

Navigating SB721: A Guide for Multi-Family Property Owners and Managers

As general contractors, we have had the privilege of working with a wide range of property owners and managers, helping them navigate the complex web of regulations that come with maintaining multi-family properties. One of the most significant pieces of legislation in recent years is SB721, a law that directly impacts multi-family property owners and managers across California. Understanding the requirements of SB721 and knowing the steps to comply are crucial to avoid penalties and ensure the safety of your residents.

What is SB721?

SB721, also known as the Balcony Inspection Bill, was enacted in response to several tragic incidents involving balcony collapses in multi-family properties. The law mandates the regular inspection of balconies, decks, stairways, and other elevated exterior elements (EEEs) that are more than six feet above ground level and are designed for human occupancy. The goal is to ensure that these structures are safe and to prevent future accidents.

Steps for Compliance with SB721

Complying with SB721 involves several key steps, all of which require careful planning and coordination. As a general contractor, I'm here to guide you through this process:

1. Understand the Inspection Requirements

- **Who Must Comply:** SB721 applies to multi-family residential buildings with three or more units. If you own or manage such a property, you are responsible for ensuring compliance with this law.
- **What Must Be Inspected:** The law specifically targets elevated exterior elements that are supported by wood or wood-based products. This includes balconies, decks, stairways, walkways, and railings.

2. Hire a Qualified Inspector

- **Qualified Professionals:** Inspections must be carried out by a licensed architect, civil or structural engineer, or a general contractor with the necessary qualifications and at least 5 years' experience. It's important to hire someone that is familiar with the regulations in inspecting these types of structures.
- **Frequency of Inspections:** SB721 requires that these inspections be completed at least once every six years. The first inspection must be completed by January 1, 2025.

3. Conduct a Thorough Inspection

- **Visual and Destructive Testing:** The inspection process involves both visual assessments and, in some cases, destructive testing. This means that some parts of the structure may need to be opened up to check for hidden damage, such as wood rot or termite infestations.
- **Document Findings:** The inspector will provide a detailed report of their findings, including any signs of deterioration or structural issues that could compromise safety.

4. Address Any Required Repairs

- **Immediate Repairs:** If the inspection uncovers any conditions that pose an immediate threat to safety, repairs must be made immediately. This might involve reinforcing the structure, replacing damaged materials, or even rebuilding parts of the EEE.
- **Long-Term Maintenance Plan:** Even if no immediate repairs are needed, it's wise to develop a long-term maintenance plan to prevent future issues. Regular upkeep will help you avoid costly repairs and ensure ongoing compliance with SB721.

5. File Inspection Reports

- **Record Keeping:** SB721 requires that inspection reports be kept on file for at least two inspection cycles, or 12 years. These records must be made available to potential buyers or regulatory agencies upon request.
- **Notify Tenants:** In cases where major repairs are necessary, tenants must be informed of the work being done, especially if it will disrupt their use of balconies or other EEEs.

6. What Are the Deadlines & Fines?

- Property owners have until January 1, 2025, to have their wood-framed external elevated structures inspected by a qualified professional. After that, they must have their external elevated structures inspected every 6 years.
- In the event that inspectors do find cause for repairs and the owners of the buildings don't comply within 180 days, the inspector will notify local law enforcement and the owner of the building. If repairs are not done 30 days after the notification, the owner will get a civil penalty: around \$100-500 dollars for every day the repairs are not completed.
- Under SB 721, owners who got an inspection 3 years prior to January 1, 2019, won't need another inspection until after the January 1, 2025 deadline.

7. What Happens If Repairs Are Needed?

There are three common outcomes after an inspection:

- **No Repairs Needed:** The inspection shows their balconies are structurally sound and have proper waterproofing elements, so no additional repairs are required.
- **Non-Emergency Repairs:** This means the inspection determines that non-emergency repairs are required. In this situation, the owner must apply for a permit to make repairs within 120 days of receiving the report. Once the permit's approved, the owner has another 120 days to make the repairs.
- **Emergency Repairs:** This means the external elevated elements are not structurally sound, may be dangerous to the safety of residents, and require immediate emergency repairs. In this case, we would install temporary barriers to exclude people from the area until repairs can be made. This may mean moving residents out of the home if they cannot safely access their entry. Subsequently, any repairs made must again be inspected and reported to law enforcement.

8. Budgeting for Inspections and Repairs

- **Cost Considerations:** Inspections and any required repairs can be a significant expense. Property owners should budget for these costs, including potential follow-up inspections or additional work that may be needed after the initial repairs are made.
- **Plan Ahead:** By planning inspections and repairs in advance, you can manage costs more effectively and avoid the financial strain of last-minute work.

Why Compliance Matters

Compliance with SB721 is not just about avoiding fines or penalties; it's about ensuring the safety and well-being of your tenants. Neglecting to comply with this law could result in severe consequences, including legal liability in the event of an accident. Furthermore,

maintaining your property's structural integrity protects your investment and enhances its value over time.

At Earthtone, our role is to support you through this process, from the initial inspection to the completion of any necessary repairs. By working together, we can ensure that your property is not only compliant with SB721 but also safe and secure for all its occupants.

If you have questions about SB721 or need assistance with inspections and repairs, don't hesitate to reach out. Our team are here to help you navigate these requirements smoothly and efficiently.