



June 25, 2021

The Honorable Scott Wiener
Chair, Senate Housing Committee
State Capitol, Room 5100
Sacramento, CA 95814

**Re: Assembly Bill 838 (Friedman): State Housing Law: Enforcement Response to Complaints
As Amended June 23, 2021 – OPPOSE UNLESS AMENDED
Set for hearing July 1, 2021 – Senate Housing Committee**

Dear Assembly Member Friedman,

The Urban Counties of California (UCC), the California State Association of Counties (CSAC), the League of California Cities (Cal Cities), and the Rural County Representatives of California (RCRC) write to share our “Oppose Unless Amended” position with your Assembly Bill 838, which would make a number of changes to local building code enforcement processes and procedures, and respectfully request an amendment described in detail below, to remove our opposition. We appreciate working with you, your staff, and the sponsors over the past few weeks to resolve all of our previously stated concerns. Counties and cities support the goal of ensuring that tenants have safe and healthy housing consistent with code requirements.

The June 23 amendments stipulate that, “a city or county shall not collect a fee, cost, or charge for any inspection, or report about, a property, unless the inspection reveals material and substantial violations of Section 17920.10 or Section 17920.3.” This language is overly broad and would preclude collection of fees, costs, or charges related to other building, zoning, or safety inspections. To resolve this issue, we suggest the following language to replace (e) and (f):

“(e) This section does not authorize the imposition of a fee, cost, or charge upon a property owner or property owner’s agent for any inspection of or any inspection report about that owner’s or agent’s property pursuant to this section, and does not limit or prohibit the levy or collection of any fee, cost, or charge authorized by any other law including without limitation Section 54988 of the Government Code.”

Again, UCC, CSAC, Cal Cities, and RCRC agree with the underlying premise of your bill – that every Californian has a desire to live in quality housing and that local governments enact building codes to

ensure housing meets minimum health and safety requirements. We are hopeful that we can find resolution to the aforementioned issue.

Should you have any questions, please do not hesitate to contact Christopher Lee (CSAC) at clee@counties.org, Jason Rhine (Cal Cities) at jrhine@counties.org, Jean Kinney Hurst (UCC) at jkh@hbeadvocacy.com, or Tracy Rhine (RCRC) at trhine@rcrcnet.org.

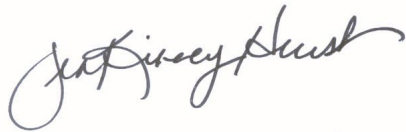
Sincerely,



Christopher Lee
California State Association of Counties



Jason Rhine
League of California Cities



Jean Kinney Hurst
Urban Counties of California



Tracy Rhine
Rural County Representatives of California

cc: The Honorable Laura Friedman, Member, California State Assembly
Honorable Members, Senate Housing Committee
Consultant, Senate Housing Committee
Consultant, Senate Republican Caucus