Katharine Rosenberry
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EDUCATIONAL BACKGROUND:

University of San Diego	University of Illinois	Northwestern University
San Diego, California	Champaign, Illinois	Evanston, Illinois
J.D. - 1975	M.Ed. - 1967	B.A. - 1965

PROFESSIONAL EMPLOYMENT:

California Western School of Law
- Emeritus Professor of Law (2007 – present)
- Professor of Law (1984 – 2007)
- Academic Director, Center for Creative Problem Solving (2001 - 2007)
- Associate Dean (1991 - 1993)
- Associate Professor of Law (1981 - 1984)
- Assistant Professor of Law (1978 - 1981)

Courses Taught: "Problem Identification in a Multicultural Setting", "Introduction to Creative Problem Solving", "Real Property", "Law Land Use Regulations", "Common Interest Development Law"

Professorial Research Associate at the Center for East Asian Studies at the University of London School of Oriental and African Studies. (2004 to 2008)

Consultant to the Lord Chancellor's Office and the Department of Environment, Transport and the Regions in England and Wales regarding the introduction of community association law in those countries. (1999 - 2007)

Consultant to the Krakow Real Estate Institute and Cooperative Housing Foundation in Warsaw, Poland regarding condominium law. (1999)

Consultant to members of the California legislature regarding drafting bills affecting common interest developments and topics such as age restrictions, pest control, swimming pools, director and officer liability, telephone repair, assessments and liens and owner liability. (1983 - 2004)

Senior Consultant to California Assembly Select Committee on Common Interest Developments. (1983 - 1985)

Responsible for supervising two task forces, one of professionals and one of homeowners, which helped identify the problems in the creation and operation of common interest communities. Responsible for moving the bills through the legislative process.

Drafted Davis-Stirling Act Common Interest Development Act, Civil Code Sections 1350 et. seq. which controls the creation and operation of all common interest developments in California. The Act controls approximately the way in which approximately 3,000,000 to 5,000,000 Californians live.

Gray, Cary, Ames & Frye, now known as Ware & Freidenrich, (1975 – 1977)

PROFESSIONAL ORGANIZATIONS AND ACTIVITIES: (Previously)

American Law Institute – member of Consultative Group to Restatement (Third) of Property (Servitudes). Served on Consultative group that assists the American Law Institute in drafting model laws in the field of real estate law.

College of Community Association Lawyers – founding member of Board of Governors.

American College of Real Estate Lawyers – member of Publication Committee.

Lambda Alpha International Land Economics Society – Board Member of San Diego Chapter.

Community Associations Institute – national President.
CAI is an organization of approximately 17,000 homeowner associations, realtors, property managers, attorneys, developers and others involved in the creation and operation of common interest developments.

Community Associations Research Foundation – member of Board of Directors.

National Board of Certification for Community Association Managers – founding member of Board of Directors.

California State Bar – member and advisor of Executive Committee of Real Property Section. Chair, Condominium and Cooperative Subcommittee.

San Diego County Bar Association – Vice-President and Chair of Land Use Committee.

San Diego County Bar Foundation – Vice-President.

San Diego Lawyer's Club

Association of American Law Schools – member of Real Property Section.

American Bar Association – member of Common Interest Community Subsection.

Served as consultant to CNN, and **Reader's Digest** on condominium and homeowner association matters.

PUBLICATIONS

Books:

Sproul, Curtis and Rosenberry, Katharine, **Advising California Common Interest Communities** (Continuing Education of the Bar, 2003) (a revised edition of the following).

Sproul, Curtis and Rosenberry, Katharine, **Advising California Condominiums and Homeowner Associations** (Continuing Education of the Bar, 1992, Supplements from 1994 to 2002).

ABC's For Community Associations (Community Associations Institute, 2002) (a revised edition of the following).

ABC's For Community Association Leaders (Community Associations Institute, 1992).

ABC's Facilitator Guide (Community Associations Institute, 2002).

Contributing Author:

Condominium and Homeowner Association Litigation (Wiley & Sons, 1986).

Zoning and Planning Law Handbook (Clark Boardman, 1981).

Zoning and Planning Law Handbook (Clark Boardman, 1986).

Edited supplement to **California Condominium and Planned Development Practice** (California Continuing Education of the Bar, 1986).

Articles:

Organizational Barriers to Creativity in Law Schools and the Legal Profession," 41 **California Western Law Review** 423 (Spring 2005).

"Creative Problem Solving: Mixing the Traditional with the Nontraditional," **San Diego Lawyer** 44 (March/April 2004).

"Creative Techniques in Law School Reflect Changes in Society," **San Diego Business Journal** (April 28, 2003).

Response to Consultation Paper Commonhold Proposals for Commonhold Regulations (Joseph Rowntree Foundation, 2002).

Rosenberry, Katharine and Robertson, Douglas, **Home Ownership with Responsibility: Practice Governance Remedies for Britain's Flat Owners** (Joseph Rowntree Foundation, 2001).

Treese, Clifford, Diamond, Robert, and Rosenberry, Katharine, "A Changing Perspective on Community Association Mortgage Underwriting and Credit Analysis," **Research Institute for Housing America Institute Report No. 01-02** (RIHA, Nov. 2001).

Comments on the English/Welsh Draft Commonhold and Leasehold Reform Bill, 2000 (Joseph Rowntree Foundation, 2000).

Commonhold Law: Problems and Potential Solutions (Joseph Rowntree Foundation, 2000).

"Land Use Regulation In a Free Market Society," **Middle East Technical University Journal** 5 (2000).

Response To the Department of Environment, Transport and The Regions Consultation Paper: Residential Leasehold Reform in England and Wales (Joseph Rowntree Foundation, 1999).

"Issues Shaping the Creation and Operation of Common Interest Communities in the United States," 25 **Real Estate World** 45 (Krakow Real Estate Institute 1998/1999).

"An Introduction to Constitutional Challenges To Covenant Enforcement," 1 **Journal of Community Association Law** 23 (Winter 1998).

"Llamas, Home Business, and Aluminum Siding: Trends In Covenant Enforcement," 31 **John Marshall Law Review** 443 (Winter 1998).

"A Comparison of California Common Interest Development Law and the Uniform Common Interest Ownership Act," 38 **Santa Clara Law Review** 1 (Spring 1998).

Treese, Clifford and Rosenberry, Katharine, **Community Associations Insurance** (Community Associations Institute 1993).

"Purchasing Insurance For The Common Interest Community," 27 **Wake Forest Law Review** 397 (1992).

"You Can't Raise Assessments. I Have A Contract! The Legislature and Impairment of Contract," 8 **California Real Property Journal** 16 (Winter 1990).

"Mandatory Continuing Legal Education It's Here!" 37 **Dicta** 25 (February 1990).

"Fair Housing Act Amendments More Employment for Attorneys," Part I, **Dicta** 7 (January 1989); Part II, **Dicta** 19 (February 1989).

Paradise Lost Community Association Liability for Criminal Activities of Others (Community Associations Institute 1987).

"An Update on the Law of Common Interest Developments," 6 **California Real Property Journal** 33 (March 1987).

"Operating Common Interest Developments in California: The Dilemmas Created By Recent Judicial Decisions," 10 **Real Property Law Reporter** 1 (March 1987).

"Theories of Liability," in **Condominium & Homeowner Association Litigation**, at 59 (Wiley & Sons 1986).

"The Davis-Stirling Common Interest Development Act," 8 **Real Property Law Reporter** 165 (1985).

"Condominium and Homeowner Associations: Should They Be Treated Like Mini-governments?" **Zoning and Planning Law Report** 8 (October 1985).

"Actions of Community Association Boards: When Are They Valid and When Do They Create Liability?" 13 **Real Estate Law Journal** 315 (Spring 1985).

"The Legislature Addresses Problems in The Law of Condominiums, Planned Developments and other Common Interest Projects," 2 **California Real Property Journal** 24 (Fall 1984).

"State Action and the Role of the Constitution in Condominiums and Planned Developments," 19 **Real Property, Probate and Trust Journal** 1 (Spring 1984).

"The Impact of the Endangered Species Act on Housing Construction," 33 **Hastings Law Journal** 551 (1982).

"Federal Influence on Housing Construction A Case Study of the Endangered Species Act," **Zoning and Planning Law Report** (December 1982).

"Master Plans and Local Land Use Regulation," **Zoning and Planning Law Report** (February 1979). Republished in 1981 **Zoning and Planning Law Handbook** (Clark Boardman).

PRESENTATIONS

"Problem Identification in a Multicultural Environment," University of Hong Kong School of Law (Hong Kong, China, Feb. 4, 2006).

"Creative Problem Solving and Problem Identification," University of London School of Oriental and African Studies (London, England, Oct. 14, 2005).

"So What's the Problem?" University of London School of Oriental and African Studies (London, England, October 29, 2004).

"Role of Government Dispute Resolution," National Conference of Community Associations Institute (San Diego, California, May 20, 2004).

"Barriers to Preventing and Solving Legal Problems Creatively," Preventing and Solving Problems Creatively, Center for Creative Problem Solving (San Diego, California, March 4, 2004).

"Teaching Creative Prevention and Solution Throughout the Law School Curriculum," Preventing and Solving Problems Creatively, Center for Creative Problem Solving (San Diego, California, March 5, 2004).

"Barriers to Creativity," Annual conference of the International Society for the Advancement of Socio-economics (Aix-en-Provence, France, June 25, 2003).

"How to Make Almost Any Dream Come True," Witkin Award Dinner sponsored by the San Diego County Public Law Library (San Diego, California, October 2, 2002).

"Condo and Homeowner Associations Issues," All Things Considered KPBS Radio Program (San Diego, California, October 3, 2001).

"Commonhold: the Dawning of a New Age?" Blundell Lectures, Inner Temple Inn of Court (London, England, June 11, 2001).

"Common Interest Developments: Legislative Update 2000-2001," California Western School of Law (San Diego, California, November 7, 2000).

"Commonhold and Leasehold Reform: The Government's Legislative Proposals," South Bank University (London, England, October 5, 2000).

"Global Solutions to Association Management Challenges," Community Associations Institute National Conference (Anaheim, California, May 5, 2000).

"Management Issues and Commonhold Law," Association of Residential Managing Agents (London, England, March 28, 2000).

"Commonhold Law," Royal Institute of Chartered Surveyors Annual Conference (London, England, March 21, 2000).

"Tenants and Commonhold Law," CARL Annual Meeting (London, England, November 18, 1999).

"Profiting From Management - Learning from the Ex-Colonies," Association of Residential Managing Agents Annual Conference (London, England, November 4, 1999).

"Common Interest Developments: Legislative Update 1999-2000," (San Diego, California, October 7, 1999).

"Creative Solutions to Common Problems," Community Associations Institute Semi-Annual Conference (Denver, Colorado, May 19, 1999).

"International Community Associations," Community Associations Institute Law Seminar (Washington D.C., January 15, 1999 and Marina Del Rey, California, February 19, 1999).

"English Leasehold Reform - An American View," Southbank University Conference on Leasehold Reform: The Government's Proposals. Have They Got The Balance Right? (London, England, December 14, 1998).

"Common Interest Developments: Legislative Update 1998-99," California Western School of Law (San Diego, California, November 21, 1998).

"New Property Management Challenges in Today's Poland," Community Associations Institute (Washington D.C., October 31, 1998).

"Creating A Sense Of Community," Community Associations Institute (Washington, D.C., October 30, 1998).

"Land Use Regulation In A Free Market Society," Masarykovy University School of Law (Brno, Czech Republic, October 5, 1998).

"Local Planning Groups," International Conference on Cross Cultural Issues: Land Development (Brno, Czech Republic, October 2, 1998).

"Processing a Residential Development In The United States," The Institute For Urban Studies, Technical Institute (Budapest, Hungary, September 28, 1998).

"A Comparative Analysis of Polish and U.S. Condominium Laws," Conference of Condominiums sponsored by the Cooperative Housing Foundation and the Krakow Real Estate Institute (Warsaw, Poland, September 25, 1998).

"Land Use Regulation In The United States," Conference of Polish Housing Authority sponsored by the Krakow Real Estate Institute (Warsaw, Poland, September 25, 1998).

"Issues Shaping the Creation and Operation of Common Interest Communities," European Network For Housing Research Annual Conference (Cardiff, Wales, September 8 and 9, 1998).

"Common Interest Developments: Legislative Update 1997-98," California Western School of Law (San Diego, California, October 1997).

"Trends in Covenant Enforcement," Community Association Law Seminar (Washington, D.C. and Marina Del Rey, California, January/February 1997).

"Trends in Director and Officer Liability," Community Associations Institute Law Seminar (Washington D.C., 1996).

"Common Interest Developments: Legislative Update 1996-97," California Western School of Law (San Diego, California, November 1996).

"Common Interest Developments: Legislative Update 1995-96," California Western School of Law (San Diego, California, November 1995).

"The Future of Community Associations," Community Associations Institute Conference (Scottsdale, Arizona, May 1995).

"Trends in Case Law and Legislation," California Legislative Action Committee Annual Meeting (Sacramento, California, March 1995).

"Common Interest Developments: Legislative Update 1994-95," California Western School of Law (San Diego, California, October 1994).

"Trends in Case Law and Legislation," California Legislative Action Committee Annual Meeting (Sacramento, California, March 1994).

"National Legislative Update," Community Associations Institute Law Seminar (Washington D.C. and Marina Del Rey, California, January/February 1994).

"Common Interest Developments: Legislative Update 1993-94," California Western School of Law (San Diego, California, November 1993).

"Community Association Law for Volunteers," Community Associations Institute Conference (Denver, Colorado, October 1993).

"Creation of Common Interest Developments," Lambda Alpha (San Diego, California, October 1993).

"California Law and Community Associations," Executive Council of Homeowner Associations Annual Meeting (San Francisco, California, November 1992).

"Common Interest Developments: Legislative Update 1992-93," California Western School of Law (San Diego, California, November 1992).

"The Nature of Community Associations," Conference sponsored by the Institute of Urban and Regional Development, U.C. Berkeley (Berkeley, California, April 1992).

"Why the Judiciary Should Be Concerned About Homeowner Association Issues," California Association of Judges Annual Meeting (Coronado, California, February 1992).

"Association Liability For Criminal Activities," Community Association Law Seminar (Washington, D.C., January 1992).

"Common Interest Developments: Legislative Update 1991-92," California Western School of Law (San Diego, California, November 1991).

"Common Interest Developments: Legislative Update 1990-91," California Western School of Law (San Diego, California, November 1990).

"Homeowners' Associations," Continuing Education of the Bar Seminar (San Francisco, Los Angeles, and San Diego, California, April/May 1990).

"1990 National Legislative Update," Community Associations Institute Law Seminar (Washington D.C., January 1990).

"Common Interest Developments: Legislative Update 1989-90," California Western School of Law (San Diego, California, October 1989).

"Associations: Business, Government or Group of Owners," Los Angeles County Bar Association Meeting (Beverly Hills, California, May 1989).

"Constitutional and Other Issues," University of Miami Institute for Cluster Housing Annual Meeting (Miami, Florida, April 1989).

"Lobbying for Associations," Community Associations Institute Annual Conference (Dallas, Texas, April 1989).

"Common Interest Developments: Legislative Update 1988-89," California Western School of Law (San Diego, California, October 1988).

"Federal Fair Housing Act," National Association of Women in Construction Meeting (San Diego, California, April 1988).

"Hot Issues In Real Estate Law," Real Property Section of The State Bar of California Annual Meeting (Napa, California, March 1988).

"Director and Officer Liability," Community Association Law Seminar (Washington, D.C., January 1988).

"Common Interest Developments: Legislative Update 1987-88," California Western School of Law (San Diego, California, October 1987).

"Defenses to Covenant Enforcement," Community Association Law Seminar (Washington D.C., January 1987).

"Common Interest Developments: Legislative Update 1986-87," California Western School of Law (San Diego, California, October 1986).

"New National Homeowner Association Legislation," Community Association Law Seminar (Washington D.C., January 1986).

"Common Interest Developments: Legislative Update 1985-86," California Western School of Law (San Diego, California, November 1985).

"Homeowner Association Issues Facing the Courts," National Conference of Judges Annual Meeting (Coronado, California, March 1985).

"How to Influence the Legislature," California Apartment Association Annual Meeting (San Diego, California, March 1985).

"Constitutional Issue Facing Community Associations," Community Associations Institute Law Seminar (Washington D.C., February 1985).

"Changes in the California Common Interest Development Law," California Association of Realtors Annual Meeting (San Diego, California, January 1, 1985).

"Common Interest Developments: Legislative Update 1984-85," California Western School of Law (San Diego, California, November 1984).

"Proposed Changes in Legislation," California Subdivision Planners Association Annual Meeting (San Diego, California, February 1984).

"Problems with California Common Interest Developments," California Building Industry Department of Real Estate Task Force Meeting (San Francisco, California, January 1984).

"Raven's Cove and Fiduciary Duty," Community Associations Law Seminar (Washington D.C., January 1984)