

---

THIRD READING

---

Bill No: SB 1296  
Author: Durazo (D)  
Amended: 4/20/26  
Vote: 21

---

SENATE JUDICIARY COMMITTEE: 11-0, 4/28/26  
AYES: Umberg, Allen, Ashby, Caballero, Durazo, Laird, Reyes, Stern, Wahab,  
Weber Pierson, Wiener  
NO VOTE RECORDED: Niello, Alvarado-Gil

---

**SUBJECT:** Real property: rentals: pet policy

**SOURCE:** Michelson Center of Public Policy

---

**DIGEST:** This bill requires a landlord to disclose whether it allows pets in any advertisement, rental application, or lease agreement, requires landlords which allow pets to provide a copy of the pet policy or pet addendum, or a summary of it, with any rental application form, and requires that such pet policies include specified information.

**ANALYSIS:**

Existing federal law establishes the Fair Housing Act to prohibit the discrimination on the basis of disability in housing-related transactions, and require that a housing provider provide a reasonable accommodation to the person with a disability, which can include allowing the resident to keep a pet even if the provider otherwise does not allow pets (Title 42 U.S.C. §§ 3601 et seq.)

Existing state law:

- 1) Establishes generally the relations between and responsibilities of landlords and tenants in residential leases (leasing of real property). (Civil (Civ.) Code §§ 1940 et seq.)

- 2) Limits the amount of a security deposit a landlord can collect for a residential tenancy to no more than one month's rent, regardless of whether the property is furnished or unfurnished, except as specified. (Civ. Code § 1950.5 (c)(1).)
- 3) Specifies that, when a landlord or their agent receives a request to rent a residential property from an applicant, they may charge that applicant an application screening fee to cover the costs of obtaining information about the applicant, which may include, but is not limited to, personal reference checks and consumer credit reports. Limits this application screening fee to no more than the actual out-of-pocket costs of gathering the information concerning the applicant, and in no case to an amount greater than \$30 per applicant, adjustable for the increase in the Consumer Price Index. (Civ. Code § 1950.6.)
- 4) Specifies that a landlord may only charge an application screening fee when the application screening process complies with certain requirements, or when the landlord returns the application screening fee to any applicant not selected for tenancy, as specified. (Civ. Code § 1950.6(c).)
- 5) Prohibits a person or corporation that occupies, owns, manages, or provides services in connection with any real property that allows an animal on the premises from:
  - a) advertising the availability of real property for occupancy in a manner designed to discourage application for occupancy because the applicant's animal has not been declawed or devocalized;
  - b) refusing to allow or negotiate the occupancy of any real property, or otherwise making the real property unavailable to any person because of the person's refusal to declaw or devocalize any animal; and
  - c) requiring any tenant or occupant of real property to declaw or devocalize any animal allowed on the premises, as specified. (Civ. Code § 1942.7.)
- 6) Permits a city attorney, district attorney, or other law enforcement prosecutorial entity to enforce the provisions described in (5), above, through a civil action for declaratory or injunctive relief, and for civil penalties, as provided. (Civ. Code § 1942.7.)
- 7) Provides that a tenant has committed unlawful detainer when they continue in possession of the property without the landlord's permission after:

- a) the tenant remains in possession of the premises after the expiration of the term of the tenancy without permission of the landlord or otherwise not permitted by law;
  - b) the tenant's nonpayment of rent and service of a 3-day notice to pay or quit, stating the amount that is due;
  - c) the tenant has breached a covenant of the lease or failed to perform other conditions under the lease, and after service of a 3-day notice requiring performance of such covenants or conditions;
  - d) the tenant has breached a covenant of the lease prohibiting subletting, assignment, or waste; has committed or permitted a nuisance on the premises; or used the premises for an unlawful purpose; and
  - e) the tenant gives written notice of the tenant's intention to terminate the tenancy, but fails to deliver possession of the premises to the landlord at the specified time. (Code of Civ. Proc. § 1161.)
- 8) Establishes the Fair Employment and Housing Act (FEHA) that, among other things, requires providers of housing accommodations provide a reasonable accommodation to a tenant with a disability, including by accommodating a service animal that assists the individual with managing their disability. Specifies that denials of such requests for reasonable accommodations can only be denied for limited reasons, such as if the accommodation would be an undue financial and administrative burden on the landlord. (Government Code §§ 1299 et seq.)

This bill:

- 1) Requires, if a landlord does not allow a tenant to keep pets on a residential rental property premises, that the landlord or their agent clearly disclose the no-pet policy in any advertisement, rental application, or lease agreement for the property. Requires this disclosure to include a statement that the no-pet policy does not apply to service animals or support animals that are required to be allowed on the premises pursuant to the California Fair Employment and Housing Act or the federal Fair Housing Act.
- 2) Requires, if a landlord allows a tenant to have a pet on the premises, that the landlord have a written pet policy, and that the landlord:
  - a) Provide a hyperlink or other electronic means to access the property's pet policy or pet addendum on the property's website, as part of any digital

advertisement for the property that is in control of the landlord, and in any information provided by the landlord for a residential rental search engine; and

- b) Provide a written copy or summary of the pet policy or pet addendum with any rental application form, including electronically if the rental application is provided electronically.
- 3) Requires an established pet policy or pet addendum to include, to the extent applicable:
- a) any breed or weight restrictions;
  - b) any required fees, including their dollar amount, including upfront pet fees, refundable pet deposits, and monthly pet rent;
  - c) any limit on the number of pets allowed;
  - d) any vaccination requirements;
  - e) any liability insurance requirements; and
  - f) any other material rule, condition, or restriction applicable to a tenant keeping a pet at the property.
- 4) Specifies that a pet policy or pet addendum may not characterize any upfront pet fee as nonrefundable.
- 5) Permits a landlord to amend their established written pet policy or pet addendum prospectively, and specifies that, for purposes of its provisions, compliance shall be determined based on the established pet policy or pet addendum in effect at the time the rental application form is provided to a prospective applicant.
- 6) Specifies that a landlord shall not be liable for any omission, error, or failure to display the property's established written pet policy or pet addendum on a third-party website or platform if the third party obtained, scraped, or republished information from the property's website or digital advertisements without the express written permission of the landlord.
- 7) Specifies that a landlord substantially complies with these provisions if they provide a prospective applicant with the material terms of the property's established pet policy or addendum, and that a nonmaterial error or omission that is corrected upon notice does not constitute a violation of these provisions.

- 8) Requires that a rental application subject to these provisions include:
  - a) a notice that, if the landlord fails to provide a written pet policy or addendum as required, and as a result the applicant is no longer eligible to rent or declines to proceed, the applicant is entitled to a refund of the application fee; and a space for the prospective tenant to acknowledge receipt of the property's established pet policy or addendum.
- 9) Requires that, if a landlord or their agent charges an application fee but fails to disclose their pet policy before charging the fee and the applicant is no longer eligible to rent the unit because of the pet policy or declines to proceed with the application because of the pet policy, the landlord must refund the application fee within five business days after receiving written notice from the applicant.
- 10) Specifies that the refund of the application fee described in (9), above, is the sole remedy available under these provisions, and that these provisions do not create a private right of action for damages, penalties, injunctive relief, or attorney's fees.
- 11) Specifies that its provisions do not require a landlord to allow pets, to create a website, or to digitally advertise a rental unit.
- 12) Specifies that its provisions do not alter, limit, expand, or affect any obligation or right under state or federal laws relating to service animals, support animals, or other assistance animals.
- 13) Defines, for its purposes:
  - a) "landlord" to mean a person who owns or manages a residential real property, or their agent;
  - b) "pet" to mean an animal except for a service animal or support animal that a landlord is required to allow a tenant to have pursuant to the California Fair Employment and Housing Act or the federal Fair Housing Act;
  - c) "pet addendum" to mean a writing that is part of a lease agreement that sets forth the rules and conditions for maintaining pets on a residential rental property premises; and
  - d) "pet policy" to mean the rules and conditions for maintaining pets on a residential rental property that is in writing.

**FISCAL EFFECT:** Appropriation: No Fiscal Com.: No Local: No

**SUPPORT:** (Verified 4/30/2026)

Michelson Center for Public Policy (source)  
Human Animal Bond Research Institute  
Alma Family Services  
Animal Legal Defense Fund  
Animal Wellness Action  
Barrio Action Youth and Family Center  
Best Friends Animal Society  
Companions and Animals for Reform and Equity  
California Animal Welfare Association  
California YIMBY  
Center for a Humane Economy  
Central City Neighborhood Partners  
City of Berkeley Rent Stabilization Board  
Coalition for Economic Survival  
Humane Action Pennsylvania  
Humane World for Animals  
Inner City Struggle  
Legacy LA  
Miguel Contreras Foundation  
Plaza De La Raza, Inc.  
PowerCA Action  
Proyecto Pastoral At Dolores Mission  
San Diego Humane Society  
Social Compassion in Legislation  
Strategic Actions for a Just Economy  
Valley Humane Society

**OPPOSITION:** (Verified 4/30/2026)

Apartment Association of Orange County  
East Bay Rental Housing Association  
Southern California Rental Housing Association

**ARGUMENTS IN SUPPORT:** According to the Michelson Center for Public Policy, which is the source of this bill:

Current law provides limited protections for pet-owning tenants, such as prohibiting landlords from requiring that an animal be declawed or

devocalized as a condition of occupancy. However, these protections do not address the lack of transparency regarding the disclosure of a property's full pet policy before an applicant pays an application fee. This results in prospective tenants losing nonrefundable application fees for units they were never eligible to inhabit due to undisclosed pet rules, including, but not limited to, breed or weight restrictions.

In California, 72% of renters say that pet-friendly housing is difficult to find, while 75% of renters believe the government should step in and make housing more pet-friendly. SB 1296 provides a critical solution, by requiring a landlord that allows tenants to have a pet on the premise, to provide applicants with a written copy or summary of the property's pet policy with any application form as well as include a link to its pet policy on the property's websites and digital advertisements. These disclosures must provide comprehensive details, including any breed or weight restrictions, upfront or monthly fees, vaccination requirements, and liability insurance needs.

By requiring clear and early disclosure of pet policies, SB 1296 removes unnecessary financial barriers for pet-owning renters and streamlines the application process for both parties. For these reasons, MCPP is pleased to sponsor SB 1296 and respectfully requests your "aye" vote.

**ARGUMENTS IN OPPOSITION:** According to the Southern California Rental Housing Association, which is opposed to this bill:

As drafted, SB 1296 imposes rigid and highly prescriptive disclosure requirements across multiple platforms, including websites, digital advertisements, rental applications, and physical postings. While larger property management companies may be able to absorb these requirements, smaller landlords—who make up a substantial portion of California's rental housing stock—will struggle to comply.

Additionally, the bill mandates a full refund of application fees if a pet policy is not disclosed prior to charging the fee, regardless of whether the omission was inadvertent or whether the applicant ultimately proceeds without a pet. This creates a disproportionate penalty for minor technical errors and invites unnecessary disputes. [...]

We respectfully request the following amendments to make the bill workable while preserving its intent:

**Limit Disclosure to Primary Leasing Documents**

Require pet policy disclosure only in the rental application or prior to lease execution, rather than in all advertisements and online listings.

**Safe Harbor for Good-Faith Compliance**

Provide a cure period (e.g., 5–10 days) allowing landlords to correct omissions before penalties apply.

**Revise Application Fee Refund Requirement**

Limit refunds to situations where:

- The applicant has a pet; and
- The undisclosed policy would have materially affected their decision to apply.

**Allow Summary Disclosures**

Permit a short-form summary of pet policies in advertisements, with a link or reference to full terms, rather than requiring complete details everywhere.

**Clarify Control Over Third-Party Platforms**

Specify that landlords are only responsible for disclosures on platforms they directly control, not third-party listing sites that may alter or truncate information.

**Exemption or Reduced Requirements for Small Landlords**

Consider a threshold (e.g., owners of 4 or fewer units) for simplified compliance obligations.

Prepared by: Ian Dougherty / JUD. / (916) 651-4113  
5/1/26 13:13:07

\*\*\*\* END \*\*\*\*