

CONCURRENCE IN SENATE AMENDMENTS

AB 1184 (Patterson)

As Amended August 19, 2026

Majority vote

SUMMARY

Makes various changes to the Davis-Stirling Common Interest Development Act (the Act) related to the governance of homeowners' associations (HOAs), including open meeting rules, member elections, records inspections, and annual reports.

Senate Amendments

- 1) Specify that a prohibition on a majority of an HOA's board of directors use of communications to deliberate or act on any item of business outside a meeting does not prohibit informational or ministerial communications, including communications sent solely to schedule, notice, organize, or facilitate a board meeting, if the communications satisfy both of the following conditions:
 - a) The communications do not involve deliberation, debate, advocacy, or discussion regarding any item of business within the authority of the board; and
 - b) The communications do not result in a board action.
- 2) Require the case number and name of the court to be added to meeting minutes of an executive session where ongoing litigation was discussed.
- 3) Authorize an HOA to delete a recording of an open session meeting used solely for creating meeting minutes 12 months after the draft minutes are completed.
- 4) Clarify the process for an HOA to make meeting minutes available to a member that requests a physical copy of the minutes and that an HOA is not obligated to have or continue to maintain an internet website.
- 5) Require meeting minutes to include how each director voted if the board votes on an amendment, adoption, or repeal of an operating rule during a board meeting.
- 6) Delete the provision that allows an HOA member to bring a civil action to enforce their right to inspect and copy the HOA's records, delete the provision that requires a court to award the member attorney's fees and court costs and delete the authority to impose a civil penalty of up to \$500 for each violation if a court finds that the HOA unreasonably withheld access to association records.
- 7) Recast the provision requiring a statement listing any active litigation in which the HOA is named as a party to other sections of the Act related to annual budget reports.

COMMENTS

Common Interest Developments: There are over 50,000 CIDs in the state that range in size from three to 27,000 units, with the average CID having 286 residents. CIDs make up roughly 4.7 million housing units, and 36% of Californians (over 14 million Californians) live in a CID.

These rates are even higher for homeowners, with approximately 65% of homeowners living in a CID. CIDs include condominiums, community apartment projects, housing cooperatives, and planned unit developments. They are characterized by a separate ownership of dwelling space coupled with an undivided interest in a common property, restricted by covenants and conditions that limit the use of common area, and the separate ownership interests and the management of common property and enforcement of restrictions by an HOA. CIDs are governed by the Act as well as the governing documents of the association, including bylaws, declaration, and operating rules.

Davis-Stirling Common Interest Development Act: The Act went into effect in 1986 and is the primary body of law governing CIDs in California. The Act provides the legal framework for the creation and management of HOAs, including rules related to governance, assessments, dispute resolution, maintenance responsibilities, and member rights. The law aims to balance the authority of HOAs with the rights of individual property owners, ensuring that communities are managed efficiently and fairly.

Over time, the Act has been amended to address the evolving needs of CIDs and to increase transparency, accountability, and consumer protections. Key provisions include requirements for open meetings, financial disclosures, election procedures, and architectural review processes. The Act also provides mechanisms for resolving disputes, including internal dispute resolution and alternative dispute resolution, before certain legal actions can proceed. As CIDs continue to represent a significant portion of California's housing stock, the Davis-Stirling Act plays a critical role in shaping the living environment and governance of millions of residents across the state.

Common Interest Development Open Meeting Act: The CID Open Meeting Act, first enacted in 2004, and significantly reorganized in 2012, enhances transparency and accountability in the governance of HOAs by establishing requirements for open board meetings. The CID Open Meeting Act mandates that, with limited exceptions, all meetings of the board of directors must be open to association members, and sets clear rules for notice, access, and member participation. This law was enacted in response to growing concerns about HOA boards conducting business without sufficient input or visibility from the broader membership, and is functionally a "Brown Act" for HOA Boards.

Over time, the Legislature has refined and expanded the CID Open Meeting Act to improve transparency and adapt to changes in communication technology. For example, amendments have clarified that board meetings conducted via teleconference or videoconference must allow members to attend remotely, and that meeting notices must include instructions on how to participate. The law also requires general notice of board meetings to be given at least four days in advance (or two days in the case of executive sessions), typically by posting in a prominent location within the development or via other methods such as mail or email if agreed upon by the member (through an opt-in process). Additional provisions govern emergency meetings, executive sessions, and the ability of members to address the board. These evolving requirements reflect a broader legislative intent to protect homeowner rights and ensure that board decision-making processes remain open and accessible.

This bill would establish the HOA Accountability and Transparency Act of 2026, amending many portions of the Act and the CID Open Meeting Act. The stated purpose of this bill is to increase transparency and accountability to HOA members through numerous policies that

would strengthen notice and disclosure requirements, limit board deliberations outside of noticed meetings, expand member access to records and meeting materials, clarify meeting minutes and election reporting standards, and enhance transparency around litigation. In practice, these changes are intended to provide members with timely, complete, and usable information about board actions that affect their financial obligations, property rights, and governance of the association, including rule changes, elections, and litigation exposure. By standardizing meeting documentation, limiting certain board communications outside of meetings, and ensuring meaningful access to association records, this bill seeks to reduce disputes arising from unclear processes, incomplete disclosures, or inconsistent recordkeeping. In doing so, this bill seeks to balance expanded transparency and member access with the practical and administrative realities of HOA governance by clearly defining expectations, minimizing ambiguity in compliance obligations, and limiting new requirements to targeted measures designed to improve accountability without unduly burdening routine association operations.

According to the Author

"AB 1184 ensures California homeowners have information about decisions made by homeowner's associations (HOAs) affecting their properties. It enacts common-sense transparency measures, such as allowing HOA residents to access the recordings of board AB 1184 ensures California homeowners have information about decisions made by homeowner's associations (HOAs) affecting their properties. It enacts common-sense transparency measures, such as allowing HOA residents to access the recordings of board meetings and requiring HOAs to notify members of pending litigation against the HOA. Reforms in AB 1184 enhance information availability for members of the HOA."

Arguments in Support

The Conference of California Bar Associations writes in support of section three of the bill, which provide that if ongoing litigation involving the HOA is discussed in executive sessions of HOA board meetings, the meeting minutes must include the case name.

Arguments in Opposition

The California Association of Realtors (C.A.R) writes in an oppose unless amended position: "Current law already provides a strong governance framework. HOAs must comply with the Davis-Stirling Act's opening-meeting requirements, provide annual disclosure, and follow strict notice procedures. Boards are permitted to use email and other communication tools for routine coordination, provided no action is taken outside a properly noticed meeting. While C.A.R. supports transparency and accountability within HOAs, AB 1184 goes well beyond litigation disclosure and introduces several operational mandates that would significantly disrupt the ability of HOA boards – many of which are volunteer-run – to function efficiently and cost-effectively."

FISCAL COMMENTS

None. This bill is keyed non-fiscal.

VOTES:

ASM HOUSING AND COMMUNITY DEVELOPMENT: 11-0-1

YES: Haney, Patterson, Ávila Farías, Caloza, Garcia, Kalra, Lee, Quirk-Silva, Ta, Tangipa, Wicks

ABS, ABST OR NV: Wilson

ASSEMBLY FLOOR: 69-0-11

YES: Aguiar-Curry, Ahrens, Alanis, Alvarez, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Johnson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Ramos, Ransom, Michelle Rodriguez, Rogers, Blanca Rubio, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

ABS, ABST OR NV: Addis, Arambula, Bonta, Bryan, Flora, Muratsuchi, Nguyen, Quirk-Silva, Celeste Rodriguez, Sanchez, Schiavo

UPDATED

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