

SEAL BEACH MUTUAL NO. FOURTEEN**Mutual Operations – Common Interest Development**

- 1 **1.** Seal Beach Mutual Number Fourteen, a California corporation, and a stock cooperative
2 common interest development, is subject to, and will abide by, California Civil Code
3 Sections 1350 – 1378, “The Davis-Stirling Common Interest Development Act.”
4 Furthermore, the Mutual Fourteen Board of Directors will abide by and be governed by
5 ALL the laws governing a “common interest development” as specified in the Civil Code
6 as well as Corporations Code.
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- 8 **2.** **Note:** LexisNexis, Case G038758, Court of Appeal of CA, Fourth Appellate District,
9 Division Three, Filed June 10, 2008, Modified July 8, 2008. 163 Cal App, 4th 1141: 78
10 Cal. Rptr, 3d 226: 2008 Cal App. Lexus 860.
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- 12 **2.1.** From page 1: “The trial court found that the trustee (GRF) was an association
13 as defined in 1351, subdivision (a) and that the apartments were a common
14 interest development as defined in 1351, subdivision (c). The court held that
15 substantial evidence supported the trial courts finding that the trustee was an
16 association created to manage the apartments (Mutuals). The trustee was not
17 a managing agent as defined in Civil Code 1363.1 subdivision (b) because it
18 held title to the common facilities and was not compensated for its services.
19 The apartments were a common interest development because the residents
20 owned separate interests as defined in Civil Code 1351 and were members of
21 the association as contemplated by Civil Code 1352. The recorded declaration
22 for the apartments was adequate under Civil Code 1353, subdivisions (a) (1)
23 and (b) despite its lack of covenants, conditions and restrictions.”
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- 25 **2.2.** **OUTCOME:** “The court affirmed the trial court’s judgment.”
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- 27 **3.** Robert’s Rules of Order shall be used as parliamentary procedures in all Mutual
28 Fourteen meetings and business.
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Document History

Adopted: 27 Aug 2013

Amended: 15 Apr 2014

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