

Parkview Recreation Association, Inc.

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8 Redwood Avenue, Corte Madera, CA 94925

Senate Bill 326 Report

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Report Date: November 22, 2023



TABLE OF CONTENTS

1.0 PROJECT BACKGROUND3

1.1 ASSIGNMENT3

1.2 DEFINITIONS.....3

1.3 PROJECT DESCRIPTION5

2.0 INSPECTION SUMMARY6

2.1 INSPECTION MATRIX6

2.2 RECOMMENDED REPAIRS LEGEND8

2.3 CONDITIONS OBSERVED RECOMMENDED REPAIRS8

3.0 CURRENT PHYSICAL CONDITION9

4.0 REMAINING USEFUL LIFE10

5.0 CONCLUSIONS.....12

APPENDIX 1 SENATE BILL 326.....13

APPENDIX 2 PROJECT SITE MAP19

APPENDIX 3 ELEMENT INSPECTION PHOTOS.....20

1.0 PROJECT BACKGROUND

1.1 Assignment

CM Squared (CM²) was retained by Parkview Recreation Association, Inc. to perform a Senate Bill 326 inspection, a visual inspection of exterior elevated elements defined as the load-bearing components and associated waterproofing systems. This report will include the current physical condition and remaining useful life of the load-bearing components and associated waterproofing systems.

1.2 Definitions

For purposes of this section, the following definitions apply:

- (1) "Associated waterproofing systems" include flashings, membranes, coatings, and sealants that protect the load-bearing components of exterior elevated elements from exposure to water.
- (2) "Exterior elevated elements" means the load-bearing components together with their associated waterproofing system.
- (3) "Load-bearing components" means those components that extend beyond the exterior walls of the building to deliver structural loads to the building from decks, balconies, stairways, walkways, and their railings, that have a walking surface elevated more than six feet above ground level, that are designed for human occupancy or use, and that are supported in whole or in substantial part by wood or wood-based products.
- (4) "Statistically significant sample" means a sufficient number of units inspected to provide 95 percent confidence that the results from the sample are reflective of the whole, with a margin of error of no greater than plus or minus 5 percent.
- (5) "Visual inspection" means inspection through the least intrusive method necessary to inspect load-bearing components, including visual observation only or visual observation in conjunction with, for example, the use of moisture meters, borescopes, or infrared technology.
- (6) "Negative slope" means the deck or landing surface slopes away from the drainage outlet, thereby allowing ponding, which can damage the deck coating or surface.

- (7) "Composite deck boards" are made from a mixture of components such as wood fiber, virgin or recycled plastic, fiberglass, rice hulls and additives. Refer to the manufacturer for maintenance recommendations.
- (8) "Substrate" means a horizontal sheet (usually plywood) that provides lateral strength and a bonding surface for deck coating.
- (9) "Soffit" means the enclosed area (usually stucco) of the deck that protects the framing members and can be vented to allow moisture to escape.
- (10) "Pressure treated lumber" means lumber where preservatives or fire retardants are pressured into the wood.
- (11) "Cementitious waterproof deck coating" is at least a two-component system containing Portland Cement and additives providing a walking surface and waterproof protection.




1.3 Project Description

Parkview Recreation Association, Inc. campus is comprised of three-story buildings with wood-framed, balconies and elevated walkways at the upper levels at some units. Some inspected balconies and walkways were open-soffit, and some were closed-soffit. Some balcony and walkway surfaces contained deck boards at the surface that were fastened to wooden framing joists. Other balcony and walkway surfaces contained a waterproof deck coating applied over a plywood substrate that was fastened to wooden framing. Railings were wood-constructed at some units and metal-constructed at others. Railings met current building code requirements for height and spacing at some but not all units. See Section 2.0 Inspection Summary for a list of all inspected units. Reference Appendix 2 for a site map of the property.

2.0 INSPECTION SUMMARY

2.1 Inspection Matrix

Legend:

	Good condition; continue routine maintenance
	Requires repairs of medium priority
	Requires repairs of high priority

Unit	Surface Type	Surface Condition	Borescope Inspection Needed?	Framing Condition	Railing Condition	Other
Closed Soffit Balconies						
Unit 8	Coated	Good	No	Good	Good	N/A
Unit 8 2 nd Balcony	Coated	Good	No	Good	Good	Loose, Decayed separation wall
Unit 40	Coated	No Access	No	Good	No Access	N/A
Unit 40 2 nd Balcony	Coated	No Access	No	Good	No Access	N/A
Unit 131	Coated	Good	No	Good	Good	N/A
Unit 131 2 nd Balcony	Coated	Good	No	Good	Good	N/A
Unit 143	Coated	Good	No	Good	Good	N/A
Unit 143 2 nd Balcony	Coated	Good	No	Good	Good	N/A
Unit 151	Coated	Good	No	Good	Good	N/A
Unit 151 2 nd Balcony	Coated	Good	No	Good	Good	N/A
Unit 167	Coated	Good	No	Good	Good	N/A
167 2 nd Balcony	Coated	Small Crack	No	Good	Good	Rotted, Loose separation wall
Unit 179	Coated	Good	No	Good	Good	N/A
Unit 179 2 nd Balcony	Coated	Good	No	Good	Good	Loose separation wall
Open Soffit Balconies						
Unit 101	Deck Boards	Good	N/A	Good	Good	N/A
Unit 103	Deck Boards	Good	N/A	Good	Good	N/A
Unit 105	Deck Boards	Good	N/A	Good	Good	N/A
Unit 107	Deck Boards	Good	N/A	Good	Loose	N/A
Unit 109	Deck Boards	Good	N/A	Good	Good	N/A
Unit 111	Coated	Good	N/A	Good	Good	N/A

Unit 113	Coated	Good	N/A	Good	Loose	N/A
Unit 115	Coated	Good	N/A	Good	Good	N/A
Unit 117	Coated	Good	N/A	Good	Loose	N/A
Unit 119	Coated	Good	N/A	Good	Good	N/A
Closed Soffit Walkways						
Walkway 6/8	Coated	Good	No	Good	Good	N/A
Walkway 38/40	Coated	Good	No	Good	Good	N/A
Walkway 101/103	Coated	Good	No	Good	Good	N/A
Walkway 105/107	Coated	Good	No	Good	Good	N/A
Walkway 111/113	Coated	Good	No	Good	Good	N/A
Walkway 115/117	Coated	Good	No	Good	Good	N/A
Walkway 129/131	Coated	Good	No	Good	Good	N/A
Walkway 141/143	Coated	Good	No	Good	Good	N/A
Walkway 153/155	Coated	Good	No	Good	Good	N/A
Walkway 165/167	Coated	Good	No	Good	Good	N/A
Walkway 177/179	Coated	Good	No	Good	Good	N/A
Open Soffit Walkways						
Walkway 2	Deck Boards	Good	N/A	Good	Loose	N/A
Walkway 6	Coated	Cracks	N/A	Good	Loose	N/A
Walkway 34	Deck Boards	Good	N/A	Good	Loose	N/A
Walkway 38	Coated	Good	N/A	Good	Loose	N/A
Walkway 125	Deck Boards	Good	N/A	Good	Loose	N/A
Walkway 129	Coated	Good	N/A	Good	Good	N/A
Walkway 137	Deck Boards	Good	N/A	Good	Good	N/A
Walkway 141	Coated	Good	N/A	Good	Loose	N/A
Walkway 149	Deck Boards	Good	N/A	Good	Loose	N/A
Walkway 153	Coated	Good	N/A	Good	Loose	N/A
Walkway 163	Deck Boards	Good	N/A	Good	Good	N/A
Walkway 165	Coated	Good	N/A	Good	Good	N/A
Walkway 173	Deck Boards	Good	N/A	Good	Loose	N/A
Walkway 177	Coated	Good	N/A	Good	Loose	N/A

2.2 Recommended Repairs Legend

Item	Action Required
1	Repair/Resurface coated surface(s)
2	Repair/Replace separation wall
3	Repair/Replace railing

2.3 Conditions Observed Recommended Repairs

(Only units found to require repairs are identified; all others were satisfactory).

Unit	Action Required	Element Description
Unit 8 2nd Balcony – Closed Soffit	2	Repair/Replace separation wall
Unit 167 2 nd Balcony – Closed Soffit	1,2	Repair/Resurface coated surface(s), Repair/Replace separation wall
Unit 179 2 nd Balcony – Closed Soffit	2	Repair/Replace separation wall
Unit 107 – Open Soffit Balcony	3	Repair/Replace railing
Unit 113 – Open Soffit Balcony	3	Repair/Replace railing
Unit 117 – Open Soffit Balcony	3	Repair/Replace railing
Walkway 2 – Open Soffit Walkway	3	Repair/Replace railing
Walkway 6 – Open Soffit Walkway	1,3	Repair/Resurface coated surface(s), Repair/Replace railing
Walkway 34 – Open Soffit Walkway	3	Repair/Replace railing
Walkway 38 – Open Soffit Walkway	3	Repair/Replace railing
Walkway 125 – Open Soffit Walkway	3	Repair/Replace railing
Walkway 141 – Open Soffit Walkway	3	Repair/Replace railing
Walkway 149 – Open Soffit Walkway	3	Repair/Replace railing
Walkway 153 – Open Soffit Walkway	3	Repair/Replace railing
Walkway 173 – Open Soffit Walkway	3	Repair/Replace railing
Walkway 177 – Open Soffit Walkway	3	Repair/Replace railing

3.0 CURRENT PHYSICAL CONDITION

The balconies and elevated walkways at the Parkview Recreation Association, Inc. require few repairs and a regular maintenance schedule. Two inspected units contained a small crack on the surface coating. Repairing these cracks is recommended at this time to prevent water intrusion via these openings. All other inspected surface coatings and deck boards were observed to be in good condition. No deficiencies were observed on the edge metal flashings or on the underside of any inspected units. The framing at all inspected open-soffit units were also observed to be in good condition. Given the good condition of the closed soffit balconies and elevated walkways, further intrusive inspection is not recommended for them at this time.

Keeping up with periodic maintenance will ensure the balconies and elevated walkways remain in good condition. Coated elevated surfaces should be recoated with a waterproof deck coating every 5 years. Deck board surfaces should be resealed every 2-3 years with a waterproof sealant or as per the manufacturer's recommendation.

Some inspected railings at the balconies and elevated walkways were observed to be loose. Refastening loose railing attachments at the affected units is recommended at this time to ensure the safety of the railings. Additionally, the separation wall at the surface of some inspected closed soffit balconies were observed to be loose or have rotted components. While this does not affect the structural integrity of these units, repairs are recommended for these walls at this time.

It should be noted that some inspected railings did not meet current building code requirements for height and/or spacing. This is considered legal, non-conforming and no further action is required for this at this time. Railings should measure 42" in height or greater, and any spacing in the railing should be 4" or less.

Following the repair recommendations listed in Section 2.0 soon will minimize the need for major repairs in the future.

4.0 REMAINING USEFUL LIFE

CM² observed the following factors affecting expected performance and remaining useful life of the exterior elevated elements.

- Loose railing at some inspected balconies and elevated walkways
- Small cracks in coating on some inspected balcony and walkway surfaces

The estimated useful life of the components listed below assumes regular maintenance of the balconies and elevated walkways is conducted. Coated surfaces should be recoated with a waterproof deck coating every 5 years. Deck board surfaces should be resealed with a waterproof sealant every 2-3 years. A useful life of 9 years indicates the component is satisfactory until the next SB 326 inspection cycle. A maximum useful life of 5 years for surface waterproofing means the coated surface is in good condition until the next maintenance recoat.

Estimated Remaining Useful Life (Years)

Unit	Structural Framing	Guardrails	Surface Waterproofing
Closed Soffit Balconies			
Unit 8	9	9	5
Unit 8 2 nd Balcony	9	9	5
Unit 40	9	No Access	No Access
Unit 40 2 nd Balcony	9	No Access	No Access
Unit 131	9	9	5
Unit 131 2 nd Balcony	9	9	5
Unit 143	9	9	5
Unit 143 2 nd Balcony	9	9	5
Unit 151	9	9	5
Unit 151 2 nd Balcony	9	9	5
Unit 167	9	9	5
Unit 167 2 nd Balcony	9	9	2-3
Unit 179	9	9	5
Unit 179 2 nd Balcony	9	9	5
Closed Soffit Walkways			
Walkway 6/8	9	9	5
Walkway 38/40	9	9	5
Walkway 101/103	9	9	5
Walkway 105/107	9	9	5
Walkway 111/113	9	9	5
Walkway 115/117	9	9	5
Walkway 129/131	9	9	5
Walkway 141/143	9	9	5
Walkway 153/155	9	9	5
Walkway 165/167	9	9	5
Walkway 177/179	9	9	5

Unit	Structural Framing	Guardrails	Deck Boards
Open Soffit Balconies			
Unit 101	9	9	9
Unit 103	9	9	9
Unit 105	9	9	9
Unit 107	9	3	9
Unit 109	9	9	9
Unit 111	9	9	5 (Coated Surface)
Unit 113	9	3	5 (Coated Surface)
Unit 115	9	9	5 (Coated Surface)
Unit 117	9	3	5 (Coated Surface)
Unit 119	9	9	5 (Coated Surface)
Open Soffit Walkways			
Walkway 2	9	3	9
Walkway 6	9	3	2-3 (Coated Surface)
Walkway 34	9	3	9
Walkway 38	9	3	5 (Coated Surface)
Walkway 125	9	3	9
Walkway 129	9	9	5 (Coated Surface)
Walkway 137	9	9	9
Walkway 141	9	3	5 (Coated Surface)
Walkway 149	9	3	9
Walkway 153	9	3	5 (Coated Surface)
Walkway 163	9	9	9
Walkway 165	9	9	5 (Coated Surface)
Walkway 173	9	3	9
Walkway 177	9	3	5 (Coated Surface)

5.0 CONCLUSIONS

Overall, the balconies and elevated walkways at Parkview Recreation Association, Inc. require minimal repairs a regular maintenance schedule. During inspection, two units were found to have small cracks on the surface coating. It is recommended to address these cracks promptly to prevent water intrusion through these openings. All other inspected surface coatings and deck boards were found to be in good condition. No deficiencies were identified in the edge metal flashings or on the undersides of any inspected units. The framing of all inspected open-soffit units was also observed to be in good condition. Considering the satisfactory condition of the closed soffit balconies and elevated walkways, further intrusive inspection is not currently advised.

Continuing periodic maintenance is key to preserving the condition of the balconies and elevated walkways. Coated elevated surfaces should undergo recoating with a waterproof deck coating every 5 years. Deck board surfaces should be resealed every 2-3 years with a waterproof sealant or as per the manufacturer's recommendation.

Some inspected railings on the balconies and elevated walkways were found to be loose. It is recommended to promptly refasten loose railing attachments at the affected units to ensure the safety of the railings. Additionally, the separation wall at the surface of some inspected closed soffit balconies was identified to be either loose or contain rotted components. Although this doesn't impact the structural integrity of these units, repairs are recommended for these walls at this time.

It should be noted that certain inspected railings did not meet current building code requirements for height and/or spacing. This is considered legal and non-conforming, and no further action is currently required. The code specifies that railings should measure 42" in height or greater, and any spacing in the railing should be 4" or less.

Following all repair recommendations listed in Section 2.0 soon will minimize the need for major repairs in the future. The next SB 326 inspection should occur in 9 years.



APPENDIX 1 SENATE BILL 326

Senate Bill No. 326

CHAPTER 207

An act to amend Section 6150 of, and to add Sections 5551 and 5986 to, the Civil Code, relating to civil law.

[Approved by Governor Newsom August 30, 2019. Filed with Secretary of State, August 30, 2019.]

LEGISLATIVE COUNSEL'S DIGEST

SB 326, Hill. Common interest developments.

The Davis-Stirling Common Interest Development Act governs the management and operation of common interest developments. Existing law also sets forth the duties and responsibilities of the association and the owners of the separate interests regarding maintenance and repair of common and exclusive use areas, as defined. Unless otherwise provided in the common interest development declaration, the association is generally responsible for maintaining, repairing, and replacing the common area, and the owner of each separate interest is responsible for maintaining that separate interest and any exclusive use common area appurtenant to that interest.

This bill would require the association of a condominium project to cause a reasonably competent and diligent visual inspection of exterior elevated elements, defined as the load-bearing components and associated waterproofing systems, as specified, to determine whether the exterior elevated elements are in a generally safe condition and performing in compliance with applicable standards. The bill would require the inspector to submit a report to the board of the association providing specified information, including the current physical condition and remaining useful life of the load-bearing components and associated waterproofing systems. The bill would require the inspector to provide a copy of the inspection report to the association immediately upon completion of the report, and to the local code enforcement agency within 15 days of completion of the report, if, after inspection of any exterior elevated element, the inspector advises that the exterior elevated element poses an immediate threat to the safety of the occupants. The bill would require the association to take preventive measures immediately upon receiving the report, including preventing occupant access to the exterior elevated element until repairs have been inspected and approved by the local enforcement agency. The bill would authorize local enforcement agencies to recover enforcement costs associated with these requirements from the association. The bill would authorize the association board to enact rules or bylaws imposing requirements greater than those imposed by these provisions.

The act provides that an association has standing to institute, defend, settle, or intervene in litigation, arbitration, mediation, or administrative proceedings in its own name as the real

party in interest and without joining with its members in specified matters, including enforcement of the governing documents.

The bill would provide that, subject to compliance with other specified provisions described below, and notwithstanding any provision to the contrary in the governing documents, a board has the authority to commence legal proceedings against a declarant, developer, or builder of a common interest development, except as specified. The bill would, with certain exceptions, prohibit an association's governing documents from limiting a board's authority to commence legal proceedings against a declarant, developer, or builder of a common interest development. The bill would make these provisions applicable to governing documents, irrespective of when they were recorded, and claims initiated before the effective date of this bill, except if those claims have been resolved through an executed settlement, a final arbitration decision, or a final judicial decision on the merits.

The act requires the board, prior to the filing of certain civil actions by the association against the declarant or developer, or within 30 days of filing the civil action if the association has reason to believe that the applicable statute of limitations will expire before the association files the civil action, to provide members of the association a written notice specifying, among other things, that a meeting will take place to discuss problems that may lead to the filing of a civil action.

This bill would require that notice to inform members that the potential impacts of filing a civil action, including financial, to the association and its members will also be discussed.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1.

Section 5551 is added to the Civil Code, to read:

5551.

(a) For purposes of this section, the following definitions apply:

(1) "Associated waterproofing systems" include flashings, membranes, coatings, and sealants that protect the load-bearing components of exterior elevated elements from exposure to water.

(2) "Exterior elevated elements" mean the load-bearing components together with their associated waterproofing system.

(3) "Load-bearing components" means those components that extend beyond the exterior walls of the building to deliver structural loads to the building from decks, balconies, stairways, walkways, and their railings, that have a walking surface elevated more than six feet above ground level, that are designed for human occupancy or use, and that are supported in whole or in substantial part by wood or wood-based products.

(4) "Statistically significant sample" means a sufficient number of units inspected to provide 95 percent confidence that the results from the sample are reflective of the whole, with a margin of error of no greater than plus or minus 5 percent.

(5) "Visual inspection" means inspection through the least intrusive method necessary to inspect load-bearing components, including visual observation only or visual observation in conjunction with, for example, the use of moisture meters, borescopes, or infrared technology.

(b) (1) At least once every nine years, the board of an association of a condominium project shall cause a reasonably competent and diligent visual inspection to be conducted by a licensed structural engineer or architect of a random and statistically significant sample of exterior elevated elements for which the association has maintenance or repair responsibility.

(2) The inspection shall determine whether the exterior elevated elements are in a generally safe condition and performing in accordance with applicable standards.

(c) Prior to conducting the first visual inspection, the inspector shall generate a random list of the locations of each type of exterior elevated element. The list shall include all exterior elevated elements for which the association has maintenance or repair responsibility. The list shall be provided to the association for future use.

(d) The inspector shall perform the visual inspections in accordance with the random list generated pursuant to subdivision (c). If during the visual inspection the inspector observes building conditions indicating that unintended water or water vapor has passed into the associated waterproofing system, thereby creating the potential for damage to the load-bearing components, then the inspector may conduct a further inspection. The inspector shall

exercise their best professional judgment in determining the necessity, scope, and breadth of any further inspection.

(e) Based upon the inspector's visual inspections, further inspection, and construction and materials expertise, the inspector shall issue a written report containing the following information:

(1) The identification of the building components comprising the load-bearing components and associated waterproofing system.

(2) The current physical condition of the load-bearing components and associated waterproofing system, including whether the condition presents an immediate threat to the health and safety of the residents.

(3) The expected future performance and remaining useful life of the load-bearing components and associated waterproofing system.

(4) Recommendations for any necessary repair or replacement of the load-bearing components and associated waterproofing system.

(f) The report issued pursuant to subdivision (e) shall be stamped or signed by the inspector, presented to the board, and incorporated into the study required by Section 5550.

(g) (1) If, after inspection of any exterior elevated element, the inspector advises that the exterior elevated element poses an immediate threat to the safety of the occupants, the inspector shall provide a copy of the inspection report to the association immediately upon completion of the report, and to the local code enforcement agency within 15 days of completion of the report. Upon receiving the report, the association shall take preventive measures immediately, including preventing occupant access to the exterior elevated element until repairs have been inspected and approved by the local enforcement agency.

(2) Local enforcement agencies shall have the ability to recover enforcement costs associated with the requirements of this section from the association.

(h) Each subsequent visual inspection conducted under this section shall commence with the next exterior elevated element identified on the random list and shall proceed in order through the list.

(i) The first inspection shall be completed by January 1, 2025, and then every nine years thereafter in coordination with the reserve study inspection pursuant to Section 5550. All written reports shall be maintained for two inspection cycles as records of the association.

(j) (1) The association shall be responsible for complying with the requirements of this section.

(2) The continued and ongoing maintenance and repair of the load-bearing components and associated waterproofing systems in a safe, functional, and sanitary condition shall be the responsibility of the association as required by the association's governing documents.

(k) The inspection of buildings for which a building permit application has been submitted on or after January 1, 2020, shall occur no later than six years following the issuance of a certificate of occupancy. The inspection shall otherwise comply with the provisions of this section.

- (l) This section shall only apply to buildings containing three or more multifamily dwelling units.
- (m) The association board may enact rules or bylaws imposing requirements greater than those imposed by this section.
- (n) A local government or local enforcement agency may enact an ordinance or other rule imposing requirements greater than those imposed by this section.

SEC. 2.

Section 5986 is added to the Civil Code, immediately following Section 5985, to read:

5986.

(a) Subject to compliance with Section 6150, which requires the board to provide notice of a meeting with the members to discuss, among other things, problems that may lead to the filing of a civil action, before the board files a civil action against a declarant or other developer, or within 30 days after it files the action, if the association has reason to believe that the applicable statute of limitations will expire, and notwithstanding any provision to the contrary in the governing documents, the board shall have the authority to commence and pursue a claim, civil action, arbitration, prelitigation process pursuant to Section 6000 or Title 7 (commencing with Section 895) of Part 2 of Division 2, or other legal proceeding against a declarant, developer, or builder of a common interest development. If the board includes members appointed by, or affiliated with, the declarant, developer, or builder, the decision and authority to commence and pursue legal proceedings shall be vested solely in the nonaffiliated board members.

(b) The governing documents shall not impose any preconditions or limitations on the board's authority to commence and pursue any claim, civil action, arbitration, prelitigation process pursuant to Section 6000 or Title 7 (commencing with Section 895) of Part 2 of Division 2, or other legal proceeding against a declarant, developer, or builder of a common interest development. Any limitation or precondition, including, but not limited to, requiring a membership vote as a prerequisite to, or otherwise providing the declarant, developer, or builder with veto authority over, the board's commencement and pursuit of a claim, civil action, arbitration, prelitigation process, or legal proceeding against the declarant, developer, or builder, or any incidental decision of the board, including, but not limited to, retaining legal counsel or incurring costs or expenses, is unenforceable, null, and void. The failure to comply with those limitations or preconditions, if only, shall not be asserted as a defense to any claim or action described in this section.

(c) Notwithstanding subdivision (a) or (b), any provision in the governing documents imposing limitations or preconditions on the board's authority to commence and pursue claims shall be valid and enforceable if the provision is adopted solely by the nondeclarant affiliated members of the association and the provision is adopted in accordance with the requirements necessary to amend the governing documents of the association.

(d) This section applies to all governing documents, whether recorded before or after the effective date of this section and applies retroactively to claims initiated before the effective date of this section, except if those claims have been resolved through an executed settlement, a final arbitration decision, or a final judicial decision on the merits.

(e) Nothing in this section extends any applicable statute of limitation or repose to file or initiate any claim, civil action, arbitration, prelitigation process, or other legal proceeding. Nothing in this section shall affect any other obligations of an association contained in Title 7 (commencing with Section 895) of Part 2 of Division 2, or any other provision in the covenants, conditions, and restrictions of the association related to arbitration or other alternative dispute resolution procedures.

SEC. 3.

Section 6150 of the Civil Code is amended to read:

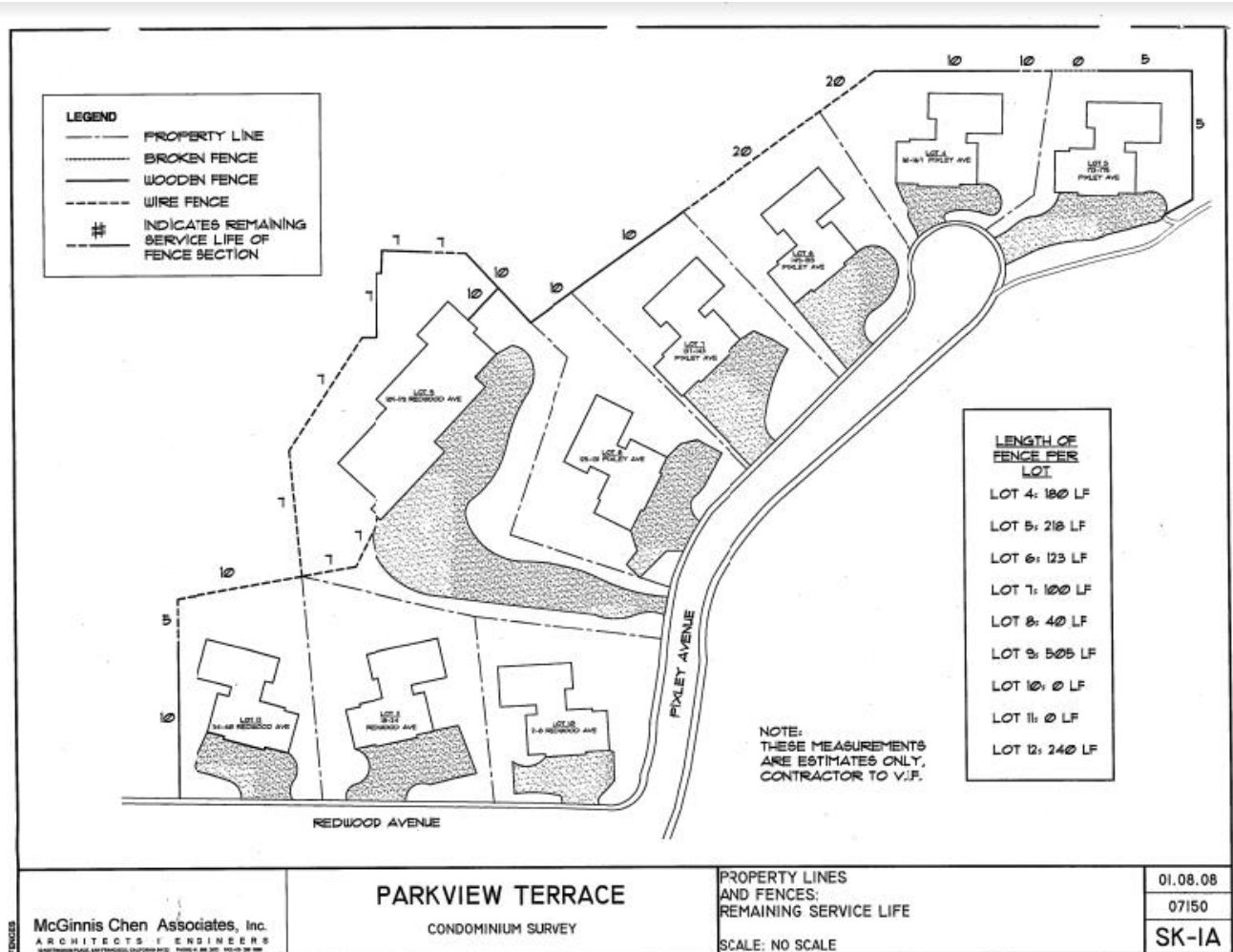
6150.

(a) Not later than 30 days before filing of any civil action by the association against the declarant or other developer of a common interest development for alleged damage to the common areas, alleged damage to the separate interests that the association is obligated to maintain or repair, or alleged damage to the separate interests that arises out of, or is integrally related to, damage to the common areas or separate interests that the association is obligated to maintain or repair, the board shall provide a written notice to each member of the association who appears on the records of the association when the notice is provided. This notice shall specify all of the following:

- (1) That a meeting will take place to discuss problems that may lead to the filing of a civil action, in addition to the potential impacts thereof to the association and its members, including any financial impacts.
- (2) The options, including civil actions, that are available to address the problems.
- (3) The time and place of the meeting.

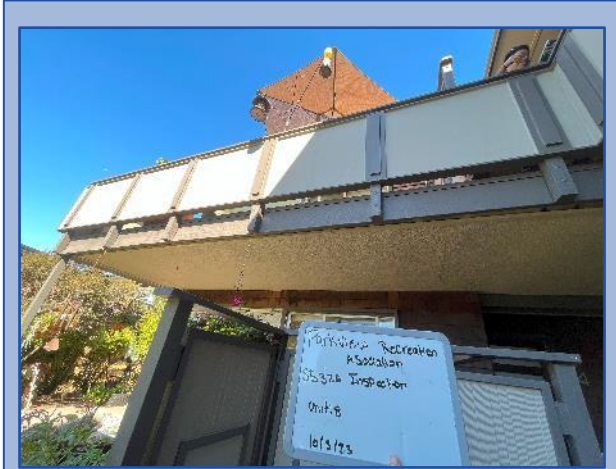
(b) Notwithstanding subdivision (a), if the association has reason to believe that the applicable statute of limitations will expire before the association files the civil action, the association may give the notice, as described above, within 30 days after the filing of the action.

APPENDIX 2 PROJECT SITE MAP



APPENDIX 3 ELEMENT INSPECTION PHOTOS

Unit 8 – Closed Soffit Balcony



Overall Balcony



Balcony surface is in good condition

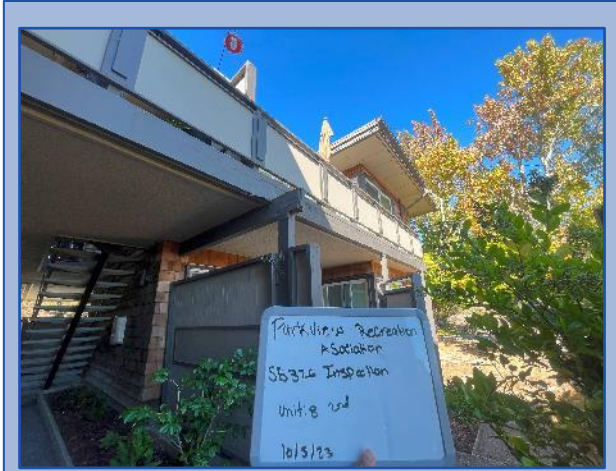


Underside of balcony is in good condition

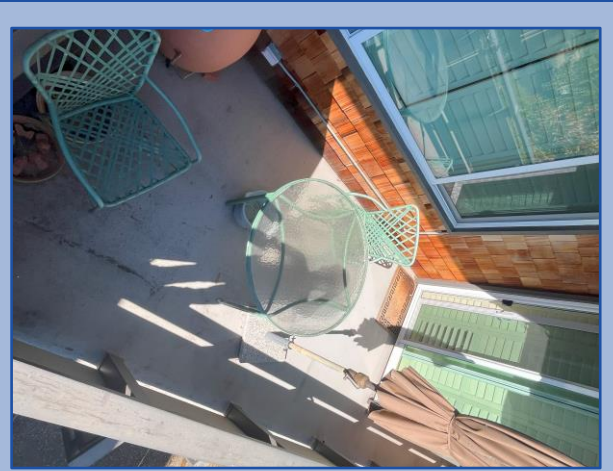


Railing height does not meet current building code requirements

Unit 8 2nd Balcony – Closed Soffit Balcony



Overall Balcony



Balcony surface is in good condition



Underside of balcony is in good condition

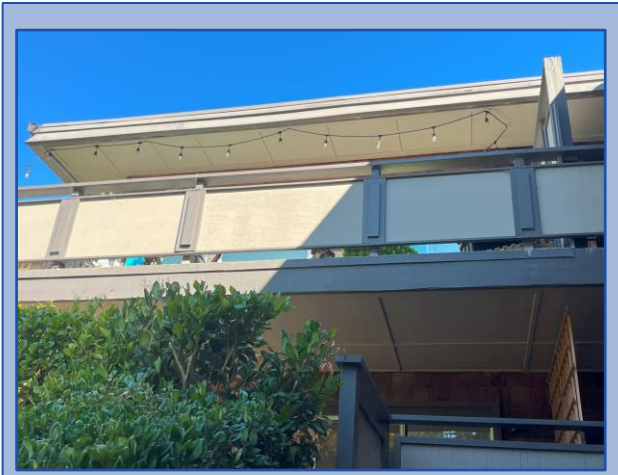


Loose and decayed separation wall; repairs are recommended

Unit 40 – Closed Soffit Balcony – Limited Access Due to Dog



Overall Balcony

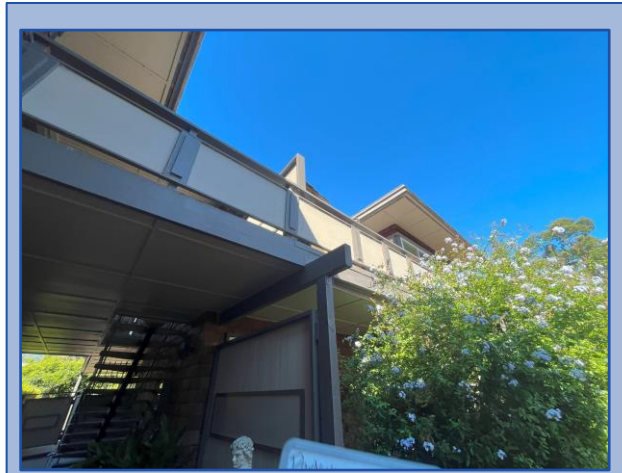


Underside of balcony is in good condition

Unit 40 2nd Balcony – Closed Soffit Balcony – Limited Access Due to Dog



Overall Balcony



Underside of balcony is in good condition

Unit 131 – Closed Soffit Balcony



Overall Balcony



Balcony surface is in good condition



Underside of balcony is in good condition



Railing height does not meet current building code requirements

Unit 131 2nd Balcony – Closed Soffit Balcony



Overall Balcony



Balcony surface is in good condition



Underside of balcony is in good condition



Railing height meets current building code requirements

Unit 143 – Closed Soffit Balcony



Overall Balcony



Balcony surface is in good condition



Underside of balcony is in good condition



Railing height meets current building code requirements

Unit 143 2nd Balcony – Closed Soffit Balcony



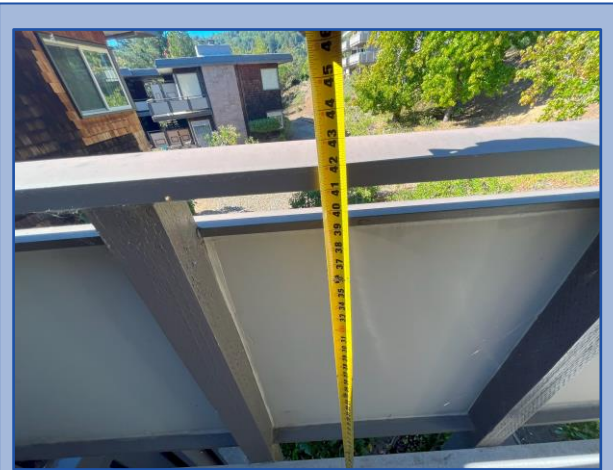
Overall Balcony



Balcony surface is in good condition



Underside of balcony is in good condition



Railing height meets current building code requirements

Unit 151 – Closed Soffit Balcony



Overall Balcony



Balcony surface is in good condition



Balcony surface is properly sloped to encourage drainage



Railing height does not meet current building code requirements

Unit 151 2nd Balcony – Closed Soffit Balcony



Overall Balcony



Balcony surface is in good condition

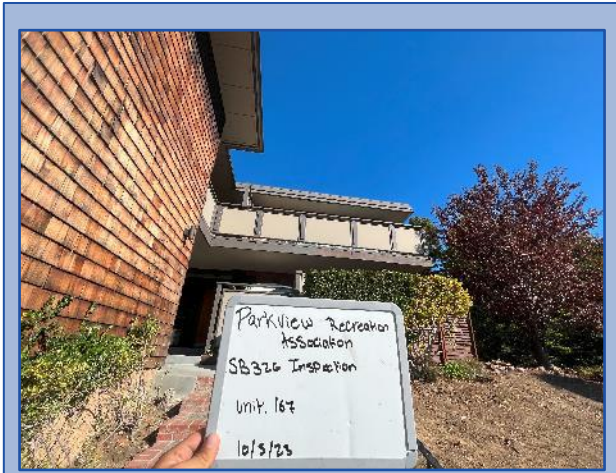


Balcony surface is properly sloped to encourage drainage



Railing height does not meet current building code requirements

Unit 167 – Closed Soffit Balcony



Overall Balcony



Balcony surface is in good condition



Underside of balcony is in good condition



Railing height meets current building code requirements

Unit 167 2nd Balcony – Closed Soffit Balcony



Overall Balcony



Balcony surface contains small crack; repairs are recommended



Underside of balcony is in good condition



Rotted and loose separation wall; repairs are recommended

Unit 179 – Closed Soffit Balcony



Overall Balcony



Balcony surface is in good condition



Underside of balcony is in good condition

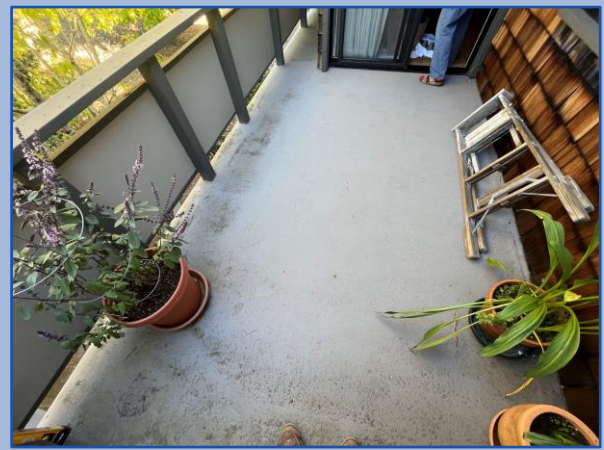


Railing height does not meet current building code requirements

Unit 179 2nd Balcony – Closed Soffit Balcony



Overall Balcony



Balcony surface is in good condition



Separation wall is loose; repairs are recommended

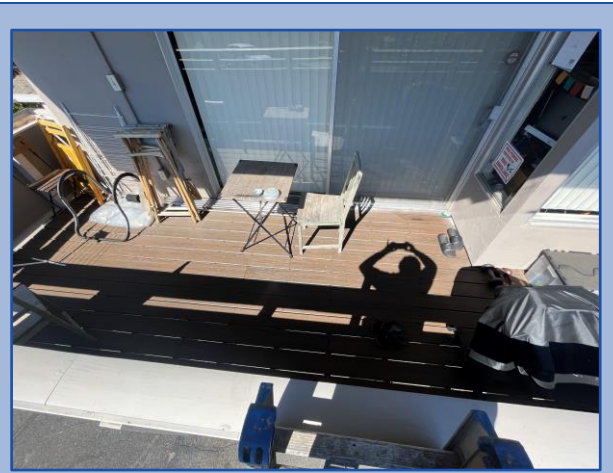


Railing height does not meet current building code requirements

Unit 101 – Open Soffit Balcony



Overall Balcony



Balcony surface is in good condition

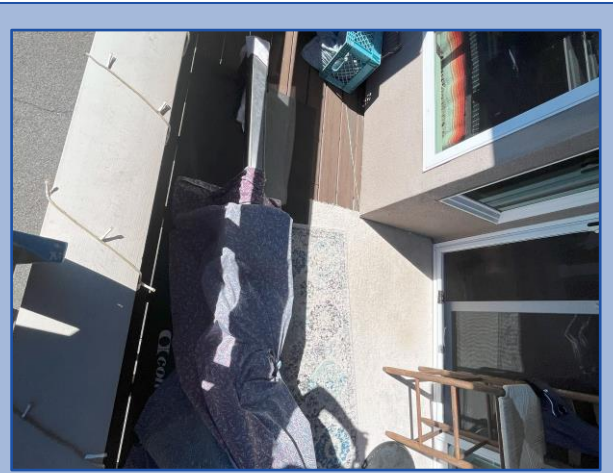


Railing height meets current building code requirements

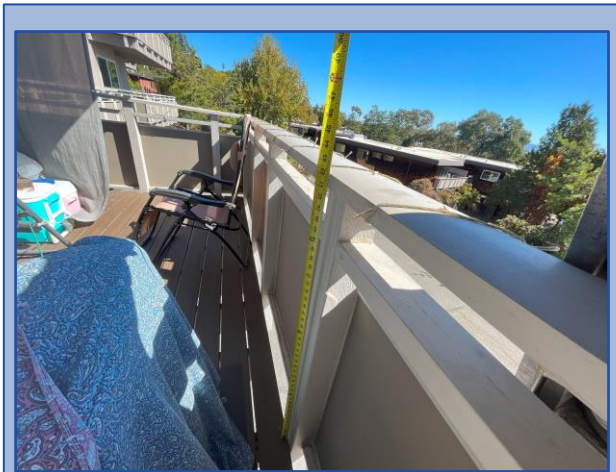
Unit 103 – Open Soffit Balcony



Overall Balcony



Balcony surface is in good condition

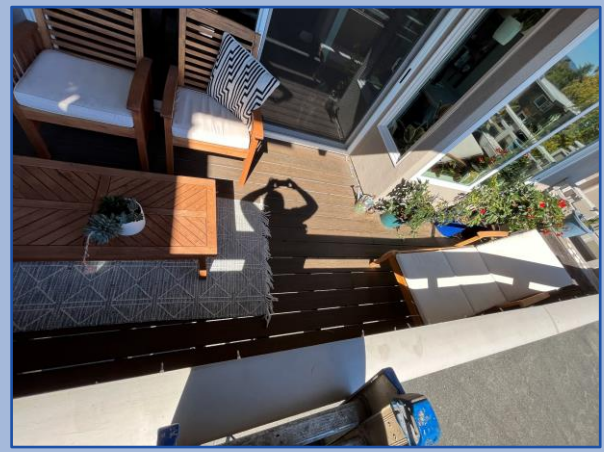


Railing height meets current building code requirements

Unit 105 – Open Soffit Balcony



Overall Balcony



Balcony surface is in good condition

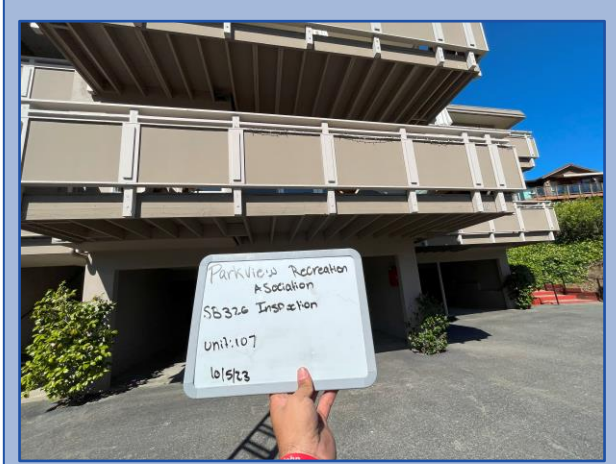


Underside of balcony and framing are in good condition

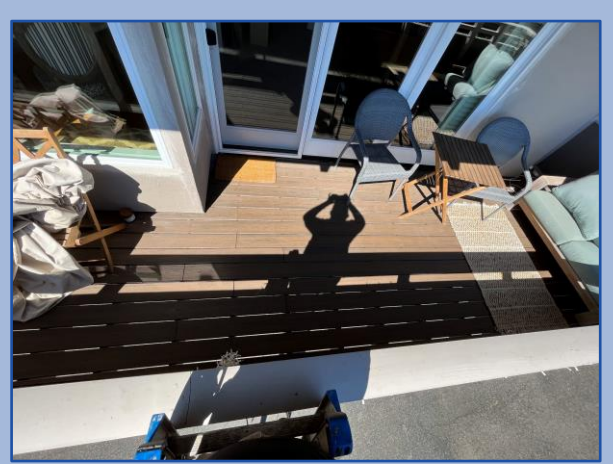


Railing height meets current building code requirements

Unit 107 – Open Soffit Balcony



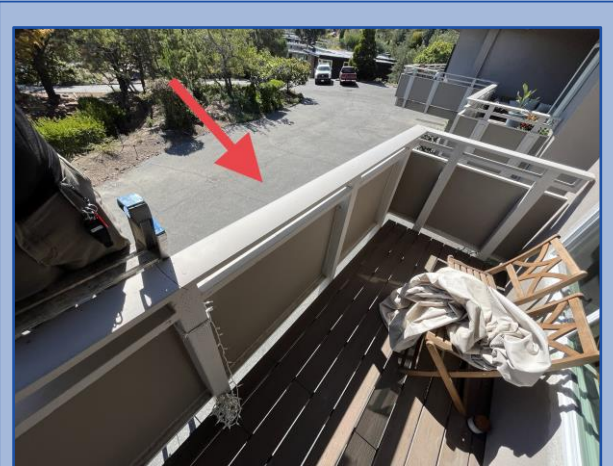
Overall Balcony



Balcony surface is in good condition

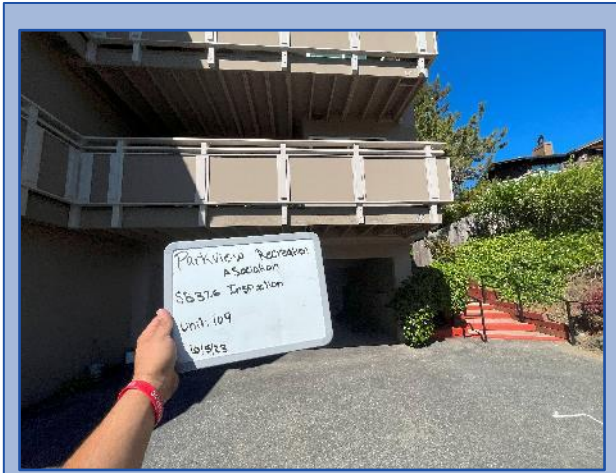


Underside of balcony and framing are in good condition



Railing is loose; repairs are recommended

Unit 109 – Open Soffit Balcony



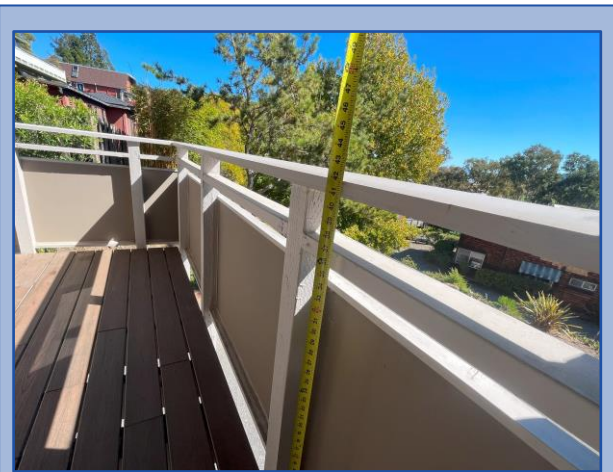
Overall Balcony



Balcony surface is in good condition

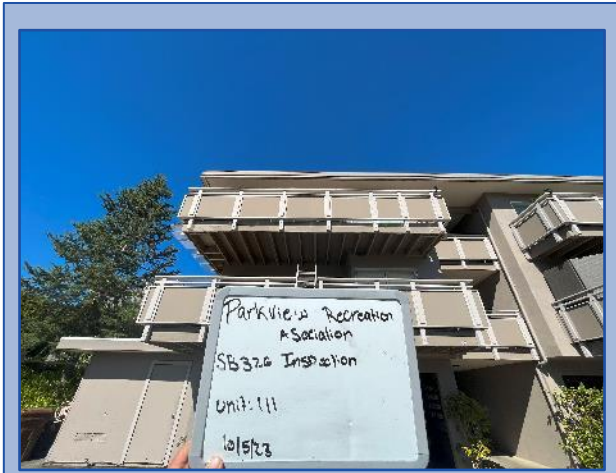


Underside of balcony and framing are in good condition



Railing height meets current building code requirements

Unit 111 – Open Soffit Balcony



Overall Balcony



Balcony surface is in good condition

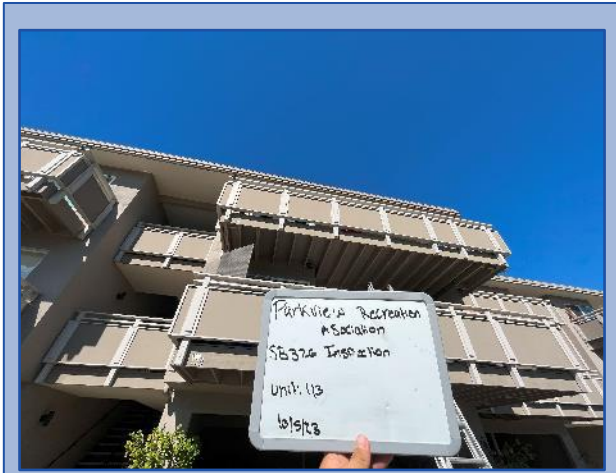


Underside of balcony and framing are in good condition



Railing height meets current building code requirements

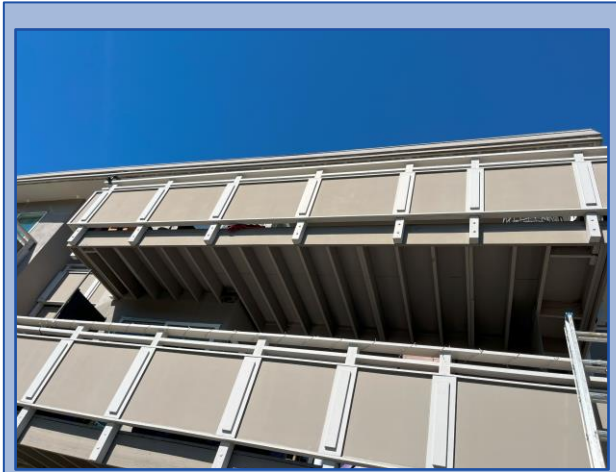
Unit 113 – Open Soffit Balcony



Overall Balcony



Balcony surface is in good condition



Underside of balcony and framing are in good condition

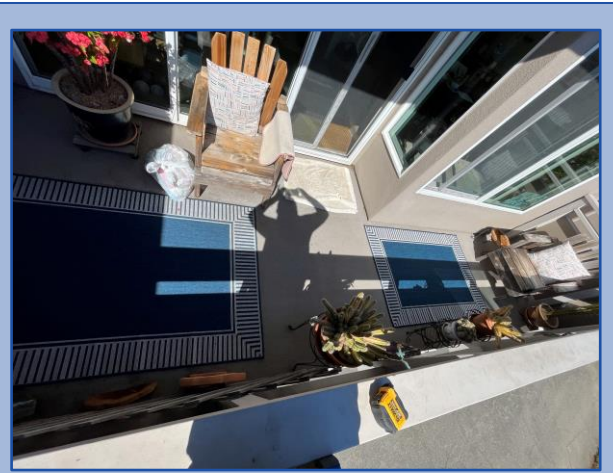


Railing is loose; repairs are recommended

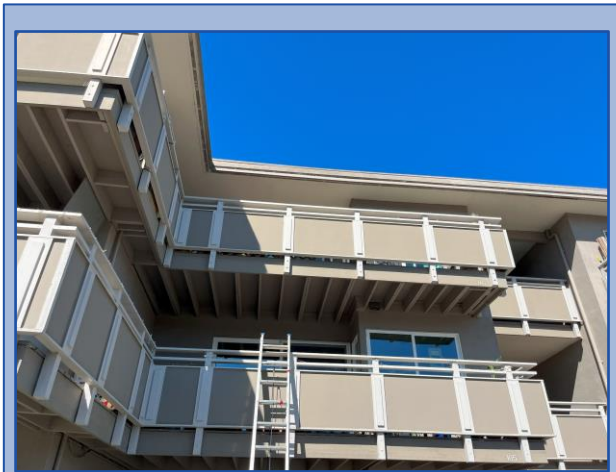
Unit 115 – Open Soffit Balcony



Overall Balcony



Balcony surface is in good condition



Underside of balcony and framing are in good condition

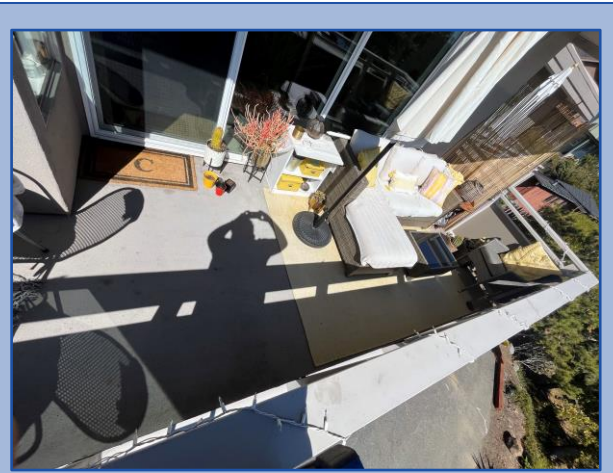


Railing height meets current building code requirements

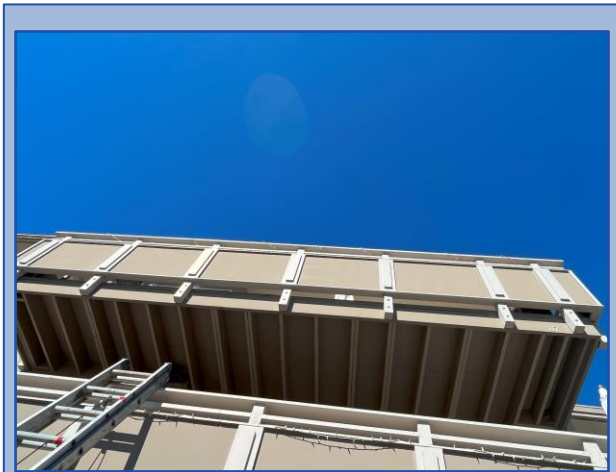
Unit 117 – Open Soffit Balcony



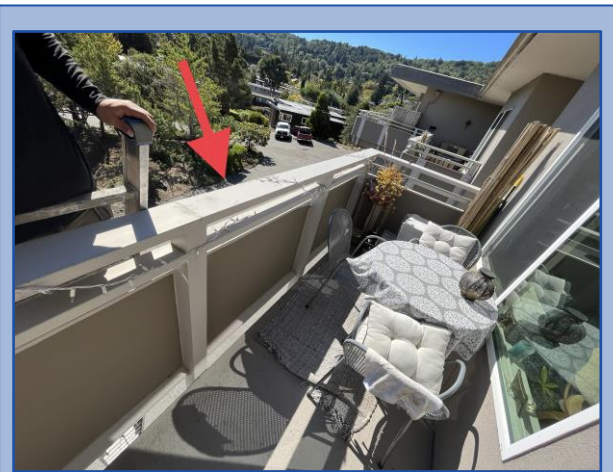
Overall Balcony



Balcony surface is in good condition



Underside of balcony and framing are in good condition

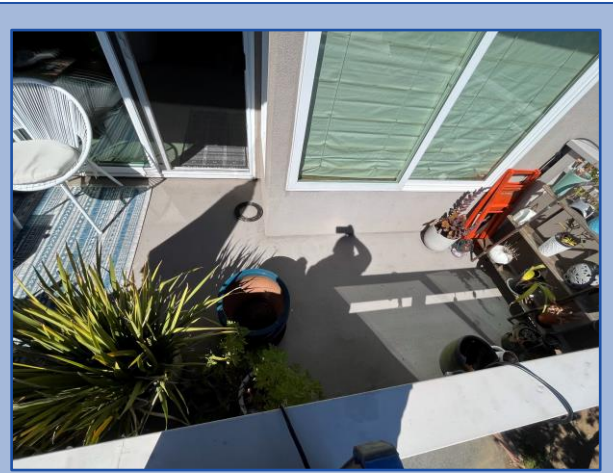


Railing is loose; repairs are recommended

Unit 119 – Open Soffit Balcony



Overall Balcony



Balcony surface is in good condition



Underside of balcony and framing are in good condition



Railing height meets current building code requirements

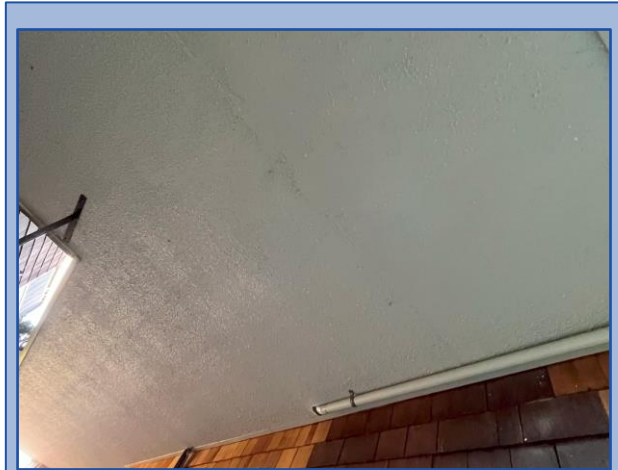
Unit 6/8 Walkway – Closed Soffit



Overall Walkway



Walkway surface is in good condition



Underside of walkway is in good condition



Railing height and baluster spacing do not meet current building code requirements

Unit 38/40 Walkway – Closed Soffit



Overall Walkway



Walkway surface is in good condition



Underside of walkway is in good condition

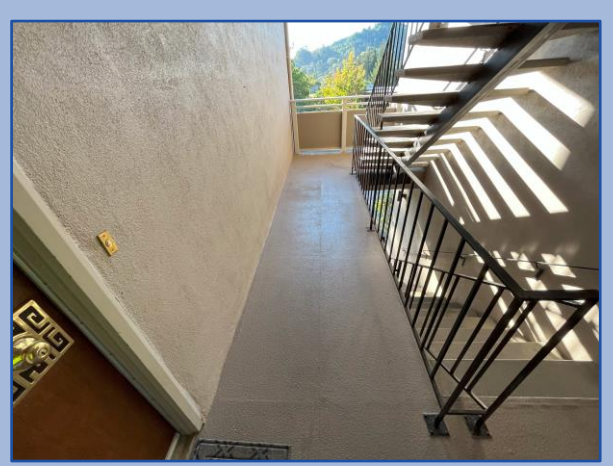


Railing height and baluster spacing do not meet current building code requirements

Unit 101/103 Walkway – Closed Soffit



Overall Walkway



Walkway surface is in good condition



Underside of walkway is in good condition



Railing height and baluster spacing meet current building code requirements

Unit 105/107 Walkway – Closed Soffit



Overall Walkway



Walkway surface is in good condition



Underside of walkway is in good condition

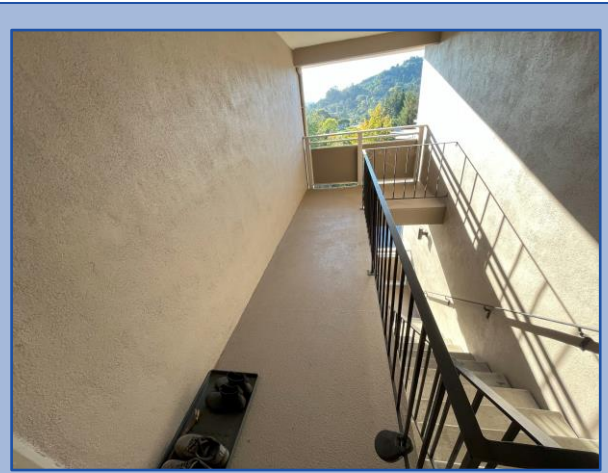


Railing height and baluster spacing do not meet current building code requirements

Unit 111/113 Walkway – Closed Soffit



Overall Walkway



Walkway surface is in good condition



Underside of walkway is in good condition



Railing height and baluster spacing do not meet current building code requirements

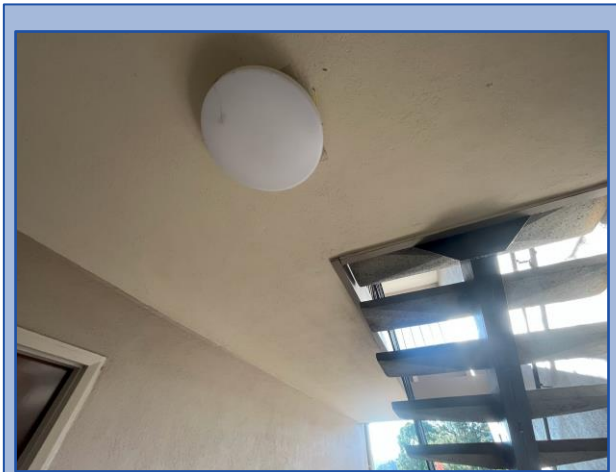
Unit 115/117 Walkway – Closed Soffit



Overall Walkway



Walkway surface is in good condition

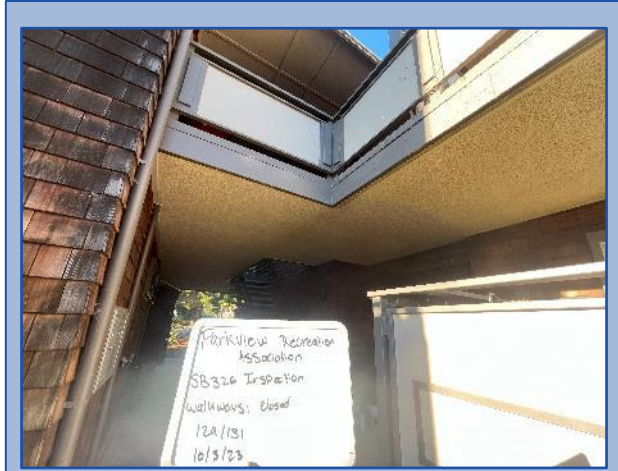


Underside of walkway is in good condition



Railing height and baluster spacing do not meet current building code requirements

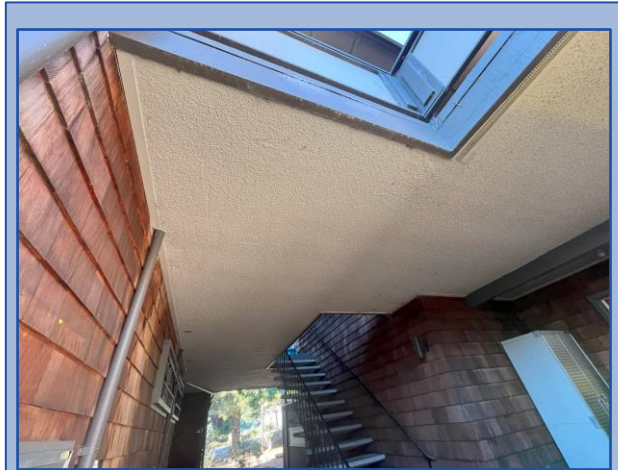
Unit 129/131 Walkway – Closed Soffit



Overall Walkway



Walkway surface is in good condition



Underside of walkway is in good condition

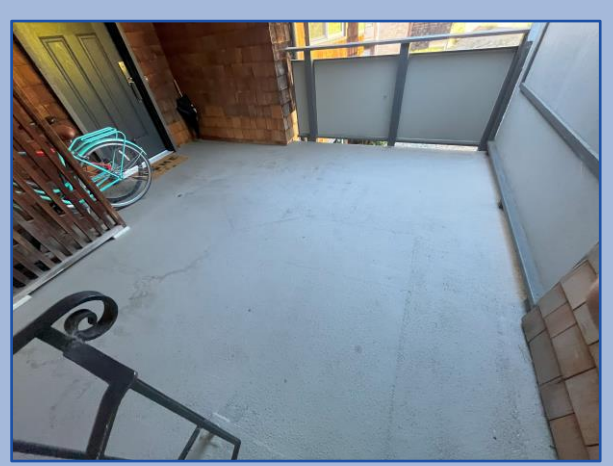


Railing height and baluster spacing do not meet current building code requirements

Unit 141/143 Walkway – Closed Soffit



Overall Walkway



Walkway surface is in good condition

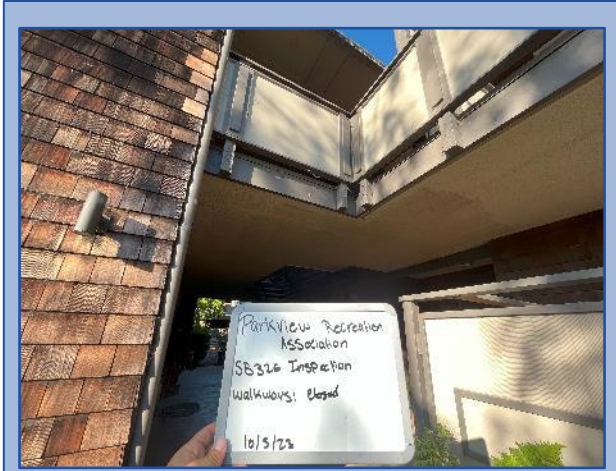


Underside of walkway is in good condition

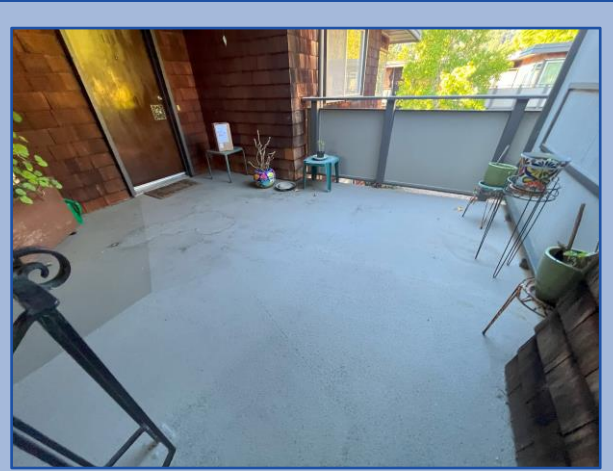


Railing height and baluster spacing do not meet current building code requirements

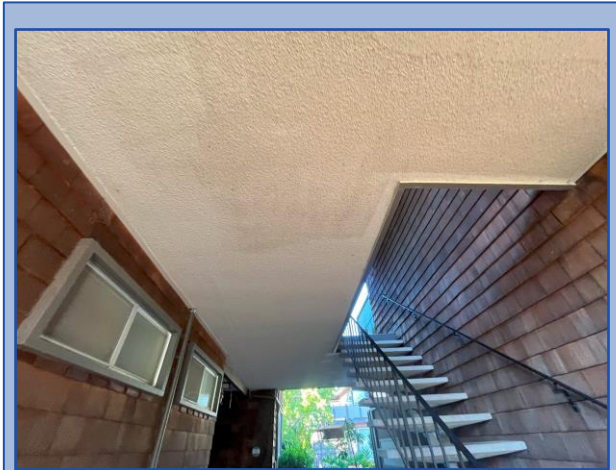
Unit 153/155 Walkway – Closed Soffit



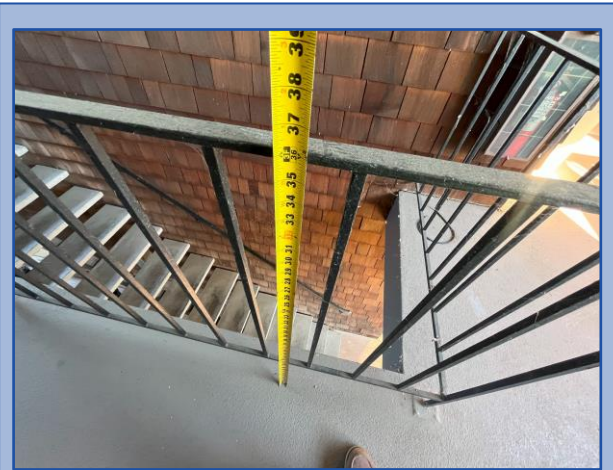
Overall Walkway



Walkway surface is in good condition



Underside of walkway is in good condition



Railing height and baluster spacing do not meet current building code requirements

Unit 165/167 Walkway – Closed Soffit



Overall Walkway



Walkway surface is in good condition



Underside of walkway is in good condition



Railing height and baluster spacing do not meet current building code requirements

Unit 177/179 Walkway – Closed Soffit



Overall Walkway



Walkway surface is in good condition



Underside of walkway is in good condition



Railing height and baluster spacing do not meet current building code requirements

Unit 2 Walkway – Open Soffit



Overall Walkway



Walkway surface is in good condition

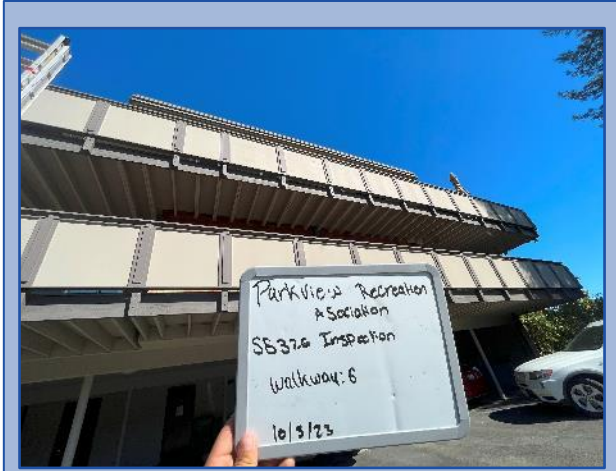


Underside of walkway and framing is in good condition

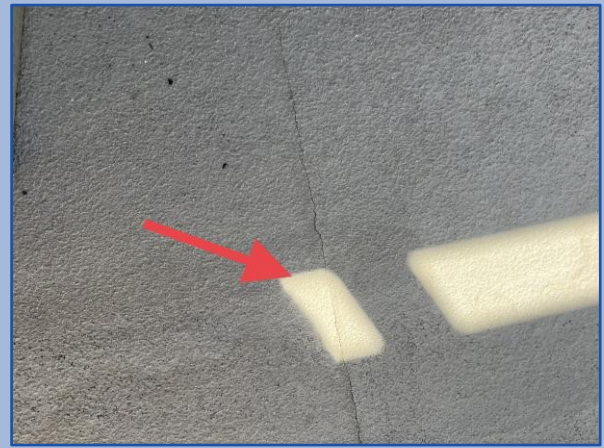


Railing is loose; repairs are recommended

Unit 6 Walkway – Open Soffit



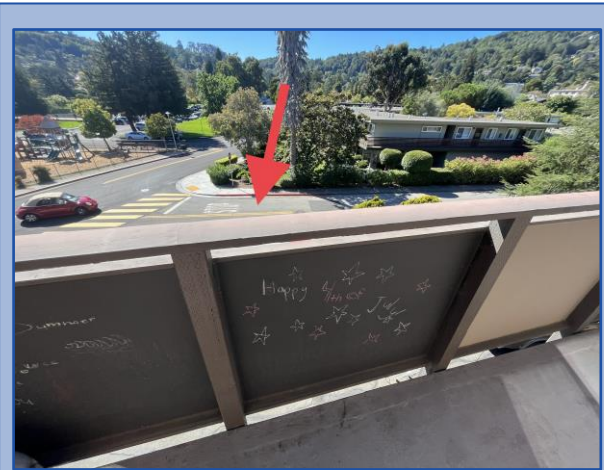
Overall Walkway



Walkway surface contains cracked coating; repairs are recommended

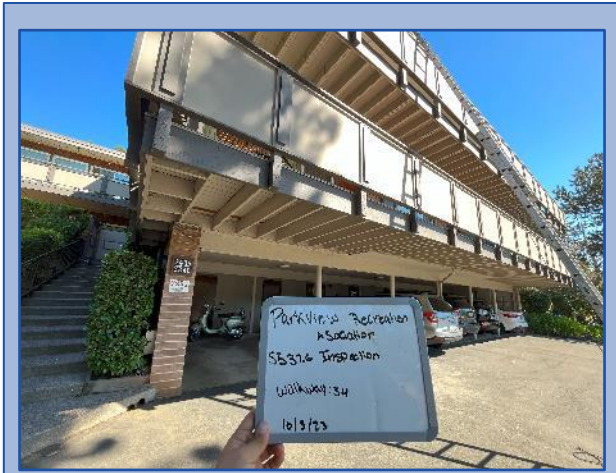


Underside of walkway and framing is in good condition



Railing is loose; repairs are recommended

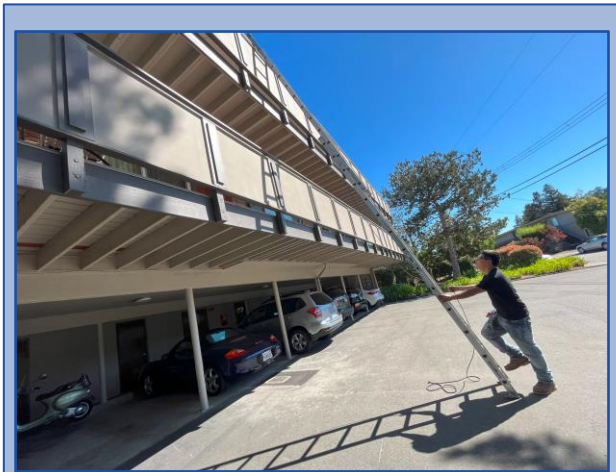
Unit 34 Walkway – Open Soffit



Overall Walkway



Walkway surface is in good condition

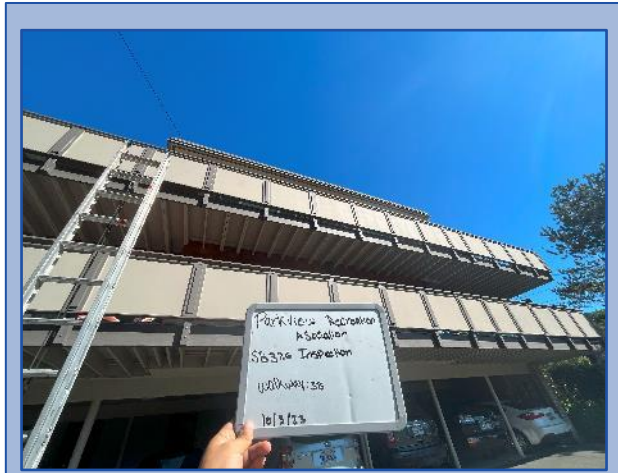


Underside of walkway and framing is in good condition

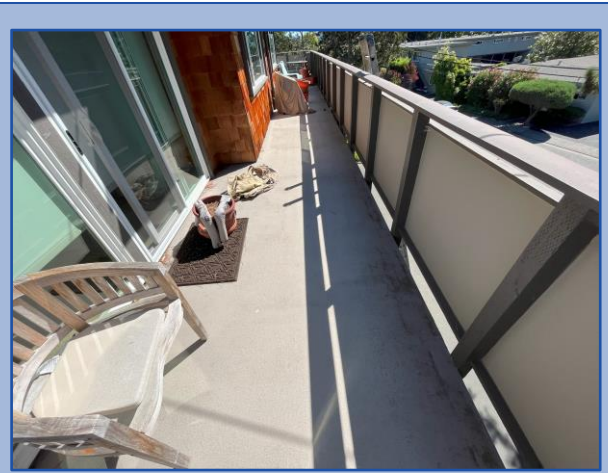


Railing is loose; repairs are recommended

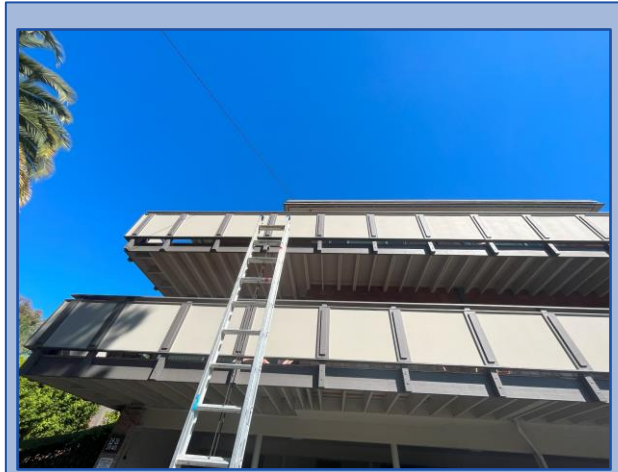
Unit 38 Walkway – Open Soffit



Overall Walkway



Walkway surface is in good condition



Underside of walkway and framing is in good condition



Railing is loose; repairs are recommended

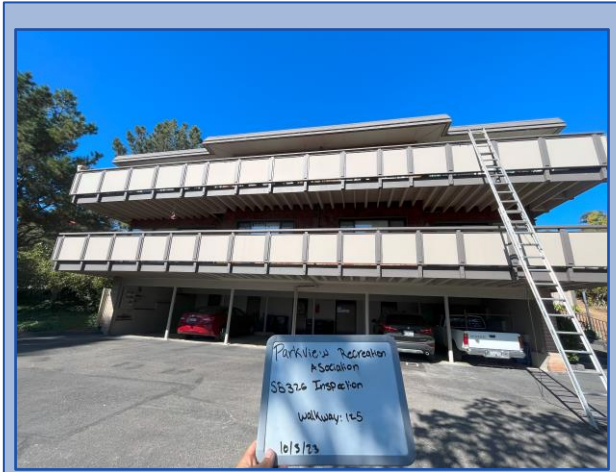
Unit 125 Walkway – Open Soffit



Overall Walkway



Walkway surface is in good condition



Underside of walkway and framing is in good condition



Railing is loose; repairs are recommended

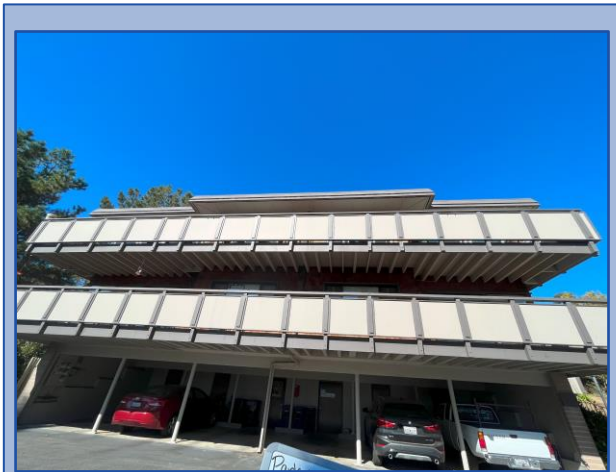
Unit 129 Walkway – Open Soffit



Overall Walkway



Walkway surface is in good condition



Underside of walkway and framing is in good condition

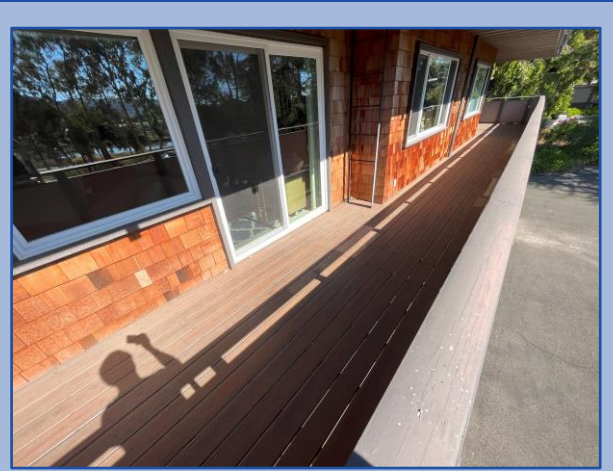


Railing height meets current building code requirements

Unit 137 Walkway – Open Soffit



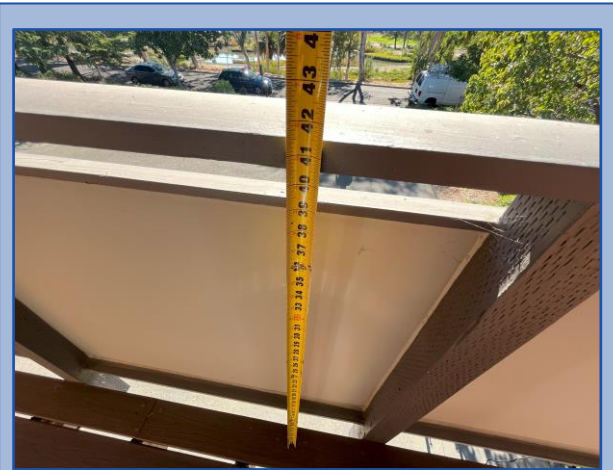
Overall Walkway



Walkway surface is in good condition

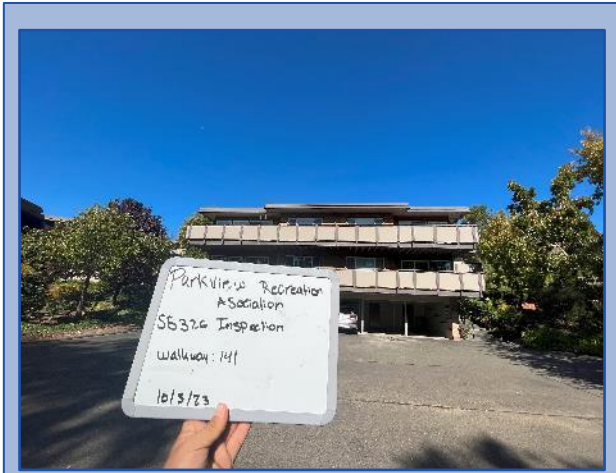


Underside of walkway and framing is in good condition

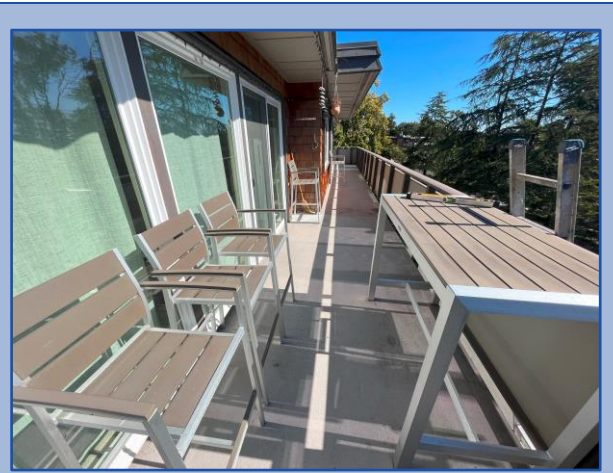


Railing height meets current building code requirements

Unit 141 Walkway – Open Soffit



Overall Walkway

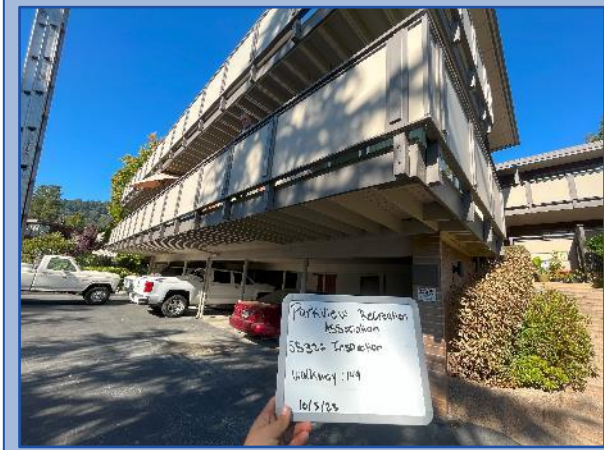


Walkway surface is in good condition



Railing is loose; repairs are recommended

Unit 149 Walkway – Open Soffit



Overall Walkway



Walkway surface is in good condition



Underside of walkway and framing is in good condition



Railing is loose; repairs are recommended

Unit 153 Walkway – Open Soffit



Overall Walkway



Walkway surface is in good condition



Underside of walkway and framing is in good condition

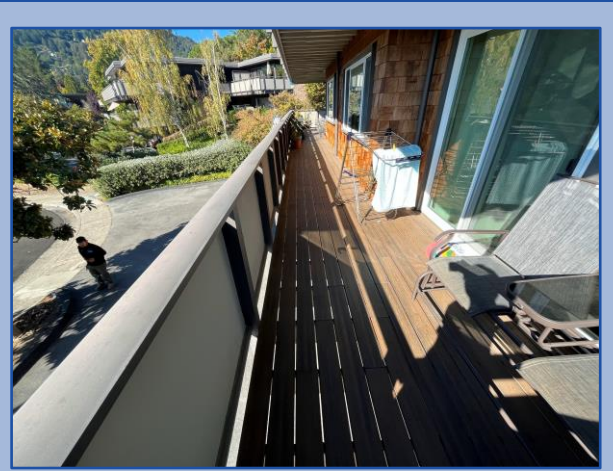


Railing is loose; repairs are recommended

Unit 163 Walkway – Open Soffit



Overall Walkway



Walkway surface is in good condition



Underside of walkway and framing is in good condition



Railing height does not meet current building code requirements

Unit 165 Walkway – Open Soffit



Overall Walkway



Walkway surface is in good condition



Underside of walkway and framing is in good condition



Railing height does not meet current building code requirements

Unit 173 Walkway – Open Soffit



Overall Walkway



Walkway surface is in good condition

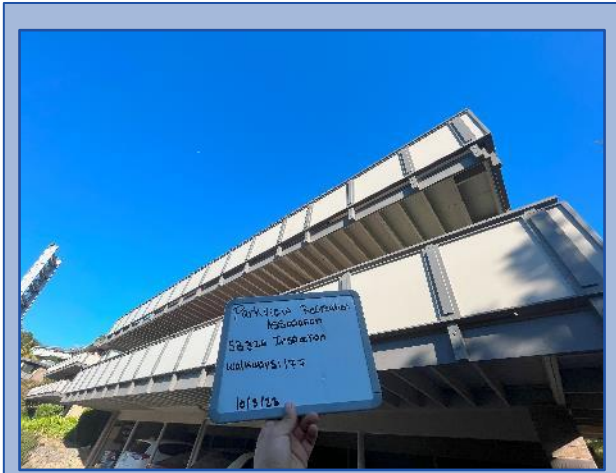


Underside of walkway and framing is in good condition



Railing is loose; repairs are recommended

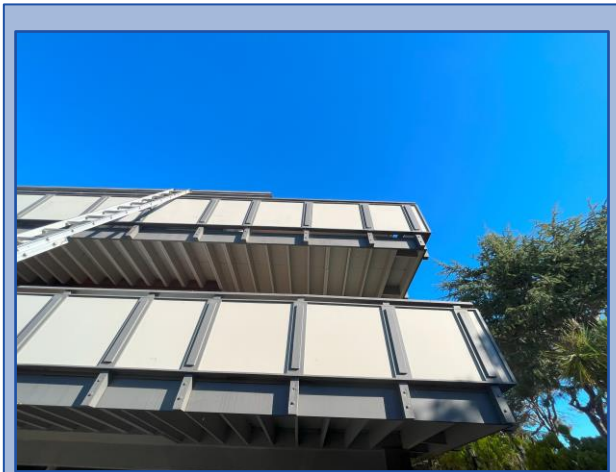
Unit 177 Walkway – Open Soffit



Overall Walkway



Walkway surface is in good condition



Underside of walkway and framing is in good condition



Railing is loose; repairs are recommended