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BUSINESS AND PROFESSIONS CODE - BPC

DIVISION 4. REAL ESTATE [10000 - 11506] (*Division 4 added by Stats. 1943, Ch. 127.*)

PART 4. CERTIFIED COMMON INTEREST DEVELOPMENT MANAGER [11500 - 11506] (*Part 4 added by Stats. 2002, Ch. 1116, Sec. 5.*)

CHAPTER 1. Purpose and Definitions [11500 - 11501] (*Chapter 1 added by Stats. 2002, Ch. 1116, Sec. 5.*)

11500. For purposes of this chapter, the following definitions apply:

- (a) "Common interest development" means a residential development identified in Section 4100 of the Civil Code.
- (b) "Association" has the same meaning as defined in Section 4080 of the Civil Code.
- (c) "Financial services" means acts performed or offered to be performed, for compensation, for an association, including, but not limited to, the preparation of internal unaudited financial statements, internal accounting and bookkeeping functions, billing of assessments, and related services.
- (d) "Management services" means acts performed or offered to be performed in an advisory capacity for an association including, but not limited to, the following:
 - (1) Administering or supervising the collection, reporting, and archiving of the financial or common area assets of an association or common interest development, at the direction of the association's board of directors.
 - (2) Implementing resolutions and directives of the board of directors of the association elected to oversee the operation of a common interest development.
 - (3) Implementing provisions of governing documents, as defined in Section 4150 of the Civil Code, that govern the operation of the common interest development.
 - (4) Administering association contracts, including insurance contracts, within the scope of the association's duties or with other common interest development managers, vendors, contractors, and other third-party providers of goods and services to an association or common interest development.
- (e) "Professional association for common interest development managers" means an organization that meets all of the following:
 - (1) Has at least 200 members or certificants who are common interest development managers in California.
 - (2) Has been in existence for at least five years.
 - (3) Operates pursuant to Section 501(c) of the Internal Revenue Code.
 - (4) Certifies that a common interest development manager has met the criteria set forth in Section 11502 without requiring membership in the association.
 - (5) Requires adherence to a code of professional ethics and standards of practice for certified common interest development managers.

(Amended by Stats. 2012, Ch. 181, Sec. 13. (AB 806) Effective January 1, 2013. Operative January 1, 2014, by Sec. 86 of Ch. 181.)

11501. (a) "Common interest development manager" means an individual who for compensation, or in expectation of compensation, provides or contracts to provide management or financial services, or represents himself or herself to act in the capacity of providing management or financial services to an association. Notwithstanding any other provision of law, an individual may not be required to

obtain a real estate or broker's license in order to perform the services of a common interest development manager to an association.

(b) "Common interest development manager" also means any of the following:

(1) An individual who is a partner in a partnership, a shareholder or officer in a corporation, or who, in any other business entity acts in a capacity to advise, supervise, and direct the activity of a registrant or provisional registrant, or who acts as a principal on behalf of a company that provides the services of a common interest development manager.

(2) An individual operating under a fictitious business name who provides the services of a common interest development manager.

This section may not be construed to require an association to hire for compensation a common interest development manager, unless required to do so by its governing documents. Nothing in this part shall be construed to supersede any law that requires a license, permit, or any other form of registration, to provide management or financial services. Nothing in this section shall preclude a licensee of the California Board of Accountancy from providing financial services to an association within the scope of his or her license in addition to the preparation of reviewed and audited financial statements and the preparation of the association's tax returns.

(Amended by Stats. 2007, Ch. 236, Sec. 3. Effective January 1, 2008.)