



Dec. 19, 2011

For More Information:
Donna Hahn
Hahn Communications
(949) 458-3983
donna@hahnmarketing.com

NEW LAWS TO IMPACT CALIFORNIA HOMEOWNERS NEXT YEAR

LAGUNA HILLS, CALIF. – From rental restrictions to electric vehicles and electronic meeting notices, Californians living in homeowners associations will see several new laws governing their communities starting January 1. According to the California Association of Community Managers, one out of every three Californians lives in a homeowners association.

One of the most significant of the new laws was proposed in **Senate Bill 150** which prohibits associations from restricting owners' abilities to rent their properties unless a rental restriction was in place before the owner purchased the property. This section of the bill applies to a governing document provision that becomes effective on or after Jan. 1, 2012. The law will require owners to provide a statement describing any applicable rental restriction to potential buyers.

Also going into effect in 2012 is **Senate Bill 209** governing electric vehicle charging stations. The new law restricts homeowners associations from prohibiting or restricting the installation of an electric vehicle charging station, although associations still have jurisdiction over the approval process for such stations. Owners will be responsible for the maintenance costs associated with charging stations and for any commonly metered electricity. Owners will also be required to obtain an umbrella liability insurance policy that names the association as an additional insured.

Senate Bill 563 lays out several new requirements regarding the actions of homeowner association boards between meetings. Going forward, HOAs must notify members at least two days prior to a meeting of the board's executive session. The law also allows for meeting notifications to be sent electronically to homeowners and permits board meetings to be conducted by teleconference as long as they are conducted in a manner that protects the rights of members. Notices of teleconference meetings must identify a physical location so that members can attend and also requires that at least one member of the board be present at the location. However, the board is prohibited from conducting a meeting via a series of electronic transmissions, such as email, except to conduct an emergency meeting.

One piece of proposed legislation that didn't pass this year was **Senate Bill 759** governing synthetic grass. This bill would have prohibited associations from restricting the installation of synthetic grass. Governor Brown declined to sign this bill into law, stating that associations should be able to decide whether or not to allow synthetic grass.

According to Karen Conlon, president and CEO of CACM, the new laws for 2012 are indicative of a growing use of technology to govern homeowners associations as well as the acceptance of new energy sources to power California's transportation needs.

"California continues to lead the way in the evolution of laws governing the rights and restrictions of homeowners living in common interest developments," Conlon said. "We are all facing an ongoing reality in California. We must find better, more efficient ways of communicating with our homeowners while allowing flexibility when it comes to energy efficiency and rental opportunities, especially in light of our ongoing economic challenges."

Celebrating its 20th anniversary this year, Laguna Hills, Calif.-based CACM was the first community association management organization in the nation to establish a state-specific educational program leading to the designation of "Certified Community Association Manager" (CCAM®) for

industry professionals. CACM's membership is composed of nearly 3,000 California-based professionals from the community association management industry. For more information on CACM, please go to www.cacm.org.

#