

## Second Supplement to Memorandum 2009-32

**Common Interest Development Law: Nonresidential Associations  
(Discussion of Issues)**

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In this study, the Commission is considering which provisions of the Davis-Stirling Common Interest Development Act (Civ. Code §§ 1350-1378) (hereafter "Davis-Stirling Act") should apply to a nonresidential common interest development ("CID").

In Memorandum 2009-32, the staff has analyzed the applicability of both sections and individual provisions of the Davis-Stirling Act. One provision of the act, Section 1363(j), was not included in the analysis.

Section 1363(j) provides:

(j) Nothing in this section shall be construed to create, expand, or reduce the authority of the board of directors of an association to impose monetary penalties on an association member for a violation of the governing documents or rules of the association.

Because the application of Section 1363(j) to nonresidential CIDs may be dependent on applicability decisions that the Commission makes about the remainder of the provisions in Section 1363, **the staff will present an analysis of Section 1363(j) in a subsequent memorandum.**

Respectfully submitted,

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