

Billing Disclosures: Update to Form Effective January 1, 2015

Civil Code section 4528 shows how documents provided as required by section 4530 must be broken down into an *a la carte* menu of items to be produced. The following version of Civil Code section 4528 will be effective as of January 1, 2015. For your reference, the changes from the 2014 version of the section are indicated in bold underlined italics. The primary effect of the change is to add a new column for the *a la carte* charges and a total at the end.

Note that the statute has only one row each for Articles of Incorporation, Bylaws, CC&Rs, Operating Rules, etc. Many community associations may have not only original CC&Rs, Bylaws, etc., but also amendments to these documents. Since an owner must provide what documents he or she has, and the owner may not have a complete set of documents, consider adding the recording date and document number to CC&Rs, a separate line for each amendment, the date (or at least the year) when Bylaw amendments were enacted, and the same for amendments to Articles of Incorporation and various sets of rules (including Architectural Guidelines), also with effective dates. In this way, owners, buyers and Realtors will know what documents they have and which they need. Furthermore, each document needs to have an itemized charge for producing the copy.

The following version of the Civil Code section 4528 billing disclosure form need not be used for any disclosure that must be sent to owners before January 1, 2015; however, the new form must be used for fulfillment of any document requests on or after that date.

Civil Code section 4528: Form for Billing Disclosures

The form for billing disclosures required by Section 4530 shall be in at least 10-point type and substantially the following form:

CHARGES FOR DOCUMENTS PROVIDED AS REQUIRED BY SECTION 4525*

Property Address
Owner of Property
Owner's Mailing Address (If known or different from property address.)
Provider of the Section 4525 Items:

Print Name _____ Position or Title _____ Association or Agent
Date Form Completed

Check or Complete Applicable Column or Columns Below

Document	Civil Code Section Included	<i>Fee for Document</i>	Not Available (N/A), Not Applicable (N/App), or <i>Directly Provided by Seller and confirmed in writing by Seller as a current document (DP)</i>
Articles of Incorporation or statement that not incorporated	Section 4525(a)(1)		
CC&Rs	Section 4525(a)(1)		
Bylaws	Section 4525(a)(1)		
Operating Rules	Section 4525(a)(1)		
Age restrictions, if any	Section 4525(a)(2)		
Rental restrictions, if any	Section 4525(a)(9)		
Annual budget report or summary, including reserve study	Sections 5300 and 4525(a)(3)		
Assessment and reserve funding disclosure summary	Sections 5300 and 4525(a)(4)		
Financial statement review	Sections 5305 and 4525(a)(3)		

Assessment enforcement policy	Sections 5310 and 4525(a)(4)		
Insurance summary	Sections 5300 and 4525(a)(3)		
Regular assessment	Section 4525(a)(4)		
Special assessment	Section 4525(a)(4)		
Emergency assessment	Section 4525(a)(4)		
Other unpaid obligations of seller	Sections 5675 and 4525(a)(4)		
Approved changes to assessments	Sections 5300 and 4525(a)(4), (8)		
Settlement notice regarding common area defects	Sections 4525(a)(6), (7), and 6100		
Preliminary list of defects	Sections 4525(a)(6), 6000, and 6100		
Notice(s) of violation	Sections 5855 and 4525(a)(5)		
Required statement of fees	Section 4525		
Minutes of regular board meetings conducted over the previous 12 months, if requested	Section 4525(a)(10)		
Total fees for these documents:			
<p>* The information provided by this form may not include all fees that may be imposed before the close of escrow. Additional fees that are not related to the requirements of Section 4525 shall be charged separately.</p>			

Note: The borders shown in this table do not appear in the statute,
but we have added them to make the section easier to read and the
form easier to complete.

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