UNSOLICITED OFFERS

AB 851: COUNTIES OF LOS ANGELES & VENTURA WILDFIRES

Assembly Bill 851 – Sale of properties in 2025 Eaton and Palisades fire zones and in certain zip codes** will need an **attestation** signed by buyer and seller and **recorded with the deed** that the sale was **not unsolicited**.

An unsolicited offer means any offer to purchase a property made by any person by text message, email, telephone call, mail or other means of communication, unless there is public indication that the owner is willing to sell the property as it is listed for sale by owner or their agent, or a For Sale sign or flyer is posted on the property.

According to the Bill, the verbiage is as follows for the attestation: "Prior to the transfer of title in the purchase of residential real property... the buyer and seller shall execute a written attestation affirming that the purchase agreement was not entered into as a result of an unsolicited offer... "

**ZIP CODES AFFECTED BY AB 851:

Los Angeles County

90049 - Brentwood
90263 - Malibu
90265 - Malibu
90272 - Pacific Palisades
90290 - Topanga
90402 - Santa Monica
91001 - Altadena
91024 - Sierra Madre
91103 - Pasadena
91104 - Pasadena
91106 - Pasadena
91107 - Pasadena
91301 - Agoura Hills
91302 - Calabasas

Ventura County

91320 - Newbury Park

This Bill was signed by the Governor on October 10, 2025 and it becomes effective 30 days after the signing date and sunsets on January 1, 2027.

If you are handling a "For Sale By Owner" transaction that comes in after November 10, 2025 in those zip codes, this Bill may affect you! Please contact your legal counsel for further clarification on your responsibilities as escrow holder in such a transaction.

A sample of the escrow attestation being used by FNF escrow offices can be found here. Please refer to your own counsel's advice before use.

Source: Escrow Institute of California

Fidelity National Title