

BOARD MEETING BY ZOOM SATURDAY 9/13/2025 10 AM

Norris Bishton is inviting you to a scheduled Zoom meeting.

Topic: HCHOA Board Meeting

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**HAMILTON COVE HOMEOWNERS ASSOCIATION
AGENDA
MEETING OF THE BOARD OF DIRECTORS
SEPTEMBER 13, 2025
10:00 AM**

I CALL TO ORDER

II REPORT ON EXECUTIVE SESSIONS

III APPROVAL OF MEETING MINUTES 6/28/2025

IV PRESIDENT'S REPORT

V OLD BUSINESS

A. BARRIERS

- B. SPRINKLER INSPECTION AND REPAIR
- C. COST OF WATER
- VI NEW BUSINESS
 - A. CURRENT FINANCIAL CONDITION
 - B. EFFECT OF AB 130 (SEE ATTACHMENT)
 - C. FIRE INCIDENTS
 - D. GOLF CART CONDITIONS
 - E. ELECTRIC GOLF CARTS AND CHARGING
 - F. PHONE LINES
 - G. ASSESSMENT PROCESSING
 - H. LATE FEES
 - I. ANNUAL MEETING
- VII HOMEOWNER COMMENTS
- VIII ADJOURNMENT
- IX EXECUTIVE SESSION

AB 130

California Assembly Bill 130, enacted on June 30, 2025, was revised at the very last minute this week to include amendments to Civil Code Sections 714.3, 5850 and 5855, which address association fines and enforcement procedures. The changes were added just days before the bill was signed into law without any committee hearings or opportunity for feedback. Leaving those most impacted by it, associations, with bad law and more questions than answers.

Most notably, AB 130 caps fines for many governing document violations at \$100 per violation. The major takeaways regarding changes to permissible fines include:

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- **Fines for violations are now capped at \$100 per violation or a lesser amount adopted by fine schedule.** As of June 30, 2025, associations are prohibited from imposing fines over \$100 unless the exception discussed below applies.
- **The exception to the \$100 fine cap is for violations that may result in an adverse health or safety impact on the common area or another association member's property.** To invoke this exception, a board must make a written finding at an open board meeting specifying the adverse health or safety impact of such violation. One way a board may satisfy this requirement is by making a finding in an open meeting a specific violation is adverse to health or safety on a violation by violation basis. Alternatively, an association could amend its rules to provide a general category

of violations are adverse to health or safety (i.e., speeding, glass at the pool, off leash dogs in common areas) and therefore, subject to fines in excess of \$100 without having to re-vote on the same violations over and over again.

- **Board shall not impose discipline on a member when the member cures the violation prior to the hearing and, in situations where curing the violation would take longer than the notice period before the hearing, when the member provides “financial commitment” to cure the violation.** AB 130 does not define or provide an example of what a “financial commitment” is, but one option may be to impose a fine and hold it in abeyance subject to the member curing the violation by a reasonable deadline.
- **No late charges or interest may be charged for a fine.**
- **Fines Imposed Prior to June 30, 2025, are not impacted.** While AB 130 alters how associations may impose fines going forward, it does not invalidate previously imposed fines.

The new language of the statute also modifies part of the enforcement process, including:

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- **If the board and owner are not in agreement following a hearing, the owner may request IDR.** This is not a change to current law since an owner could always request IDR regarding an association dispute.
- **If the board and owner reach an agreement after the hearing, the board must prepare a written resolution to be signed by the board and the owner. The resolution will be judicially enforceable.**
- **Written notice of a Board’s decision to impose disciplinary action is now due within 14 days of the hearing.** Previously, notice within 15 days was required.

In summary, associations must immediately comply with AB 130, including generally no longer imposing fines in amounts more than \$100 after June 30, 2025, unless a written finding is made by the Board at an open meeting the violation will have an adverse health or safety impact. AB 130 also does not necessarily require an association to suspend any enforcement actions until it amends its rules or fine policy, but boards will need to review and revise these policies to bring them into compliance with AB 130 before they are distributed with their annual policy statement. Associations should consult with their community association legal counsel regarding how to best integrate and comply with the new requirements of AB 130 for their specific community.