
THIRD READING

Bill No: AB 1892
Author: Davies (R)
Amended: 6/8/26 in Senate
Vote: 21

SENATE HOUSING COMMITTEE: 10-0, 6/16/26

AYES: Arreguín, Seyarto, Cabaldon, Caballero, Cortese, Durazo, Gonzalez, Grayson, Ochoa Bogh, Padilla

SENATE JUDICIARY COMMITTEE: 13-0, 6/23/26

AYES: Umberg, Niello, Allen, Ashby, Caballero, Durazo, Laird, Reyes, Stern, Valladares, Wahab, Weber Pierson, Wiener

ASSEMBLY FLOOR: 72-1, 5/21/26 - See last page for vote

SUBJECT: Common interest developments: associations

SOURCE: CAI-CLAC

DIGEST: This bill makes clarifying changes to sections of the Davis-Stirling Act governing homeowner's associations (HOAs), including clarification of utility service restoration responsibilities, modification of election nomination notice timelines, and revision of notice requirements for electronic secret ballots.

ANALYSIS:

Existing law:

- 1) Provides that an HOA is responsible for repairs and replacements necessary to restore interrupted gas, heat, water, or electrical services that begin in the common area, even if the matter extends into a separate interest or exclusive use common area, unless the utility is maintained by a public or private provider or otherwise specified in the governing documents.

- 2) Requires HOAs to follow specified procedures for nominating candidates for election to the board, including establishing a deadline for submitting nominations and notifying the association of it.
- 3) Authorizes an HOA to elect directors by acclamation if the number of qualified candidates does not exceed the number of open seats and specified conditions are met, including providing individual notice of the election and nomination procedures at least 90 days before the deadline for submitting nominations.
- 4) Requires an HOA to deliver individual notice of electronic secret ballot to each member 30 days before an election, including instructions on how to access and use the electronic voting system.

This bill:

- 1) Clarifies that an HOA is only responsible for repairs and replacements necessary to restore interrupted gas, heat, water, or electrical services when the interruption in service begins in the common area.
- 2) Reduces the timeframe in which an HOA is required to provide individual notice of the election and the deadline for submitting nominations for an election from at least 90 days before the election to at least 30 days. Also requires a specified reminder notice no less than 10 days before the deadline.
- 3) Clarifies that an HOA must deliver individual notice of the electronic secret ballot no later than 30 days before the election, rather than exactly 30 days before, and just to members voting electronically, rather than all members.

Background

HOAs and CIDs. HOAs are the legal governing bodies of common interest developments (CIDs). These developments cover a variety of community arrangements, including apartment complexes, housing cooperatives, condominiums, and planned unit developments. In 1986, California enacted the Davis-Stirling Act, which outlines the requirements for CID and HOA governance, including assessments and other fees, maintenance responsibilities, and elections. There are over 50,000 HOAs throughout California, covering 36.3% of the state's population. In L.A. County alone, there are over 16,500 HOAs.

Davis-Stirling Act. The Act went into effect in 1986 and is the primary state law governing CIDs and HOAs 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 HOAs, including increased transparency, accountability, and consumer protections. Key provisions of the Act 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 the majority of new housing construction in California is part of an HOA, the Act plays a critical role in shaping the environment and governance of these communities and the tens of millions of residents who reside in them.

Comments

Author's statement. “No Californian should be left without heat, water, or electricity because of a jurisdictional dispute between a homeowner and their association over common area infrastructure. AB 1892 provides critical clarity to the Davis-Stirling Act by ensuring that common interest developments take immediate responsibility for restoring essential utility services that originate in shared spaces. By modernizing election procedures and streamlining the acclamation process, this bill also strengthens the democratic rights of every resident within these communities. This legislation is a common-sense update that prioritizes the health, safety, and fundamental rights of homeowners across our state.”

Straightforward fixes to common issues. This bill makes mostly clarifying changes to three sections of the Davis-Stirling Act. First, it clarifies that an HOA is only responsible for repairs and replacements necessary to restore interrupted gas, heat, water, or electrical services when the interruption in service begins in the common area. This could help address disputes between a homeowner and the HOA over service restoration, particularly when the service interruption began outside of a common area and is instead the responsibility of the utility service provider that maintains that area to do so. Second, this bill reduces the timeline for the individual notice of the election and the deadline for submitting nominations for an election from at least 90 days before the election to at least 30 days. This could give HOAs greater flexibility to distribute such notices closer to an election, which may help with voter participation if these timelines and deadlines are fresher in their mind. Third, this bill clarifies that an HOA must deliver individual notice of the electronic secret ballot for an election no later than 30 days before the election, rather than exactly 30 days before, and just to members voting electronically,

rather than all members. This is intended to address confusion over specific distribution timelines and who the notices are actually required to be delivered to.

Double-referral. This bill is also referred to the Senate Judiciary Committee.

FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No

SUPPORT: (Verified 6/25/26)

CAI-CLAC (Source)

OPPOSITION: (Verified 6/25/26)

None received.

ARGUMENTS IN SUPPORT: Those writing in support of this bill argue that its provisions will help clean up and address technical issues created by previous legislation affecting the Davis-Stirling Act.

ARGUMENTS IN OPPOSITION: None received

ASSEMBLY FLOOR: 72-1, 5/21/26

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

NOES: Lee

NO VOTE RECORDED: Arambula, Chen, Garcia, Jackson, Lackey, Ramos, Celeste Rodriguez

Prepared by: Ryan Hardmeyer / HOUSING / (916) 651-4124
6/26/26 13:09:13

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