

CONCURRENCE IN SENATE AMENDMENTS

AB 628 (McKinnor)

As Amended September 5, 2025

Majority vote

SUMMARY

Requires a rental unit, for leases entered into, amended, or extended on or after January 1, 2026, to have a working stove and refrigerator, as specified, subject to certain exemptions, in order to be deemed tenantable (or habitable).

Major Provisions

- 1) Provides that a dwelling shall be deemed untenable, in relation to a landlord's duty to ensure that a building intended for human habitation is fit for occupancy, if it lacks either of the following:
 - a) A stove that is maintained in good working order and capable of safely generating heat for cooking purposes. Specifies that a stove that is subject to a recall by the manufacturer or a public entity is not capable of safely generating heat for cooking purposes.
 - b) A refrigerator that is maintained in good working order and capable of safely storing food. Specifies that a refrigerator that is subject to recall by the manufacturer or a public entity is not capable of safely storing food.
- 2) *Requires a landlord to repair or replace a stove or refrigerator that is subject to a recall, as specified.*
- 3) *Permits a tenant and landlord to mutually agree, when the lease is signed, that the tenant opts to provide and maintain their own refrigerator, if certain conditions are met.*
- 4) Specifies that the requirements for a stove and refrigerator in good working order, as described above, do not apply to the following types of housing:
 - a) "Permanent supportive housing" as defined in paragraph (2) of subdivision (c) of Section 8698.4 of the Government Code.
 - b) Any single-room occupancy unit that provides living and sleeping space for the exclusive use of the occupant, but may require occupants to share food preparation facilities with others, or any unit in a "residential hotel" as defined in paragraph (1) of subdivision (b) of Section 50519 of the Health and Safety Code.
 - c) A dwelling unit within a housing facility that offers shared or communal kitchen spaces to its residents, including a dwelling unit within an assisted living facility.
- 5) Specifies that the additional requirements required by this bill only apply to a lease entered into, amended, or extended on or after January 1, 2026.

Senate Amendments

- 1) Require landlord to repair or replace a stove or refrigerator that is subject to recall, as specified.

- 2) Authorize a tenant and landlord to mutually agree when the lease is signed if the tenant chooses to provide and maintain their own refrigerator, subject to certain conditions.

COMMENTS

Although it appears that most landlords in California, as elsewhere, provide a stove and a refrigerator as a matter of course, they are not required to do so by law. Existing law only requires a rental unit, in order to be "tenantable" (or fit for human habitation) to provide and maintain, in safe and working order, such things as plumbing and gas facilities, heating and hot water systems, electrical lighting, and an adequate number of receptacles for garbage and rubbish. Most people expect a working stove and refrigerator in a rental unit, especially given that these basic necessities are difficult to move in and out of a dwelling. However, according to a 2022 article in the *Los Angeles Times*, it appears that not all landlords provide these basic appliances. (See e.g. Dillon, Liam, *Why do so many L.A. apartments come without fridges? Inside the chilling mystery*, Los Angeles Times, May 18, 2022.) It is unclear how widespread this problem is, or whether the purported conditions in Los Angeles are representative of the state.

This bill makes clear that *working* stoves and refrigerators are more than mere "amenities." It would do this by adding a safe and working stove and refrigerator to the list of things that existing law *requires* in order for a dwelling unit to be deemed "tenantable" and fit for human habitation. *In addition, the bill would require a landlord to repair or replace a stove or refrigerator that is subject to recall, as specified. The bill would authorize a tenant and landlord to mutually agree when the lease is signed if the tenant chooses to provide and maintain their own refrigerator, subject to certain conditions.*

The *provisions of this* bill would only apply to leases entered into, amended, or extended on or after January 1, 2026.

This bill creates exemptions that take account of rental units where a stove or refrigerator in each dwelling unit is not an expectation or is impractical. Specifically, the bill exempts facilities that provide single-room occupancy, including residential hotels, as defined in existing law. The bill also exempts other forms of housing – including "permanent supportive housing," as defined, and senior living facilities. Permanent supportive housing, typically provided to persons who have experienced homelessness, and senior living facilities, do not always provide a kitchen or stove in individual dwelling units. In some cases, this may be for safety reasons; in other cases, it may be because the facilities offer shared dining rooms or communal kitchens.

According to the Author

According to the author, "California's rental housing affordability crisis has been exacerbated by outdated laws that do not consider basic household appliances a necessary part of a rental home. While many landlords do include a working refrigerator and stove in a residential lease, a growing number of rental properties are not, creating significant financial burdens on tenants seeking an affordable and safe place to live." The author points out that a "working stove and a working refrigerator are not luxuries - they are a necessary part of modern life." The author believes that by making these necessary appliances standard in rental units, "California can provide all of its residents with a safer, more affordable and more dignified place to call home."

Arguments in Support

The California Rural Legal Assistance Foundation writes in support:

Finding an affordable rental home in California is already extremely challenging for low-income renters. Making people pay more just to be able to store and cook food can mean the difference between finding a home or not. California has outdated laws that classify basic household appliances as "amenities" instead of a necessary part of a rental home, one of the few states that do so. While many landlords do include a working refrigerator and stove in a residential lease, a growing number do not, placing a significant financial burden on tenants seeking an affordable and safe place to live. A working stove and refrigerator are not luxuries, they are a necessary part of modern life. Most people would not consider a unit to be habitable without these things and the law should reflect that. AB 628 would make that important change.

Arguments in Opposition

The California Apartment Association (CAA) opposes AB 628 in light of recent amendments that "mandate specific lease language in the rental contract, identifying whether the refrigerator is provided by the owner or the tenant," and that "require the owner to accept a tenant's unilateral decision—upon 30 days' notice—to no longer provide their own refrigerator, obligating the owner to purchase and install one." CAA contends that the amendments "puts rental property owners at risk of noncompliance and unforeseen financial challenges. Requiring specific lease language exposes property owners to legal challenges whenever their rental contracts are deemed deficient, even when both parties understand and agree on the arrangement. This creates traps for well-meaning housing providers and invites disputes where none should exist, simply over semantic lease language. The amendment also gives tenants the unilateral right to change the arrangement after the rental contract begins. Landlords are not able to change the contract, so why should a tenant?"

FISCAL COMMENTS

None

VOTES:

ASM JUDICIARY: 9-1-2

YES: Kalra, Bauer-Kahan, Bryan, Connolly, Harabedian, Pacheco, Papan, Stefani, Zbur

NO: Essayli

ABS, ABST OR NV: Dixon, Sanchez

ASSEMBLY FLOOR: 54-10-15

YES: Addis, Aguiar-Curry, Ahrens, Alvarez, Arambula, Ávila Farías, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Connolly, Elhawary, Fong, Garcia, Gipson, Mark González, Haney, Harabedian, Hart, Irwin, Jackson, Kalra, Krell, Lowenthal, McKinnor, Nguyen, Ortega, Pacheco, Papan, Patel, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Valencia, Ward, Wicks, Wilson, Zbur, Rivas

NO: Davies, DeMaio, Dixon, Gallagher, Hadwick, Hoover, Lackey, Macedo, Patterson, Tangipa

ABS, ABST OR NV: Alanis, Bains, Bauer-Kahan, Castillo, Chen, Ellis, Flora, Gabriel, Jeff Gonzalez, Lee, Muratsuchi, Blanca Rubio, Sanchez, Ta, Wallis

UPDATED

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CONSULTANT: Tom Clark / JUD. / (916) 319-2334

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