

First Supplement to Memorandum 2020-27

Emergency-Related Reforms: Common Interest Development Meetings

The Commission¹ has received a letter from the California Association of Community Managers (CACM) expressing its support for a study of a reform to facilitate the conduct of common interest development meetings during an emergency. The letter is attached.

Respectfully submitted,

Brian Hebert
Executive Director

1. Any California Law Revision Commission document referred to in this memorandum can be obtained from the Commission. Recent materials can be downloaded from the Commission's website (www.clrc.ca.gov). Other materials can be obtained by contacting the Commission's staff, through the website or otherwise.

The Commission welcomes written comments at any time during its study process. Any comments received will be a part of the public record and may be considered at a public meeting. However, comments that are received less than five business days prior to a Commission meeting may be presented without staff analysis.



June 22, 2020

California Law Revision Commission
c/o UC Davis School of Law
400 Mrak Hall Drive
Davis, CA 95616

Re: Memorandum 2020-27: Emergency-Related Reforms: Common Interest Developments

Dear Commission Members,

On behalf of the California Association of Community Managers (“CACM”), I’d like to express our support for pursuing a study to establish allowable protocols during emergencies that impact Common Interest Developments (“CIDs”). Specifically, a study to allow teleconferencing and video conference participation for association meetings.

The recent COVID-19 pandemic highlighted the inadequacy of existing law when it comes to operating a CID and enabling owner access to meetings when in-person attendance is not possible. The fundamental governance structure of a CID relies on participation of its owners. Oftentimes, these meetings take place in small clubhouses, or a private residence when a community doesn’t have a clubhouse, where physical distancing is difficult at best. Abiding by existing law would place many owners, particularly seniors and at-risk owners, in situations that unnecessarily compromise their safety. In the midst of COVID-19, associations throughout the state allowed teleconference and video conference participation pursuant to the Governor’s emergency orders and, in many instances, public participation actually increased. The statute needs to be amended to account for any future emergencies due to a pandemic or otherwise.

CACM is an association of professional community managers who run the day-to-day operations of CIDs throughout the state. Our managers facilitate the meetings and aid the board in complying with the law. We stand ready to assist the Commission should you move forward with the study. We urge you to approve the study not only to further the public safety of our community, but also to ensure access and transparency for all residents.

Please feel free to contact our Legislative Advocate, Jennifer Wada at jennifer@wadagr.com with any questions. Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tom Freeley", is written over a light blue horizontal line.

Tom Freeley
CEO, CACM