

# TOM UMBERG

SENATOR, 34<sup>TH</sup> SENATE DISTRICT

## SB 900: HOA Health & Safety

### SUMMARY

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SB 900 would charge a homeowner's association board with making repairs and replacements for matters of health and safety pertaining to the interruption of gas, heat, water, or electrical services within 30 days.

### BACKGROUND/EXISTING LAW

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In June 2023, residents of the La Veta Monterey condominium complex in Orange, CA, notified SoCalGas of a possible natural gas leak. The company sent technicians to conduct an inspection, which resulted in an emergency shut-off of gas service at the master meter due to health and safety concerns.

It was eventually determined that the complex's entire 51-year-old gas pipeline would have to be replaced with cost estimates in excess of \$1 million. The HOA Management Company was not compelled by California law to make repairs quickly, and the HOA itself did not have the required reserves to pay for new lines.

The shutoff of gas service left more than 600 residents without the ability to shower or cook meals for their families for ~ 4 months.

During this time, city officials reached a point where damage was so extensive and such significant landscape upheaval necessary that red-tagging the residential complex was considered.

There are many more instances in which housing communities have clashed with utility companies:

- Just earlier this month, 174 residents at a mobile home park in Vacaville were left without gas for several days over another set of circumstances.
- In January 2023, 162 units at a condominium complex in Sacramento County spent weeks without hot water.
- In April 2020, a mobile home in Lancaster, CA experienced a gas outage that left over 300 residents without natural gas for over a month

### NEED FOR THE BILL

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**California Civil Code Section 5610** proscribes emergency assessment features for HOAs in the event of public safety crises.

Lack of natural gas is not defined as a public safety issue under current law.

### SOLUTION

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SB 900 adds "health" conditions (such as the lack of natural gas) to the possibility of emergencies that shall be subject to expedient repair requirements by HOAs.

Additionally, SB 900 stipulates that these repairs would need to be completed within 30 days of their identification.

## **SUPPORT**

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- League of California Cities
- City of Orange
- Homeownership OC

## **FOR MORE INFORMATION**

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