

**ALTERNATIVE DISPUTE RESOLUTION**

*California Civil Code 5925 thru 5965 and 5900 thru 5920*

California Civil Code 5965 requires that the Association give you the following notice concerning Alternative Dispute Resolution (ADR) Procedures:

"Failure of a member of the association to comply with the alternative dispute resolution requirements of Section 5930 of the Civil Code may result in the loss of your right to sue the association or another member of the association regarding enforcement of the governing documents or the applicable law."

**REQUEST FOR ALTERNATIVE DISPUTE RESOLUTION**

(Sample)

Requesting Party:\_\_\_\_\_

Responding Party:\_\_\_\_\_

**ADR REQUIRED.** As provided for in Civil Code 5920 et seq., an association or a member of a common interest development may not file an enforcement action in superior court unless the parties have endeavored to submit their dispute to alternative dispute resolution.

**NATURE OF DISPUTE.** \_\_\_\_\_  
\_\_\_\_\_

**FORM OF RESOLUTION REQUESTED.**

- Mediation                       Non-Binding Arbitration                       Binding Arbitration

**TIME FOR RESPONSE.** You have thirty (30) days following receipt of this request to accept or reject the request. If you do not accept the request within that period it will be deemed rejected. If you accept the request, the parties must complete the Alternative Dispute Resolution within 90 days, unless extended by written stipulation signed by the parties.

**COSTS.** The costs of alternative dispute resolution are borne by the parties.

**ADR PROVISIONS.** Attached to this request is a copy of the provisions of the Davis-Stirling Act describing Alternative Dispute Resolution (Article 2, Civil Code 5920, et seq.).

Signature of Requesting Party:\_\_\_\_\_

Date:\_\_\_\_\_

**I AGREE to submit to Alternative Dispute Resolution.**

Signature of Responding Party:\_\_\_\_\_

Date:\_\_\_\_\_

**Disclaimer: This form is for informational purposes only and may not be appropriate for your particular needs. Please contact the Association Office for further information.**