

UNDERWRITING BULLETIN

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Amendment to California law regarding CC&R and Deed copies

Existing law requires a particular disclaimer when furnishing copies of CC&R's, deeds and governing documents for homeowners associations. The legislature has expanded the law somewhat to add language concerning genetic information, gender identity and gender expression. As a result, the language for your stamp or cover sheet when supplying copies of such documents now must read, in 14 point bold type:

"Attached is the document you (or someone on your behalf) requested. As required by Section 12956.1(b)(1) of the Government Code, please note the following:

If this document contains any restriction based on race, color, religion, sex, sexual orientation, familial status, disability, handicap, national origin, genetic information, gender, gender identity, gender expression, marital status, source of income (as defined in subdivision (p) of Section 12955), or ancestry, that restriction violates state and federal fair housing laws and is void, and may be removed pursuant to Section 12956.2 of the Government Code. Lawful restrictions under state and federal law on the age of occupants in senior housing or housing for older persons shall not be construed as restrictions based on familial status."

Also, please add to the existing exclusionary language in your system CC&R codes: gender identity, gender expression, and genetic information.

Intentional disregard of the matters contained in this Bulletin may cause any loss sustained under the terms of a policy to be allocated entirely to the Agent.