

THE INTERNAL DISPUTE RESOLUTION PROCESS SET FORTH IN CALIFORNIA CIVIL CODE SECTIONS
5900 - 5915

California Civil Code Sections 5900 - 5915 require an association to provide a fair, reasonable, and expeditious procedure for resolving certain disputes between the association and a member. The following procedure, which may be invoked by either party to a dispute, shall apply:

- (1) The party may request the other party to meet and confer in an effort to resolve the dispute, the request shall be made in writing.
- (2) A member of an association may refuse a request to meet and confer. The association may not refuse a request to meet and confer.
- (3) The board shall designate a director to meet and confer with the other party to the dispute.
- (4) The parties shall meet promptly at a mutually convenient time and place, explain their positions to each other, and confer in good faith, in an effort to resolve the dispute.
- (5) A resolution of the dispute agreed to by the parties shall be memorialized in writing and signed by the parties, including the board designee on behalf of the association. The parties may be assisted by an attorney or another person at their own cost when conferring.

A written agreement reached under this procedure binds the parties and is enforceable by a court if both of the following conditions are satisfied:

- (1) The agreement is not in conflict with the law or the governing documents of the common interest development or association.
- (2) The agreement is either consistent with the authority granted by the board to its designee or the agreement is ratified by the board.

If the parties to the dispute are unable to resolve the matter using this internal dispute resolution procedure, the association or the member may then serve a Request for Resolution pursuant to California Civil Code Section 5935, if applicable.