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

PART 5.3. Commercial and Industrial Common Interest Developments [6500 - 6876] (*Part 5.3 added by Stats. 2013, Ch. 605, Sec. 21.)*

CHAPTER 1. General Provisions [6500 - 6566] (*Chapter 1 added by Stats. 2013, Ch. 605, Sec. 21.)*

ARTICLE 2. Definitions [6526 - 6566] (*Article 2 added by Stats. 2013, Ch. 605, Sec. 21.)*

6526. The definitions in this article govern the construction of this act.

(*Added by Stats. 2013, Ch. 605, Sec. 21. (SB 752) Effective January 1, 2014.*)

6528. "Association" means a nonprofit corporation or unincorporated association created for the purpose of managing a common interest development.

(*Added by Stats. 2013, Ch. 605, Sec. 21. (SB 752) Effective January 1, 2014.*)

6530. "Board" means the board of directors of the association.

(*Added by Stats. 2013, Ch. 605, Sec. 21. (SB 752) Effective January 1, 2014.*)

6531. A "commercial or industrial common interest development" means a common interest development that is limited to industrial or commercial uses by law or by a declaration of covenants, conditions, and restrictions that has been recorded in the official records of each county in which the common interest development is located. For the purposes of this section, "commercial use" includes, but is not limited to, the operation of a business that provides facilities for the overnight stay of its customers, employees, or agents.

(*Added by Stats. 2013, Ch. 605, Sec. 21. (SB 752) Effective January 1, 2014.*)

6532. (a) "Common area" means the entire common interest development except the separate interests therein. The estate in the common area may be a fee, a life estate, an estate for years, or any combination of the foregoing.

(b) Notwithstanding subdivision (a), in a planned development described in subdivision (b) of Section 6562, the common area may consist of mutual or reciprocal easement rights appurtenant to the separate interests.

(*Added by Stats. 2013, Ch. 605, Sec. 21. (SB 752) Effective January 1, 2014.*)

6534. "Common interest development" means any of the following:

(a) A condominium project.

(b) A planned development.

(c) A stock cooperative.

(*Added by Stats. 2013, Ch. 605, Sec. 21. (SB 752) Effective January 1, 2014.*)

6540. "Condominium plan" means a plan described in Section 6624.

(*Added by Stats. 2013, Ch. 605, Sec. 21. (SB 752) Effective January 1, 2014.*)

6542. (a) A "condominium project" means a real property development consisting of condominiums.

(b) A condominium consists of an undivided interest in common in a portion of real property coupled with a separate interest in space called a unit, the boundaries of which are described on a recorded final map, parcel map, or condominium plan in sufficient detail to locate all boundaries thereof. The area within these boundaries may be filled with air, earth, water, or fixtures, or any combination

thereof, and need not be physically attached to land except by easements for access and, if necessary, support. The description of the unit may refer to (1) boundaries described in the recorded final map, parcel map, or condominium plan, (2) physical boundaries, either in existence, or to be constructed, such as walls, floors, and ceilings of a structure or any portion thereof, (3) an entire structure containing one or more units, or (4) any combination thereof.

(c) The portion or portions of the real property held in undivided interest may be all of the real property, except for the separate interests, or may include a particular three-dimensional portion thereof, the boundaries of which are described on a recorded final map, parcel map, or condominium plan. The area within these boundaries may be filled with air, earth, water, or fixtures, or any combination thereof, and need not be physically attached to land except by easements for access and, if necessary, support.

(d) An individual condominium within a condominium project may include, in addition, a separate interest in other portions of the real property.

(Added by Stats. 2013, Ch. 605, Sec. 21. (SB 752) Effective January 1, 2014.)

6544. "Declarant" means the person or group of persons designated in the declaration as declarant, or if no declarant is designated, the person or group of persons who sign the original declaration or who succeed to special rights, preferences, or privileges designated in the declaration as belonging to the signator of the original declaration.

(Added by Stats. 2013, Ch. 605, Sec. 21. (SB 752) Effective January 1, 2014.)

6546. "Declaration" means the document, however denominated, that contains the information required by Section 6614.

(Added by Stats. 2013, Ch. 605, Sec. 21. (SB 752) Effective January 1, 2014.)

6548. "Director" means a natural person who serves on the board.

(Added by Stats. 2013, Ch. 605, Sec. 21. (SB 752) Effective January 1, 2014.)

6550. (a) "Exclusive use common area" means a portion of the common area designated by the declaration for the exclusive use of one or more, but fewer than all, of the owners of the separate interests and which is or will be appurtenant to the separate interest or interests.

(b) Unless the declaration otherwise provides, any shutters, awnings, window boxes, doorsteps, stoops, porches, balconies, patios, exterior doors, doorframes, and hardware incident thereto, screens and windows or other fixtures designed to serve a single separate interest, but located outside the boundaries of the separate interest, are exclusive use common area allocated exclusively to that separate interest.

(c) Notwithstanding the provisions of the declaration, internal and external telephone wiring designed to serve a single separate interest, but located outside the boundaries of the separate interest, is exclusive use common area allocated exclusively to that separate interest.

(Added by Stats. 2013, Ch. 605, Sec. 21. (SB 752) Effective January 1, 2014.)

6552. "Governing documents" means the declaration and any other documents, such as bylaws, operating rules, articles of incorporation, or articles of association, which govern the operation of the common interest development or association.

(Added by Stats. 2013, Ch. 605, Sec. 21. (SB 752) Effective January 1, 2014.)

6553. "Individual notice" means the delivery of a document pursuant to Section 6514.

(Added by Stats. 2013, Ch. 605, Sec. 21. (SB 752) Effective January 1, 2014.)

6554. "Member" means an owner of a separate interest.

(Added by Stats. 2013, Ch. 605, Sec. 21. (SB 752) Effective January 1, 2014.)

6560. "Person" means a natural person, corporation, government or governmental subdivision or agency, business trust, estate, trust, partnership, limited liability company, association, or other entity.

(Added by Stats. 2013, Ch. 605, Sec. 21. (SB 752) Effective January 1, 2014.)

6562. "Planned development" means a real property development other than a condominium project, or a stock cooperative, having either or both of the following features:

(a) Common area that is owned either by an association or in common by the owners of the separate interests who possess appurtenant rights to the beneficial use and enjoyment of the common area.

(b) Common area and an association that maintains the common area with the power to levy assessments that may become a lien upon the separate interests in accordance with Article 2 (commencing with Section 6808) of Chapter 7.

(Added by Stats. 2013, Ch. 605, Sec. 21. (SB 752) Effective January 1, 2014.)

6564. (a) "Separate interest" has the following meanings:

(1) In a condominium project, "separate interest" means a separately owned unit, as specified in Section 6542.

(2) In a planned development, "separate interest" means a separately owned lot, parcel, area, or space.

(3) In a stock cooperative, "separate interest" means the exclusive right to occupy a portion of the real property, as specified in Section 6566.

(b) Unless the declaration or condominium plan, if any exists, otherwise provides, if walls, floors, or ceilings are designated as boundaries of a separate interest, the interior surfaces of the perimeter walls, floors, ceilings, windows, doors, and outlets located within the separate interest are part of the separate interest and any other portions of the walls, floors, or ceilings are part of the common area.

(c) The estate in a separate interest may be a fee, a life estate, an estate for years, or any combination of the foregoing.

(Added by Stats. 2013, Ch. 605, Sec. 21. (SB 752) Effective January 1, 2014.)

6566. "Stock cooperative" means a development in which a corporation is formed or availed of, primarily for the purpose of holding title to, either in fee simple or for a term of years, improved real property, and all or substantially all of the shareholders of the corporation receive a right of exclusive occupancy in a portion of the real property, title to which is held by the corporation. The owners' interest in the corporation, whether evidenced by a share of stock, a certificate of membership, or otherwise, shall be deemed to be an interest in a common interest development and a real estate development for purposes of subdivision (f) of Section 25100 of the Corporations Code.

(Added by Stats. 2013, Ch. 605, Sec. 21. (SB 752) Effective January 1, 2014.)