SENATE THIRD READING
SB 1296 (Durazo)
As Amended August 21, 2026
Majority vote

SUMMARY

Requires a landlord *or their agent* who allows a tenant to have pets to have a written pet policy *or pet addendum,* to disclose the policy to a prospective tenant, as specified, and to return of any application fee if the pet policy is not disclosed as required.

Major Provisions

1) Requires a landlord that allows a tenant to keep pets on the premises to have a written policy and to do the following:

   a) Provide a hyperlink or other electronic means to access the property′s pet policy or pet addendum in all of the following, if applicable: on the property′s website; in any digital advertisement for the property that is in control of the landlord or on any third party website, and in any information provided by the landlord to a residential rental search engine.

   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.

2) 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.

3) Specifies that an established pet policy or pet addendum must include clear, plain-language describing the rights, responsibilities, and requirements for tenant pet owners at the property, including any rules, conditions, or restrictions applicable to keeping a pet.

4) Permits a landlord to amend their established written pet policy or pet addendum prospectively, as specified.

5) Requires that, if a landlord 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, then the landlord must refund the application fee within five business days after receiving written notice from the applicant. Specifies that this refund is the sole remedy for failure to disclose.

6) Specifies that a nonmaterial error or omission that is corrected upon notice does not constitute a violation of the bill's provisions.

7) Specifies that the provisions of this bill do not require a landlord to allow pets, to create a website for residential property, or digitally advertise a rental unit through any particular medium, or otherwise alter, limit, expand, or affect any obligation or right under state or federal laws relating to service animals, support animals, or other assistance animals.

8) Specifies that nothing in the bill limits the authority of a landlord to adopt, amend, interpret, or enforce an established written pet policy or pet addendum, or to deny or restricts pets based on the established pet policy or pet addendum, lease terms, health or safety concerns, property conditions, insurance requirements, or business reasons.

9) Provides that the provisions above shall become operative on April 1, 2027.

COMMENTS

Existing law permits a landlord to prohibit a tenant from keeping pets in the rental unit, unless the pet qualifies as a service animal under state and federal fair housing laws that require landlords to make a reasonable accommodation for persons with a disability. Landlords may also be required to accept common household pets in some affordable housing built with public funds. Outside of these few exceptions, however, a landlord is free to either reject pets altogether or to charge an additional fee, or "pet rent," so long as the policies and fees are clearly set out in the rental agreement. According to the author and sponsor, however, tenants often do not learn of the landlord's pet policy until they sign the rental agreement, after they have already paid a rental application fee. Given the high rents and tight markets in California, a tenant who gets to the point of signing a rental agreement may feel that they have no other choice but to accept the landlord's terms, whether that means giving up the pet or paying an additional pet rent or pet deposit. If the pet policy had been disclosed earlier, the tenant might have saved the time and expense of applying or taken another option.

This bill does not impose any limits on a landlord's ability to reject pets or to charge an additional pet fee; rather, this bill merely requires to the landlord who allows pets to have a written pet policy and, more important, to disclose this pet policy to a prospective tenant before the tenant pays an application fee. The bill also requires a landlord who allows pets and advertises on a digital platform to provide a link to the pet policy, and it requires the landlord to provide a written copy or summary of the pet policy with any rental application form. If the landlord fails to disclose the pet policy as required, then the landlord must return the application fee to the tenant.

The bill also offers protections for the landlord. It specifies that nothing in its provisions requires a landlord to accept pets, create a digital website, or advertise the property through any particular medium. The bill specifies that a landlord is not liable for any error, omission, or failure to disclose a pet policy on the part of a third party that controls the digital advertising platform. The bill also specifies that the landlord is only required to return the application fee if the failure to disclose was a material factor in the prospective tenant's decision to apply. Finally, the bill expressly states that the return of the deposit is the sole remedy for failure to comply. The bill does not create a private right of action or damages, penalties, injunctive relief, or attorney's fees.

The *previous* amendments appear to address some, but not all of the oppositions, concerns. For example, the June 3 amendments limit the return of the deposit to situations where failure to disclose materially affected the decision to apply; the bill in print specifies that landlords are not liable for errors or omissions under the control of third party platforms; and the bill in print eliminates provisions that would have prescribed the necessary elements of the pet policy, sometime that opponents contends was far to prescriptive. However, the amendments do not appear to address the other concerns, most notably the exemption for small landlords and limiting disclosure requirements to the primary leasing documents (i.e. the rental application and rental agreement.)

Nonetheless, as amended, the bill′s disclosure and application fee return requirements seem modest and reasonable. Nothing in the bill interferes with the landlord′s existing right to prohibit pets entirely or to charge tenants an additional fee for keeping pets. Given that the landlord retains these rights, it seems only fair the landlord should disclose the pet policy *before* the prospective tenant pays the application fee, instead of learning about the pet policy at the time of signing the rental agreement. By that time, the prospective tenant has not only spent money on an application fee, but they have also expended considerable time and perhaps passed upon other rental opportunities.

According to the Author

> [SB 1296] protects tenants from paying application fees early on in their rental search process only to discover later in the leasing process that their pet is not allowed in a home they hoped to secure. SB 1296 does not require rental properties to create policies, but rather simply disclose any existing pet policies they may already have. These disclosures help ease the already challenging process pet owners experience when searching for a rental unit that allows them to live with their pets. After all, for many Californians, pets are not just animals. Pets are companions, sources of emotional support, and beloved members of the family. . . In a state with 17 million renters, protecting stable housing for pet owners must remain a top priority, especially as rising rental costs continue to limit available housing options and further compound California′s urgent housing crisis. Too often, prospective renters with pets struggle even more to find housing because the lack of transparency around pet policies forces them to choose between securing a stable home without their pets or continuing a costly and time-consuming search for housing that will accept their entire family.

Arguments in Support

According to the bill′s sponsor, the Michelson Center for Public Policy (MCPP) SB 1296 is ″a critical measure to ensure prospective tenants receive information about a property′s pet policies, so they do not pay application fees only to later discover their pet is not allowed.″ MCPP, on behalf of itself and several other groups, writes in support:

> For many Californians, pets are not just animals. Pets are companions, sources of emotional support, and beloved family members. In California, rental properties are not required to provide upfront disclosure of any pet policies when prospective tenants apply for a rental unit and pay any associated application fees. As a result, pet owners often discover existing pet policies, including pet restrictions, fees, and exclusions, only after submitting an application for a unit and paying fees. This lack of pet policy information forces pet owners to spend even more time and money looking for a rental unit that welcomes them and their pet. Establishing a transparent framework could ease these burdens on prospective tenants with pets by helping them make informed decisions early on during their rental home search. Upfront disclosure also helps housing providers communicate screening criteria more clearly and consistently, reducing avoidable processing issues involving applicants who do not meet a property′s pet policies.

Arguments in Opposition

Notwithstanding recent amendments, a coalition of apartment owner and property owners continue to oppose this bill. The write in their coalition letter:

> [SB 1296] would impose new, unsafe and potentially unhealthful requirements on housing providers related to the disclosure and administration of pet policies. We appreciate the

author′s efforts to improve transparency regarding pet policies and acknowledge that recent amendments have addressed several concerns previously raised by the rental housing industry. However, the bill continues to impose new administrative requirements and compliance obligations on housing providers without demonstrating a meaningful benefit to housing access or affordability.

The bill also establishes a new application-fee refund requirement when a pet policy is not disclosed in accordance with the statute before an application fee is charged. Although recent amendments appropriately limit remedies and provide a substantial-compliance standard, disputes may still arise regarding whether disclosures were timely, complete, or sufficiently communicated. These disputes create additional administrative burdens and uncertainty for housing providers while offering little practical benefit to applicants, who already have strong market incentives to seek information about pet policies before committing to a rental opportunity.

We are also concerned that imposing additional compliance requirements on pet-friendly housing providers may inadvertently discourage some owners from offering flexible pet accommodations. At a time when policymakers are encouraging greater housing choice and reducing unnecessary regulatory burdens, the Legislature should avoid measures that may create incentives for housing providers to adopt more restrictive policies.

Housing providers already have strong incentives to communicate rental terms clearly to prospective tenants. [S]B 1296 instead creates a prescriptive framework that may discourage flexibility in pet policies and complicate the rental process for both landlords and applicants. At a time when California should be focused on reducing barriers to housing and streamlining rental processes, this bill adds complexity and potential liability without clear benefit.

FISCAL COMMENTS

None.

VOTES

SENATE FLOOR: 34-0-6
YES: Allen, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Durazo, Gonzalez, Grayson, Grove, Hurtado, Laird, Limón, McGuire, McNerney, Menjivar, Ochoa Bogh, Pérez, Reyes, Richardson, Rubio, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener
ABS, ABST OR NV: Alvarado-Gil, Dahle, Jones, Niello, Padilla, Seyarto

ASM JUDICIARY: 10-0-2
YES: Kalra, Macedo, Bauer-Kahan, Bryan, Connolly, Harabedian, Papan, Sanchez, Stefani, Zbur
ABS, ABST OR NV: Dixon, Pacheco

UPDATED

VERSION: August 21, 2026

CONSULTANT: Tom Clark / JUD. / (916) 319-2334 FN: 0003987