

Nahrstedt v. Lakeside Village



Nahrstedt v. Lakeside Village

- 530 condo units subject to “covenants, conditions, and restrictions”
 - *“No animals (which shall mean dogs and cats), livestock, reptiles or poultry shall be kept in any unit.”*
 - *Permits “domestic fish and birds”*

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Natore Nahrstedt with Boo-Boo

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- 530 condo units subject to “covenants, conditions, and restrictions”
 - *“No animals (which shall mean dogs and cats), livestock, reptiles or poultry shall be kept in any unit.”*
- “enforceable equitable servitudes, unless unreasonable.” Cal. Civ. Code § 1354(a)
 - wholly arbitrary, violate a fundamental public policy, or impose a burden . . . Far outweighs any benefit
 - With respect to who?
- presumption of validity
 - stability and predictability

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- What about standard of review for enforcement?
- Touch and concern?