



## 63rd Annual Business Meeting

# Elevated Exterior Elements Inspection: Compliance with SB 721 and AB 2579

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# Presentation Topics

Legislation

What Buildings Require Inspection?

Who can inspect?

Inspection Requirements

Definitions

Inspection Reporting

Inspection Timelines

Repair Requirements

The Role of the Building Department

Resources

# Legislation



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## **Health and Safety Code 17973**

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SB 721(2018)

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SB 721(2018)

AB 2579 (2024)

# Legislation

## **Civil Code 5551**

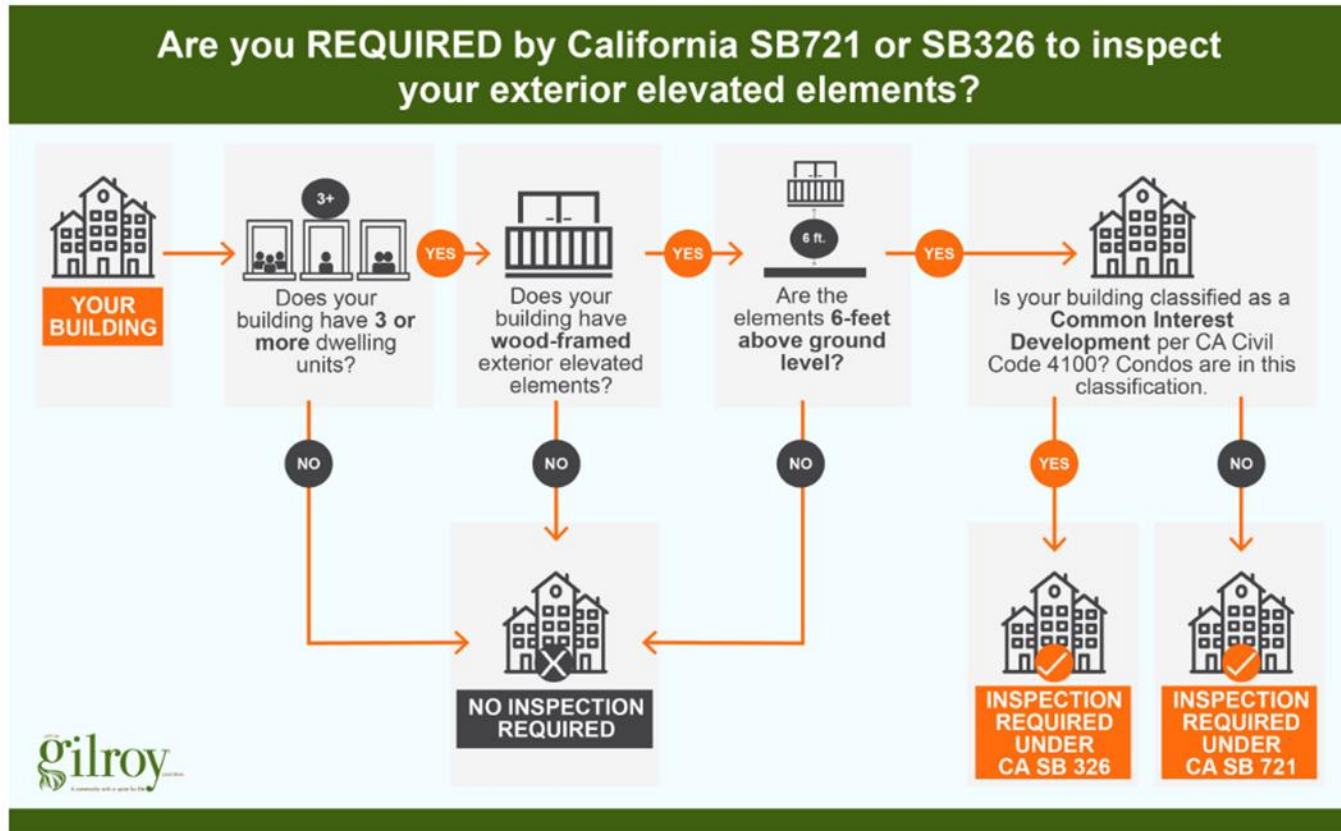


# Legislation

## **Civil Code 5551**

SB326 (2024)

# What Buildings require inspection?



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- Residential properties with 3 or more units
- EEE elevated more than 6' relying on wood or wood based for structural support, extending beyond exterior walls of the building, and designed for human use

# Who can inspect?



# Multifamily, Apartments, No HOA



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- Licensed Architect

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- Licensed Civil Engineer



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- Licensed Structural Engineer

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- Licensed Architect
- Licensed Civil Engineer
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- Licensed Contractor, A, B, or C-5 with a minimum of 5 years' experience in Wood framed multistory Construction.

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- Licensed Civil Engineer
- Licensed Structural Engineer
- Licensed Contractor, A, B, or C-5 with a minimum of 5 years' experience in Wood framed multistory Construction.
- Building Official

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- Licensed architect
- Licensed Civil Engineer
- Licensed Structural Engineer
- Licensed Contractor, A, B, or C-5 with a minimum of 5 years' experience in Wood framed multistory Construction.
- Building Official
- Building Inspector

# Common Interest Developments (HOA)



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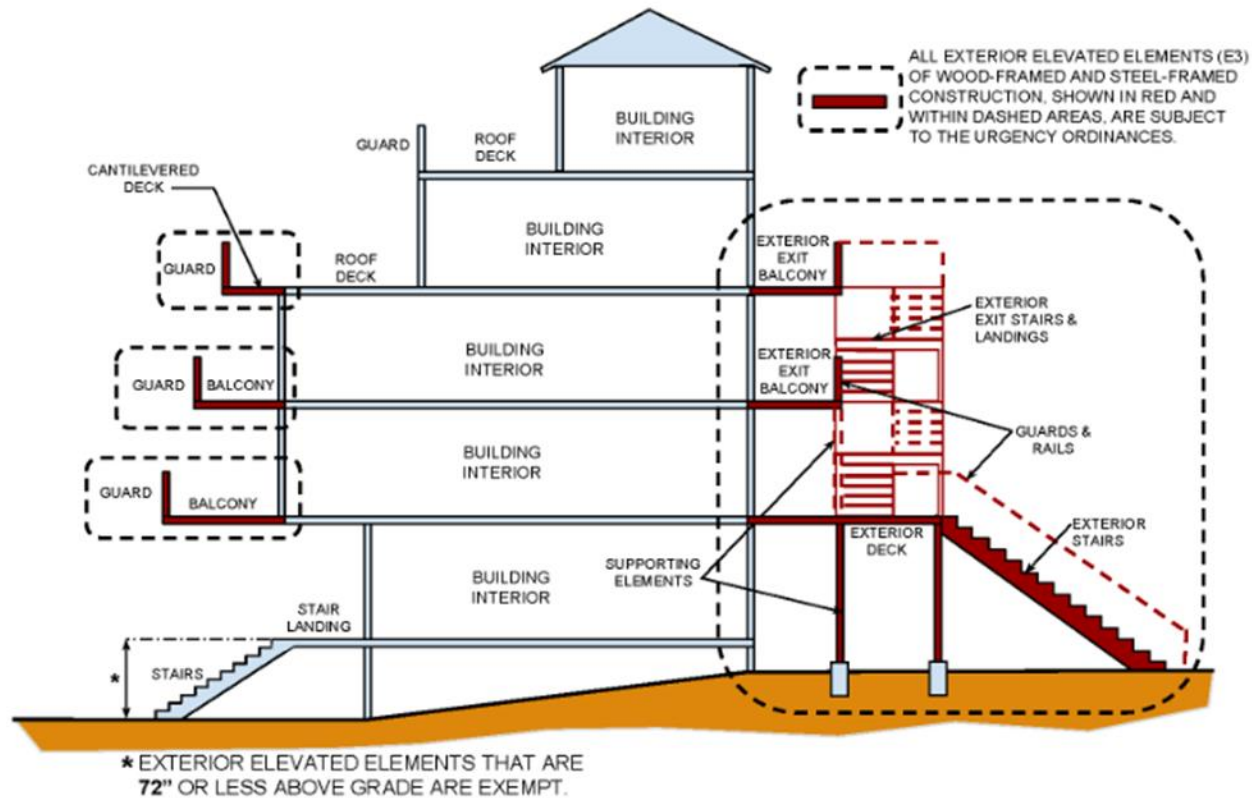
- Licensed Architect
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# Common Interest Developments (HOA)

- Licensed Architect
- Licensed Civil Engineer
- Licensed Structural Engineer



# What are the Inspection Requirements?



# Inspection Requirements

Direct Visual Inspection or Comparable Means

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and other owner maintained Multifamily

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and other owner maintained Multifamily

A “Statistically Significant Sample” of Elements in  
HOA Maintained Properties

# The Inspection Report

## Exterior Elevated Elements Inspections Inc

### Exterior Elevated Element Inspection Report Prepared for:

Your Business Inc.  
1234 Street,  
City, State, Zip



**Property Location:**  
1234 Street,  
City, State, Zip

#### Contact Information:

Name: Your Business Inc  
Address: 1234 Street, City, State, Zip  
Phone: (408) 987-6543  
Email: your.name@mail.com  
Site Contact: Property Manager

#### Prepared By:

Name: Qualified Inspector  
Address: 6789 Street, City, State, Zip  
Phone: (408) 765-4321  
Email: inspector@yoursite.com  
Date: 01/01/2025

Exterior Elevated Elements Inspections Inc.

(408) 765-4321

### Summary Report

Your Business Inc.  
1234 Street,  
City, State, Zip

#### Inspection Location

Unit 20	Unit 19	Unit 18	Unit 17
Unit 16	Unit 15	Unit 14	Unit 13
Unit 12	Unit 11	Unit 10	Unit 9
Unit 8	Unit 7	Unit 6	Unit 5
Unit 4	Unit 3	Unit 2	Unit 1

#### Color Code Legend:

Red	Immediate Action Required
Yellow	Repairs Required ASAP
Blue	Maintenance Required
Green	No Problem Found

Exterior Elevated Elements Inspections Inc.

(408) 765-4321

### Inspection Findings

**Framing Type:** Cantilevered wood joists with open underside.

**Location:** Unit 17



Close Up

Severe dry rot has weakened the plywood subfloor and the supporting floor joists, compromising their structural integrity. As a result, the balcony is unsafe for use. Immediate action is required.

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3. A. Current condition,  
    B. expectations of future performance/ projected service life  
    C. Recommendations of any further inspections



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(2) “Exterior elevated element” means the following types of structures, including their supports and railings: balconies, decks, porches, stairways, walkways, and entry structures that extend beyond exterior walls of the building and which have a walking surface that is elevated more than six feet above ground level, are designed for human occupancy or use, and rely in whole or in substantial part on wood or wood-based products for structural support or stability of the exterior elevated element.

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(3) “Load-bearing components” are those components that extend beyond the exterior walls of the building to deliver structural loads from the exterior elevated element to the building.

# Definitions Added in CC 5551

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(4) “Statistically significant sample” means a sufficient number of units inspected to provide 95 percent confidence that the results from the sample are reflective of the whole, with a margin of error of no greater than plus or minus 5 percent.

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(5) “Visual inspection” means inspection through the least intrusive method necessary to inspect load-bearing components, including visual observation only or visual observation in conjunction with, for example, the use of moisture meters, borescopes, or infrared technology.

# Inspection Reporting





# Inspection Report For Apartments

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Stamped or signed

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Include Photographs, any test results, and narrative sufficient to establish a baseline

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Subsequent reports shall Incorporate copies of prior reports

# Inspection Report For CIDs



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Included in the Reserve Study required by Civil Code 5550, and amended by SB 900

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Identify elements which pose an immediate threat to safety and expands the definition of “major components” to include gas, water, and electrical service systems.

## Please Note!

Local agencies and HOAs may require additional reporting requirements

Local Agencies may require submittal of initial and or Final Reports

Final Report indicating completed repairs may be Requested by Owner of non-HOA Properties

# Inspection Timelines



**ATTENTION**

**MULTIFAMILY PROPERTY OWNERS AND MANAGERS**

Senate Bill 721 and Senate Bill 326 now mandate rigorous safety inspections for multi-unit buildings featuring exterior elevated elements such as balconies, decks, and stairways.

Ensure compliance by January 1, 2025.

For more information visit [www.cityofgilroy.org/1022](http://www.cityofgilroy.org/1022) or scan the QR code.



7351 Rosanna Street

[www.cityofgilroy.org](http://www.cityofgilroy.org)

(408)846-0219

# Inspection Timelines

Initial inspection required by 1/01/26

- Previously 1/01/2025



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SB-721 (Apartment): Every 6 years after each inspection or C of O issuance if submitted after 1/01/2019

Retained by Owner at least 2 inspection Cycles (12 Years)

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Initial inspection required by 1/01/26

- Previously 1/01/2025

SB-721 (Apartment): Every 6 years after each inspection or CofO issuance if submitted after 1/01/2019

Retained by Owner at least 2 inspection Cycles (12 Years)

SB-326 (Condo): Every 9 years after each inspection

If building permit application was submitted on or after 1/01/2020 the required inspection shall occur no later than six years after CofO.

Retained by Association at least 2 inspection Cycles (18 Years)



# Apartment Reporting



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## Inspection Report

- Given to owner within 45 Days

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## Immediate Threat

- Given to Owner and to Local Enforcement Agency within 15 Days

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- 30 days after notice is provided, if repairs are still not completed, then the Owner shall be assessed a civil penalty

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- \$100-500 per day until complete.

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- 30 days after notice is provided, if repairs are still not completed, then the Owner shall be assessed a civil penalty
- \$100-500 per day until complete.
- Extensions may be granted

# Condo Reporting



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## Inspection Report

- Given to Association as part of required Study

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- Given to Association as part of required Study

## Immediate Threats

- Given to Association Immediately and Local Enforcement Agency within 15 Days of Completion of the Report

# Condo Reporting

- Immediate Threats are to receive Preventative action Immediately
- Preventing Occupant access Constitutes Compliance

# Repair Requirements





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For structures covered by HSC 17973, Repairs must be completed by a Qualified and Licensed Contractor and they cannot be the Contractor who completed the Inspection

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The Civil code is silent on Contractor requirements in this section but given that repair responsibility is the Association's, Licensure Requirement is implied

# Repair Requirements

Repairs must comply with all of the following

- Recommendations of Licensed Design Professional
- Manufacturers Specs if Applicable
- Building Code
- Local Amendments

# The Role of the Building Department



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- System to Receive and Retain Inspection Reports
- Process for Permitting of Required Repairs
- Procedure for Collection of Fines Issued if Deadlines are Exceeded
- Collection of Initial, Final, and Immediate Threat Reports

# Resources

Civil Code, 5550-5580

Health and Safety Code, 17973

[cityofgilroy.org/1022/Exterior-Elevated-Elements-Inspections](http://cityofgilroy.org/1022/Exterior-Elevated-Elements-Inspections)

[berkeleyca.gov/doing-business/operating-berkeley/landlords/exterior-elevated-elements-inspection-program-e3](http://berkeleyca.gov/doing-business/operating-berkeley/landlords/exterior-elevated-elements-inspection-program-e3)

# Sample Inspection Report



Planning & Development Department  
Building and Safety Division  
Rental Housing Safety Program

## EXTERIOR ELEVATED ELEMENTS INSPECTION PROGRAM INSPECTION CERTIFICATION

This certification must be completed by a **licensed or certified professional**. Mail the completed form to Rental Housing Safety Program at 1947 Center Street, 3<sup>rd</sup> Floor, Berkeley, CA 94704.

### PROPERTY INFORMATION:

Building Address: \_\_\_\_\_ Year Built \_\_\_\_\_ Number of Units \_\_\_\_\_  
Property Owner Name(s): \_\_\_\_\_ Email: \_\_\_\_\_

### LICENSED PROFESSIONAL INFORMATION:

#### Type of professional:

- ☐ General Contractor ☐ Civil Engineer ☐ Building Inspector, ICC B5 Certified  
☐ Architect ☐ Structural Engineer ☐ Building Official, ICC CB Certified

Name of Licensed Professional: \_\_\_\_\_ Company: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

License #: \_\_\_\_\_ Phone #: \_\_\_\_\_ E-mail: \_\_\_\_\_

#### Building Type: (Select one)

- ☐ Apartment House ☐ Condominium  
☐ Congregate/Boarding/Dormitory/Fraternity/Sorority ☐ Hotel/Motel  
☐ Other (Such as Live/work, Tenants in Common, Clubhouse, Convent, Residential Assisted Living Facility)

### VERIFICATION BY LICENSED PROFESSIONAL:

☐ Wood-framed or steel-framed exterior elements elevated more than six feet above adjacent grade EXIST at the subject building. Check all that apply

#### Elements:

- ☐ Balconies/Decks ☐ Stairways/Landings ☐ Guardrails/Handrails ☐ Walkways/Terraces

#### Materials:

- ☐ Regular Sawn Lumber ☐ Engineered Lumber ☐ Pressure Treated Wood  
☐ Naturally Durable Wood ☐ Steel

At the time of my inspection on \_\_\_\_\_

☐ All elevated wood-framed and steel-framed decks, balconies, landings, stairway systems, walkways, terraces, guardrails, handrails, or any parts thereof in weather-exposed areas at the subject building did not exhibit signs of deterioration, decay, corrosion or similar damage that could pose a safety concern and there was no evidence of active water intrusion in concealed spaces of the inspected elements.

☐ Corrective Work is required. ☐ Yes will need a permit. ☐ No permit is required.

Briefly describe work and locations: \_\_\_\_\_

If the box is checked indicating that corrective work is required, apply for a permit within 120 days of the date on this form, respond to plan check comments within 10 days of the date of the correction letter, obtain a building permit within 10 days of notification of plan approval and complete all work within 120 days of permit issuance.

If corrective work has been completed or is underway, please provide the permit number if a permit was approved:

Permit # \_\_\_\_\_ ☐ Yes received final inspection from Building and Safety ☐ Not finalized.

Signature of Licensed Professional indicated above \_\_\_\_\_

Date Signed \_\_\_\_\_

1947 Center Street, 3<sup>rd</sup> Floor, Berkeley, CA 94704 Tel: 510.981.5444 TDD: 510.981.7474 Fax: 510.981.7505

E-mail: [33@berkeleyca.gov](mailto:33@berkeleyca.gov) - [www.berkeleyca.gov](http://www.berkeleyca.gov) (search Exterior Elevated Elements)

# Questions?

If you have any questions,  
please contact the CALBO Office at  
[info@calbo.org](mailto:info@calbo.org).