UNFINISHED BUSINESS

Bill No: SB 1296
Author: Durazo (D), et al.
Amended: 8/21/26
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

SENATE FLOOR: 34-0, 5/18/26
AYES: 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
NO VOTE RECORDED: Alvarado-Gil, Dahle, Jones, Niello, Padilla, Seyarto

ASSEMBLY FLOOR: 74-0, 8/27/26 - See last page for vote

SUBJECT: Real property: rentals: pet policy

SOURCE: Michelson Center of Public Policy

DIGEST: This bill requires a landlord or their agent to have a written pet policy or pet addendum and provide its pet policy or pet addendum on the property's website, in digital advertisements, and in information provided to a residential rental search engine, requires that a landlord of their agent provide a written copy of the pet policy or pet addendum with any rental application form, requires that the pet policy or pet addendum include specified information, and makes various other requirements and provisions regarding these requirements.

Assembly Amendments remove the definition of landlord and make various changes to the bill's definitions; remove the requirement that a landlord that does not allow a tenant to keep pets must clearly disclose the no pet policy in any

advertisement, rental application, or lease agreement; includes a landlord's agent in various provisions; revise the required content of a landlord's pet policy or pet addendum to require that it include a clear, plain-language description of the rights, responsibilities, and requirements for tenant pet owners at the property, including any other material rules, conditions, or restrictions; require a landlord or their agent to provide the established pet policy in effect at the time that the rental application form was provided to the prospective applicant; remove the requirement that a landlord include a notice when a landlord fails to provide a written pet policy or pet addendum in the rental application; increase the time period in which a landlord or their agent must provide a refund of a rental application fee in certain circumstances from five to seven business days, as specified; and makes various other changes.

ANALYSIS:

Existing federal law:

1) 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 (42 U.S.C. §§ 3601 et seq.)

Existing law:

1) Establishes generally the relations between and responsibilities of landlords and tenants in residential leases (hiring 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 Civil Procedure [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 [Gov.] Code §§ 1299 et seq.)

This bill:

1) Requires a landlord or their agent to have a pet policy or pet addendum in writing, 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, in any digital advertisement under the complete control of the landlord or their agent, in any digital advertisement on a third-party internet website only to the extent that the third party permits the inclusion of a hyperlink or other electronic access, and in information provided by the landlord or their agent to a residential rental search engine only to the extent that the search engine permits or supports the inclusion of a hyperlink or other electronic access; and

   b) Provide a written copy of the pet policy or pet addendum with any rental application form, including electronically if the rental application is provided electronically.

2) Requires an established pet policy or pet addendum to include a clear, plain-language description of the rights, responsibilities, and requirements for tenant pet owners at the property, including any other material rules, conditions, or restrictions applicable to keeping a pet.

3) Permits a landlord to amend their established written pet policy or pet addendum for prospective tenants only, and specifies that, to comply with the requirements of its provisions, a landlord or their agent must provide the established pet policy or pet addendum in effect at the time the rental application form is provided to a prospective applicant.

4) Specifies that a landlord or their agent 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 or their agent.

5) Specifies that a landlord or their agent 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.

6) Requires a landlord or their agent to include in the rental application for a residential rental property a space for a prospective tenant to acknowledge receipt of the property's established pet policy or addendum.

7) Requires that, if a landlord or their agent charges an application fee but fails to disclose their established pet policy or pet addendum 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 due to the failure to disclose that information, the landlord or their agent must provide a refund of the application fee within seven business days after receiving written notice from the applicant of the failure to provide the pet policy or pet addendum, and specifies that the landlord or their agent shall have no further obligations to the applicant under these provisions.

8) Specifies that a tenant's failure to sign a pet addendum shall not for the sole basis of any unlawful detainer action against the tenant.

9) Specifies that nothing in these provisions is intended to enlarge or diminish a landlord or their agent's ability to enforce a violation of a material breach of the lease as a basis for unlawful detainer.

10) Specifies that nothing in these provisions prohibits a landlord or their agent from requiring execution of a pet addendum as a condition of approving a tenant's request to keep a pet on the premises.

11) Specifies that its provisions do not require a landlord or their agent 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) Specifies that nothing in these provisions shall be construed to limit the authority of a landlord or their agent, consistent with other applicable law, to adopt, amend, interpret, or enforce an established written pet policy or pet addendum, or to deny or restrict pets based on the established pet policy or pet addendum, lease terms, health or safety concerns, property conditions, insurance requirements, or business reasons.

14) Defines, for its purposes:

    a) "pet" to mean a "common household pet," as defined in Health and Safety Code 50466(b);

    b) "pet addendum" to mean a writing that is part of a lease agreement that sets forth a residential rental property's pet policy; and

    c) "pet policy" to mean any rules and conditions, including any prohibition, for maintaining pets on a residential rental property that is in writing. Specifies that "pet policy" shall also include policies that completely prohibit pets, and that the policy must state that there are no such rules or conditions if the landlord or their agent places no rules or conditions on maintaining pets.

15) Makes its provisions operative April 1, 2027.

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

SUPPORT: (Verified 8/27/26)

Michelson Center for Public Policy (source)
Alma Family Services
Animal Legal Defense Fund
Animal Wellness Action
Barrio Action Youth and Family Center
Berkeley Rent Stabilization Board; City of
Best Friends Animal Society
C.A.R.E. Companions and Animals for Reform and Equity
California Animal Welfare Association
California YIMBY
Center for a Humane Economy
Central City Neighborhood Partners

Coalition for Economic Survival (CES)
Humane Action Pennsylvania
Human Animal Bond Research Institute (HABRI)
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 (SAJE)
Valley Humane Society
West Hollywood, City of

OPPOSITION: (Verified 8/27/26)

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.

Assembly Floor 74 0 5
Ayes: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Garcia, Gipson, Jeff Gonzalez, Mark González, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Johnson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Soria, Stefani, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas
Noes:
No Vote Recorded: Hadwick, McKinnor, Solache, Ta, Tangipa

Prepared by: Ian Dougherty / JUD. / (916) 651-4113
11/6/26 9:50:58

****** END ******