Primarily SB 326 & SB 721

CALIFORNIA BALCONY LAWS



CALIFORNIA BALCONY LAWS - PRIMARILY SB 326 AND SB 721 - WERE ENACTED TO IMPROVE SAFETY FOR EXTERIOR ELEVATED ELEMENTS (EEES) SUCH AS BALCONIES, DECKS, AND STAIRWAYS ON MULTIFAMILY RESIDENTIAL BUILDINGS.

OVERVIEW

S8326

Applies to Common Interest Developments like condominiums. HOAs must inspect and maintain EEEs by **January 1, 2025 and every nine years after.**

S8721

Applies to Multifamily Residential Buildings with three or more dwelling units. Owners of multifamily properties must complete their initial inspections **by January 1, 2026, and every 6 years after that.**

WHAT ARE EEES?

Exterior Elevated Elements are all elevated decks, balconies, landings, stairway systems, walkways, guardrails, handrails, or any parts thereof that are exposed to weather and with a walking surface more than 6 feet above grade/ground. This program applies only to wood-framed and steelframed exterior elevated elements and not to concrete elements.

IMPACT ON REAL ESTATE TRANSACTIONS

DISCLOSURE OBLIGATIONS

Sellers are required to disclose the status of EEE inspections to potential buyers.

REPAIR OBLIGATIONS

- If defects are found, repairs may be required before close of escrow.
- Safety-related defects may legally require immediate action.

LENDER REQUIREMENTS

Some lenders require evidence of compliance or plans for compliance before approving financing.

ESCROW DELAYS

- Outstanding inspection or repair work can delay the closing timeline.
- Buyers may negotiate terms, request credits, or delay until compliance is met.

INSURANCE AND LIABILITY

Noncompliance can increase risk and lead to higher insurance premiums or even coverage issues.

MAKE SURE YOUR NEXT TRANSACTION IS NOT AFFECTED BY THESE NEW LAWS. STAY EDUCATED ABOUT YOUR NEXT CLOSING.

For more information on S8326, visit: https://leginfo.legislature.ca.gov/faces/billTextClient. xhtml?bill_id=201920200SB326

For more information on S8721, visit: https://leginfo.legislature.ca.gov/faces/billNavClient. xhtml?bill_id=201720180SB721

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