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## Architectural Alteration Review Procedures Required

**If Governing Documents require Association approval for an architectural alteration:**

**1378(a)** This section applies if an association's governing documents require association approval before an owner of a separate interest may make a physical change to the owner's separate interest or to the common area. In reviewing and approving or disapproving a proposed change, the association shall satisfy the following requirements:

**Fair, Reasonable & Expeditious Procedure**

**1378(a)(1)** The association shall provide a fair, reasonable, and expeditious procedure for making its decision. The procedure shall be included in the association's governing documents. The procedure shall provide for prompt deadlines. The procedure shall state the maximum time for responses to an application or a request for reconsideration by the board of directors.

**Include deadlines**

**Good faith decisions**

**1378(a)(2)** A decision on a proposed change shall be made in good faith and may not be unreasonable, arbitrary or capricious.

**Regardless of Governing Documents, decisions not discriminatory (race, religion, disability, etc), or in violation of laws**

**1378(a)(3)** Notwithstanding a contrary provision of the governing documents, a decision on a proposed change may not violate any governing provision of law, including, but not limited to, the Fair Employment and Housing Act (Part 2.8 (commencing with Section 12900) of Division 3 of Title 2 of the Government Code), or a building code or other applicable law governing land use or public safety.

**Decision in writing.  
If disapproved,  
include procedure to  
appeal**

**1378(a)(4)** A decision on a proposed change shall be in writing. If a proposed change is disapproved, the written decision shall include both an explanation of why the proposed change is disapproved and a description of the procedure for reconsideration of the decision by the board of directors.

**If disapproved,  
reconsideration at  
open Board meeting**

**1378(a)(5)** If a proposed change is disapproved, the applicant is entitled to reconsideration by the board of directors of the association that made the decision, at an open meeting of the Board. This paragraph does not require reconsideration of a decision that is made by the board of directors or a body that has the same membership as the board of directors, at a meeting that satisfies the requirements of Section 1363.05. Reconsideration by the board does not constitute dispute resolution within the meaning of Section 1363.820.

**Changes inconsistent  
with Gov Docs not  
allowed unless  
required by law**

**1378(b)** Nothing in this section authorizes a physical change to the common area in a manner that is inconsistent with an association's governing documents unless the change is required by law.

**Annual disclosure  
required**

**1378(c)** An association shall annually provide its members with notice of any requirements for association approval of physical changes to property. The notice shall described the types of changes that require association approval and shall include a copy of the procedure used to review and approve or disapprove a proposed change.

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