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**CIVIL CODE - CIV**

**DIVISION 4. GENERAL PROVISIONS [3274 - 9566]** ( *Heading of Division 4 amended by Stats. 1988, Ch. 160, Sec. 16.*  )

**PART 5. Common Interest Developments [4000 - 6150]** ( *Part 5 added by Stats. 2012, Ch. 180, Sec. 2.*  )

**CHAPTER 4. Ownership and Transfer of Interests [4500 - 4650]** ( *Chapter 4 added by Stats. 2012, Ch. 180, Sec. 2.*  )

**ARTICLE 3. Transfer Fee [4575 - 4580]** ( *Article 3 added by Stats. 2012, Ch. 180, Sec. 2.*  )

**4575.** Except as provided in Section 4580, neither an association nor a community service organization or similar entity may impose or collect any assessment, penalty, or fee in connection with a transfer of title or any other interest except for the following:

- (a) An amount not to exceed the association's actual costs to change its records.
- (b) An amount authorized by Section 4530.

(*Added by Stats. 2012, Ch. 180, Sec. 2. (AB 805) Effective January 1, 2013. Operative January 1, 2014, by Sec. 3 of Ch. 180.*)

**4580.** The prohibition in Section 4575 does not apply to a community service organization or similar entity, or to a nonprofit entity that provides services to a common interest development under a declaration of trust, of either of the following types:

- (a) An organization or entity that satisfies both of the following conditions:

- (1) It was established before February 20, 2003.

- (2) It exists and operates, in whole or in part, to fund or perform environmental mitigation or to restore or maintain wetlands or native habitat, as required by the state or local government as an express written condition of development.

- (b) An organization or entity that satisfies all of the following conditions:

- (1) It is not an organization or entity described by subdivision (a).

- (2) It was established and received a transfer fee before January 1, 2004.

- (3) On and after January 1, 2006, it offers a purchaser the following payment options for the fee or charge it collects at time of transfer:

- (A) Paying the fee or charge at the time of transfer.

- (B) Paying the fee or charge pursuant to an installment payment plan for a period of not less than seven years. If the purchaser elects to pay the fee or charge in installment payments, the organization or entity may also collect additional amounts that do not exceed the actual costs for billing and financing on the amount owed. If the purchaser sells the separate interest before the end of the installment payment plan period, the purchaser shall pay the remaining balance before the transfer.

(*Added by Stats. 2012, Ch. 180, Sec. 2. (AB 805) Effective January 1, 2013. Operative January 1, 2014, by Sec. 3 of Ch. 180.*)