cont'd local taxation, § 23:28 non-exempt associations, §§ 23:16 to 23:18

personal property owned by association, § 23:27

reduction of income taxes of nonexempt associations, § 23:18 revenues of association, §§ 23:2, 23:3

section 501(c) exempt corporations, § 23:20

state taxation, §§ 23:24 to 23:27

stock cooperatives, § 23:22 termination, § 23:23

unincorporated associations,

§ 23:19
Personal property owned by owners

associations, § 23:27
Principal residence, gain on sale of,

§§ 23:38, 23:43

Private increment test, exempt

Private inurement test, exempt associations, § 23:10

Property Taxes and Assessments (this index)

Rental deduction, individual owners, § 23:36

Sale or exchange of property, individual owners, §§ 23:38, 23:39

Section 501(c) exempt corporations, § 23:20

Short-term tenancies. exempt associations, § 23:6

Sixty percent exempt-function test, exempt associations, § 23:8

Stock cooperatives, §§ 5:16, 23:22 Subdividers, §§ 23:29, 23:30

Subdivision Map Act, final subdivision maps, §§ 12:132, 12:138

Substantially residential development, exempt associations, § 23:5

Tax rate, factors in election under section 528, § 23:14

Termination of owners associations, § 23:23

Time-share projects, §§ 7:35, 7:38, 7:92, 23:39

TAXATION—Cont'd

Transfer fees, § 23:65

Transfer Taxes (this index)

Unincorporated associations, § 23:19

TELEPHONE CONTRACTS

Forms, § 24:35

TELEPHONE WIRING

Condominiums, § 3:49

TELEPHONIC MEETINGS

Owners associations, board of directors, § 18:85

TEMPORARY RESIDENCY

Age-restricted communities, § 22:34

TENANCY-IN-COMMON ARRANGEMENTS

Generally, §§ 1:23, 8:16

TENANT NOTICES

Generally, § 17:51

TENDER

Insurance, § 20:69

TENTATIVE SUBDIVISION MAPS

Subdivision Map Act (this index)

TERMINATION

Continuing care retirement communities, §§ 6:98, 6:99

Leasehold condominiums, § 3:27

Owners associations, § 18:57

Stock cooperatives, § 5:19

TERMITES

Condominiums, § 3:51

THIRD-PARTY BENEFICIARY THEORY

Owners associations, liability of developers, § 21:6

THREE-DIMENSIONAL MAPS

Subdivision Map Act, § 12:162

TII A

See Truth-In-Lending Act (TILA) (this index)

TIME AND DATE

Construction defects, time limits for Definition, statutory, § 7:2 making claims, §§ 18:62, 21:87 Definitions, §§ 2:39 to 2:42 Continuing care retirement communi-Department of Real Estate regulaties, processing of application tions, §§ 7:7, 7:25 to 7:29 for permit to sell deposit Developer subsidies, § 7:44 subscriptions, § 6:33 Documentation, §§ 7:16, 7:17 Conversion notices, § 17:58 Elements Development and construction, generally, §§ 7:1 to 7:5 review process, §§ 14:9 to interval ownership, § 7:2 14:12 time-share estate, § 7:3 **Environmental Quality Act of Cali**time-share use, § 7:4 **fornia** (this index) variations in time and use, § 7:5 Owners associations, extension of Escrow accounts, § 7:26 time, § 18:56 Estates in land, sale of, § 7:6 **Statutes of Limitation** (this index) Exchanges, §§ 7:20, 7:31, 7:46 Subdivision and planning process, Exclusion stated in covenants, condiapproval of project, §§ 12:64, tions, and restrictions, § 7:19 12:65 Federal Interstate Land Sales Full Subdivision Map Act, approval of Disclosure Act, § 7:33 tentative subdivision maps, Federal regulation §§ 12:120 to 12:123 generally, §§ 7:33 to 7:36 TIME-SHARE PROJECTS bankruptcy of project, § 7:36 Generally, §§ 1:20, 7:1 to 7:92 income taxes, § 7:35 Amendment of governing instru-RICO, § 7:34 ments, § 7:25 statutory and regulatory Apartment time-shares, § 7:10 framework, § 7:33 Articles of incorporation, § 7:16 Financial information, dissemination Assessments, § 7:7 of, § 7:25 Bankruptcy of project, § 7:36 Fixed right to occupancy, §§ 7:4, 7:5 Bill of sale, § 7:17 Floating right to occupancy, §§ 7:4, 7:5 Blue Monday program, § 7:22 Furniture, § 7:23 Board of directors, § 7:7 Income tax issues, § 7:35 Bonus time, § 7:21 Interval ownership, § 7:2 Budgets, § 7:43 Local regulations, § 7:37 Buy down of assessments, § 7:43 Management. Operation and manage-Buyer's acknowledgment of ment, below representations, § 7:17 Marketing costs, tax issues, § 7:35 By-laws, § 7:16 Material change in offering, § 7:28 Cancellation, right of, § 7:27 Member meeting, § 7:25 Club memberships, § 7:12 Mixed-use time-share projects, Condominium time-shares, §§ 7:7, § 7:41 Motel or hotel time-shares, § 7:15 Contractual form of membership, § 7:6 Operation and management Conversion of rental units, § 7:37 generally, §§ 7:39 to 7:92 Declaration, § 7:16 budgets, § 7:43 Deed of conveyance, § 7:16 contracts, § 7:7

TIME-SHARE PROJECTS—Cont'd

TIME-SHARE PROJECTS—Cont'd	TIME-SHARE PROJECTS—Cont'd
Operation and management—Cont'd	Operation and management—Cont'd
developer subsidies, § 7:44	Time Share Act of 2004—Cont'd
employment of managing agent,	information provided to time-
§ 7:25	share plan interest owners, § 7:83
exchange programs, § 7:46	insurance requirements, § 7:73
governing body meetings, § 7:82	investigation, §§ 7:88, 7:90
management agreement, § 7:17	lien protection requirements,
member meetings, § 7:79	§ 7:69
mixed-use time-share projects, § 7:41	limitations on forfeiture of interests, § 7:85
rental and resales program, § 7:45	management and governance,
rental pool, § 7:42	§ 7:76
Time Share Act of 2004	material change, offerings,
generally, § 7:47	§ 7:57
advertisement, § 7:54	meetings of members, § 7:79
agreements, managing entity, § 7:78	member voting rights, § 7:80 offerings
amendments, § 7:77	material change, § 7:57
amenities, completion of offer-	point system, § 7:61
ing, § 7:59	operating budgets, § 7:66
application of act, § 7:49	penalties, § 7:91
books and records, § 7:84	point system offerings, § 7:61
budgets, operating, § 7:66	powers, § 7:88
change to offerings, material,	preparation, public report, § 7:62
§ 7:57	public report
communications, § 7:54	preparation and delivery,
contract provisions, § 7:75	§ 7:62
current registrations, § 7:55	requirements, § 7:58
Davis-Stirling, exemption, § 7:50	purchase contract requirements, § 7:65
definitions, § 7:51	purpose, § 7:48
delivery, public report, § 7:62	registrations
Department of Real Estate,	current, § 7:55
§ 7:90	review, § 7:60
Department of Real Estate/ Bureau of Real Estate,	sale requirements and fees, § 7:56
§ 7:89	regulation by Department of
developer obligations, § 7:52	Real Estate (DRE), § 7:89
disciplinary action, § 7:86	reports
dispute resolution, § 7:87	contents, § 7:63
documentation, § 7:72	preparation and delivery,
enforcement, §§ 7:88, 7:90	§ 7:62
escrow requirements, § 7:68	requirements, § 7:58
exchange programs, § 7:53	requirements, § 7:71
governing bodies, § 7:81	rescission rights, § 7:64
governing bodies, § 7:81	review of registration, § 7:60

TIME-SHARE PROJECTS—Cont'd	TIME-SHARE PROJECTS—Cont'd
Operation and management—Cont'd	State regulation
Time Share Act of 2004—Cont'd	generally, §§ 7:24 to 7:32
sales	cancellation, right of, § 7:27
registration, § 7:56	Department of Real Estate/Bureau
representations, § 7:70	of Real Estate regulations,
subsidy arrangements, § 7:67	§§ 7:25 to 7:29
trust agreement arrangements,	material change in offering, § 7:28
§ 7:74 violations, § 7:91	out-of-country time-share projects, § 7:32
voting rights of members, § 7:80	out-of-state time-share projects,
Out-of-country time-share projects,	§ 7:31
§ 7:32	permit requirements, § 7:25
Out-of-state time-share projects,	presale requirements, § 7:26
§ 7:31	rescission, right of, § 7:27
Permit requirements, § 7:25	statutes, § 7:24
Personal property, §§ 7:17, 7:23	trustee, conveyance of interests to,
Planned development time-shares, § 7:9	§ 7:29
Pooling of units and rents, § 7:42	Subdivided Lands Act, §§ 7:2, 7:24
Presale requirements, § 7:26	Subsidy agreement, § 7:17
Prohibitions on operation of time-	Taxation, §§ 7:35, 7:38, 7:92, 23:39
share, § 7:19	Time Share Act of 2004. Operation
Property tax assessments, § 23:57	and management, above
Public reports, § 7:25	Transient occupancy taxes, § 7:37
Qualified resort vacation clubs, § 7:14	Trustee, conveyance of interests to, § 7:29
Quorum for members meeting, § 7:7	Types of projects, §§ 7:6 to 7:15
Regulation of projects	Use periods, § 7:1
generally, §§ 7:24 to 7:38	Vacation leases, § 7:13
federal regulation, above	Variations in time and use, § 7:5
local regulations, § 7:37	Voting rights, §§ 7:7, 7:25
state regulation, below	Zoning ordinances, § 7:37
tax assessments, § 7:38	
Reimbursement agreement, § 7:17	TITLE INSURANCE
Rentals and resales, §§ 7:42, 7:45	Generally, §§ 20:33, 20:50
Renting out unsold time, § 7:21	Sales and purchases, § 16:33
Rescission, right of, § 7:27	Unit financing, § 13:11
Residential/commercial projects, § 9:5	TOLLING STATUTES OF
Resort condominiums, § 7:8	LIMITATION
RICO, § 7:34	Generally, § 21:87
Rules and regulations, §§ 7:16, 7:17	•
Securities laws, § 7:44	TORTS
Securities regulation, resort	Condominiums, §§ 3:10, 3:57
condominiums, § 7:8	Insurance, § 20:51
Single-family home time-shares,	Owners Associations (this index)
§ 7:11	Stock cooperatives, § 5:18

TOWING OF WRONGFULLY PARKED VEHICLE

Compliance with Vehicle Code, §§ 19:82, 22:52

Owners associations, maintenance and operating contracts, § 19:82 Restrictive covenants, §§ 22:50,

22:52

TOWNHOUSE LEASE

Forms, § 24:21

TOXIC SUBSTANCES

Safe Drinking Water and Toxic Enforcement Act of 1986, § 16:24

TRANSFER DISCLOSURE STATEMENT

Generally, § 16:20

TRANSFER FEES

Taxation, § 23:65

TRANSFER FEES AND RESTRICTIONS

Owners associations, §§ 18:25, 18:26 Private transfer fees, § 16:24

TRANSFER TAXES

Generally, §§ 23:44 to 23:48 Conveyances not subject to tax, § 23:47

Conveyances subject to tax, § 23:46 Reporting changes in ownership, § 23:45

Stock cooperatives, § 23:48

TRANSIT FACILITIES

Conversions, § 17:24

TRANSIT PRIORITY PROJECT

Generally, § 12:188

TROUBLED PROJECTS

Owners Associations (this index)

TRUST AGREEMENTS

Time Share Act of 2004, § 7:74

TRUST SYSTEM

Phased projects, § 11:11

TRUTH-IN-LENDING ACT (TILA)

Generally, § 13:24

Sales and purchases, § 16:25

TYPES OF COMMON INTEREST DEVELOPMENTS

Generally, §§ 1:13 to 1:25

Commercial Common Interest Developments (this index)

Community Apartments (this index)

Condominiums (this index)

Creation of common interest developments, § 1:13

Hotel condominiums, § 1:24

Industrial projects, § 1:21

Limited Equity Housing Coopera- tives (this index)

Live-Work Projects (this index)

Motel condominiums, § 1:24

Mutual Water Companies (this index)

Planned Developments (this index)

Retirement Communities (this index)

Stock Cooperatives (this index)

Tenancy-in-Common (TIC) ownership, §§ 1:23, 8:16

Time-Share Projects (this index)

UNCONSCIONABILITY

Alternative dispute resolution, § 16:10

UNDERTAKINGS

Bonds and Undertakings (this index)

UNDIVIDED INTEREST IN COMMON AREA

Condominiums (this index)

UNDIVIDED INTEREST SUBDIVISION

Generally, § 15:9

UNIFORM BUILDING CODE

Generally, § 14:13

Planned developments, § 4:4

Index-92

UNIFORM COMMON INTEREST OWNERSHIP ACT

Generally, § 1:12

UNILATERAL PHASING

Phased projects, §§ 11:24, 11:25

UNINCORPORATED ASSOCIATIONS

Owners associations, §§ 18:6, 21:20, 21:30

Taxation, § 23:19

UNIT FINANCING

Financing (this index)

UNIVERSAL DESIGN

Checklist, new home, § 24:82

UNRELATED OCCUPANTS

Generally, § 22:18

UNRUH CIVIL RIGHTS ACT

Age-restricted communities, § 22:28 Owners associations, § 21:92

UPGRADES

Continuing care retirement communities, deposit agreements, § 6:41

URGENCY ORDINANCE, SUBDIVISION AND PLANNING PROCESS

Completion and certification of EIR, § 12:226

Completion of negative declaration, § 12:226

Development moratoriums, § 12:70 EIR, completion and certification of, § 12:226

Map processing, § 12:105

Negative declaration, completion of, § 12:226

Processing of map, § 12:105

Subdivision Map Act, time limits for approval, § 12:65

USE AND OCCUPANCY

Generally, §§ 22:14 to 22:26

Assignment or transfer, prohibition of, § 22:21

Business, limitations on, § 22:15

USE AND OCCUPANCY—Cont'd

Combined residential project for elderly persons and health care facility, § 22:26

Common area, use by nonresident, § 22:22

Day care centers, § 22:23

Group home and residential care facilities, §§ 22:24, 22:25

HUD standards for maximum occupancy restrictions, § 22:17

Number of occupants, **§§ 22:16**, **22:17**

Residential facilities, §§ 22:14 to 22:22

Unrelated occupants, § 22:18

USE RESTRICTIONS

Restrictive Covenants (this index)

VA REQUIREMENTS

Financing, § 13:21 Insurance, § 20:32

VACANCY RATES

Conversions, § 17:12

VACANT LAND

Subdivided Lands Act, completion of improvements, § 15:52
Zoning for residential use, § 12:40

VACATION CLUBS

Qualified Resort Vacation Clubs (this index)

VACATION LEASES

Time-share projects, § 7:13

VACATION OF PUBLIC STREETS

Generally, §§ 12:106, 12:127

VARIABLE ASSESSMENTS

Owners associations, § 19:36 Subdivided Lands Act, allocation of investments, § 15:36

VARIANCES

Restrictive covenants, architectural control and design review, § 22:54

VARIANCES—Cont'd

Subdivision and planning process, local government regulation, § 12:55

VEHICLES

Motor Vehicles (this index)

VENUE

Owners associations, action to collect delinquent assessments, § 19:69

VESTED RIGHTS

California Coastal Act, § 12:249 Conversions, § 17:43 Defined, § 2:46

Growth Control Measures (this index)

Owners associations, voting rights, § 18:31

Subdivision map, § 12:79

VESTING MAPS

Growth control measures, § 12:89 Subdivision Map Act, §§ 12:124, 12:125

VETERANS ADMINISTRATION WARRANTIES

Sales and purchases, § 16:40 Views, obstruction of, § 22:55

VIEW RESTRICTIONS

Generally, § 22:56

VIOLATIONS

Offenses and Violations (this index)

VOLUNTARY DISMISSAL OF LAWSUIT

Generally, § 21:110

VOTES AND VOTING

Commercial/industrial condominiums, § 3:32
Live-work projects, § 9:22
Master planned communities, § 10:19
Owners Associations (this index)
Phased projects, § 11:43
Time Share Act of 2004, § 7:80
Triple voting rights, § 19:10

Two class voting structure, § 11:43

WAIVER

Conversions, purchase rights of tenants, § 17:66
Insurance, subrogation, § 20:64
Restrictive covenants, §§ 22:92,
22:107

WAREHOUSE SPACE

Live-Work Projects (this index)

WARRANTIES

Class actions, § 21:40
Construction defect litigation, § 21:78
Converted units, § 17:80
Developers, §§ 14:39, 14:41
Enhanced protection agreements, §§ 14:41, 16:15
Fit and finish, §§ 14:41, 16:38
Forms, §§ 24:18, 24:19
Functionality standards, § 16:38
Owners associations, troubled projects, § 19:116
Sales and purchases, §§ 1:29, 16:38
to 16:40

SB 800

generally, § 14:41 functionality standards, § 16:38 warranty agreements, § 16:38 warranty forms, § 16:15

Veterans Administration Warranties (this index)

WATER COMPANIES

Mutual Water Companies (this index)

WATER SUPPLY

Recycled water, §§ 3:44, 16:24
Safe Drinking Water and Toxic
Enforcement Act of 1986,
§ 16:24
Subdivisions, § 12:112

WATERCRAFT INSURANCE

Generally, § 20:24

WETLANDS

Growth control measures, § 12:77

WOOD-DESTROYING PESTS OR ORGANISMS

Condominiums, § 3:51

WORKERS' COMPENSATION INSURANCE

Generally, §§ 20:12, 20:44

WORKFORCE HOUSING COOPERATIVE TRUST

Defined, § 2:47

WORKFORCE HOUSING OPPORTUNITY ZONES

Generally, § 12:28

WRAP-UP INSURANCE

Generally, **§§ 14:30, 20:53, 21:86, 21:91**

ZERO-LOT LINE

Defined, § 2:48
Planned developments, § 4:9

ZONING

Generally, §§ 12:34 to 12:50 Attached housing development, § 12:47

Authority of local governments, § 12:35

California Environmental Quality Act, application to general subdivision plan and zoning changes, § 12:39

Common interest developments, application to, § 12:41

Condominiums, § 12:42

ZONING-Cont'd

Conformance of subdivisions with zoning requirements and general subdivision plans, § 12:50

Consistency with general subdivision plan, § 12:37

Conversions, § 17:13

Defined, § 12:34

Development and construction, § 14:4

Exclusionary zoning, § 12:47 Invalidation of zoning decisions, § 12:46

Live-work projects, § 9:14 Master planned communities, § 10:7

Planned developments, §§ 4:1, 12:43 Planning and zoning decisions, and development agreements, challenges to, § 12:88

Procedure, § 12:44

Relationship of zoning, general subdivision plan, and subdivision approvals, § 12:38

Residential/commercial projects, § 9:2

Restrictive covenants, conflicts with, § 12:45

Scope of zoning power, § 12:36 State government requirements, conflicts with, § 12:49

Statutes of limitation, § 12:48

Subdivision and planning process, § 12:2

Vacant land, zoning for residential use, § 12:40