SENATE THIRD READING
SB 1272 (Menjivar)
As Amended June 23, 2026
Majority vote

SUMMARY

Provides that the reasonable period of time for a property owner to correct or otherwise remedy a violation of structural or zoning issues that do not create an immediate danger to health or safety on owner-occupied residential properties containing four units or less shall be no less than six months, and up to 12 months, if certain conditions are met.

Major Provisions

1) Provides, for any violation pertaining to building, plumbing, electrical, or other similar structural or zoning issues, that do not create an immediate danger to health or safety, of any ordinance enacted by a local agency, the reasonable period of time to correct or otherwise remedy the violation shall be no less than six months if all of the following conditions are met:

   a) The property involved in the violation is an owner-occupied residential property containing only four units or less.

   b) The current owner of the property submits a sworn affidavit that the current owner was not responsible for any action that caused the violation and that the current owner had no knowledge of the violation at the time the owner took title to the property.

   c) The current owner of the property provides evidence that the violation was not disclosed in a transfer disclosure statement pursuant to existing law governing required disclosures upon the transfer of residential property, as specified.

2) Requires a local agency to extend the reasonable period of time described above by an additional six months upon a showing by the current owner of a good faith effort to correct or otherwise remedy the violation, and allows the local agency to extend this reasonable period of time in its discretion. The local agency shall not impose an administrative fee associated with a request for an extension pursuant to this provision.

3) Prohibits the above provisions from applying to an administrative fine or penalty imposed for a violation of the State Housing Law, any law, regulation, or local ordinance regarding cannabis or that ensures the habitability of rental housing, or specified laws, regulations, or implementing local ordinances relating to fire hazards, as specified.

4) Finds and declares that keeping costs predictable for homeowners to address the state's growing affordability challenges is a matter of statewide concern and is not a municipal affair as that term is used in Section 5 of Article XI of the California Constitution. Therefore, this bill applies to all cities, including charter cities.

COMMENTS

The California Constitution and existing law allow counties and cities to adopt and enforce ordinances that regulate local health, safety, peace, and welfare of their communities. As an alternative to the judicial process, existing law allows a local agency to impose an administrative fine or penalty for a local ordinance violation by adopting an ordinance specifying the administrative procedures governing the imposition, enforcement, collection, and administrative review of the fines or penalties.

Existing law requires a local agency to a grant a "reasonable period of time" for the person responsible for a continuing violation to remedy the violation before the local agency may impose fines or penalties when the violation pertains to building, plumbing, electrical, or other similar structural and zoning issues that do not create an immediate danger to health or safety. What signifies a "reasonable period of time" is left to the discretion of the local agency and varies by jurisdiction.

Existing law requires a property owner, when selling a single-family residential property, to disclose to the buyer conditions and issues with the property of which the seller is aware. Many of these disclosures are provided on the real estate transfer disclosure statement, including any known significant defects in the insulation, roof, foundation, plumbing, and electrical systems, among others. In addition, a buyer may conduct additional due diligence measures, such as hiring a home inspector, reviewing property records, and purchasing title insurance.

According to the Author
"Keeping costs predictable for homeowners to address the state's growing affordability challenges is a matter of statewide concern. Homeowners are currently being unfairly penalized for actions taken by the previous homeowner on their property that do not pose an immediate danger to anyone's health or safety. And on top of this, even when the homeowner wants to do the right thing and fix the violation, they face additional financial pressure from the administrative fees and penalties imposed by localities. SB 1272, Curbing Abusive Sanctions on Homeowners (CASH) Act, seeks to provide some relief to homeowners."

Arguments in Support
The California Apartment Association (CAA) writes, "As you correctly noted, 'keeping costs predictable for homeowners to address the state's growing affordability challenges is a matter of statewide concern. Homeowners are currently being unfairly penalized for actions taken by the previous homeowner on their property that do not pose an immediate danger to anyone's health or safety.' Many owners live in their homes, duplexes, and triplexes. SB 1272 will provide a helpful solution for owners who want to do the right thing and fix the violation they face even though they were not responsible for its cause."

Arguments in Opposition
The California Association of Code Enforcement Officers, the Rural County Representatives of California, and the California State Association of Counties write, "California law already requires local agencies to provide property owners a reasonable period to remedy violations before fines are imposed. SB 1272 would layer an additional state-mandated delay of up to 12 months on top of those existing protections — an unnecessary burden that undermines timely compliance and erodes the effectiveness of local enforcement programs…

"SB 1272 also misassigns responsibility. By conditioning its protections on the absence of a transfer disclosure statement, the bill effectively places enforcement burdens on local agencies for a seller's failure to disclose and a buyer's failure to perform due diligence. Agencies denied administrative tools will have no practical alternative but to pursue costly civil or criminal enforcement to compel compliance — an outcome that is neither sustainable nor in the public interest."

FISCAL COMMENTS

According to the Assembly Appropriations Committee:

No state costs. One-time and ongoing administrative and legal costs, as well as foregone penalty revenue, to impacted cities and counties of an unknown but potentially significant amount depending on the jurisdiction. Because it is optional for a local agency to make a violation of a local ordinance subject to an administrative fine or penalty, any associated costs or revenue losses are not reimbursable by the state.

VOTES

SENATE FLOOR: 35-1-4
YES: Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear, Caballero, Cervantes, Choi, Cortese, Durazo, Gonzalez, Grayson, Grove, Hurtado, Laird, Limón, McGuire, McNerney, Menjivar, Ochoa Bogh, Padilla, Pérez, Reyes, Richardson, Rubio, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener
NO: Seyarto
ABS, ABST OR NV: Cabaldon, Dahle, Jones, Niello

ASM LOCAL GOVERNMENT: 10-0-0
YES: Carrillo, Ta, Alanis, Pacheco, Fong, Ransom, Blanca Rubio, Stefani, Ward, Wilson

ASM APPROPRIATIONS: 13-1-1
YES: Wicks, Hoover, Arambula, Calderon, Caloza, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache, Ta
NO: Dixon
ABS, ABST OR NV: Tangipa

UPDATED

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