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September 17, 2021

The Honorable Gavin Newsom  
Governor, State of California  
State Capitol, First Floor  
Sacramento, CA 95814

**RE: AB 838 (Friedman): State Housing Law: Enforcement Response to Complaints – Enrolled and Presented to the Governor – September 10, 2021 – Request for Veto**

Dear Governor Newsom:

The California State Association of Counties (CSAC) respectfully requests your veto on AB 838, which would make several changes to local building code enforcement processes and procedures.

AB 838 would create significant issues for counties seeking to recover appropriate costs for building, zoning, and safety inspections. While the language in subdivision (f) would allow a city or county to collect fees to recover some non-reimbursable inspection expenses by incorporating those costs into the annual fees chargeable to landlords, subdivision (e) would require cities and counties to declare a property substandard in order to collect fees for most building violations (except lead paint), even when some violations are found. Additionally, not all jurisdictions levy annual fees on landlords, another means to keep rental property more affordable. If a city or county does charge fees on rental property owners, arguably the provisions of this bill could increase those fees, likely passed on to the renters.

CSAC agrees with the underlying premise of AB 838 but preventing appropriate cost recovery in the pursuit of such health and safety standards is inappropriate. CSAC and other local government groups offered the author and sponsors amendments that would remove our opposition to the bill, but that language was rejected.

For these reasons, CSAC respectfully requests your veto on AB 838. If you need additional information about our position, please contact me at [clee@counties.org](mailto:clee@counties.org).

Sincerely,

Christopher Lee  
Legislative Representative

cc: The Honorable Laura Friedman, Member, California State Assembly  
Ronda Paschal, Deputy Legislative Secretary, Office of Governor Newsom  
Mark Tollefson, Deputy Cabinet Secretary, Office of Governor Newsom