

FAQs: Common Interest Developments

Q. - What about homeowner associations disputes?

A. - We suggest that members refer to their governing documents (Articles, Bylaws, Declaration, etc.) for dispute resolution remedies. The California State Attorney General's office provides some oversight for incorporated homeowner associations. Depending on the nature of the problem, you may consider seeking the advice of a private attorney or contacting your local district attorney's office.

If the subdivider still owns interests within the project, we recommend that the association and/or owners contact the Department of Real Estate for possible assistance. The Department's powers are generally limited to preventing the subdivider from marketing the remaining units in the project, if wrongdoing is substantiated.

Q. - What are my rights as a member of a common interest development?

A. - The Department of Real Estate publishes a brief overview of the rights, duties and responsibilities of both associations and individual owners in common interest developments. The on-line version of the [Common Interest Development \(CID\) brochure](#) is available.

Some of the statutory basis for the operation of CID's can be found in:

- Civil Code 1350, et seq. (The Davis-Stirling Act)
- Corporations Code 7110-7160 (Nonprofit Mutual Benefit Corporations Formations and Powers)
- Corporations Code 7210-7215 (Corporate Duties and Responsibilities)
- Corporations Code 7220-7225 (Selection, Removal and Resignation of Directors)

Note: This is only a partial listing of the relevant Corporations Code Sections which may apply to a CID.