



Application and Deadline to Comply

What is SB326? (Effective January 1, 2020)

- Added the requirement for balcony inspections. Civil Code Section 5551
- Requires visual inspections of Exterior Elevated Elements (“EEE”) meaning the load-bearing components together with their associated waterproofing system.
- Includes wood-based decks, balconies, stairways, walkways, supports and railings and any walking surface that is elevated more than six (6) feet above ground level.
- Applies to condos and other common interest communities containing these elevated components

Exterior Elevated Elements Defined

- “Associated waterproofing systems” include flashings, membranes, coatings, and sealants that protect the load-bearing components of exterior elevated elements from exposure to water.
 - “Load-bearing components” means those components that extend beyond the exterior walls of the building to deliver structural loads to the building from decks, balconies, stairways, walkways, and their railings, that have a walking surface elevated more than six feet above ground level, that are designed for human occupancy or use, and that are supported in whole or in substantial part by wood or wood-based products.
- Civil Code Sections 5551(a)(1) and 5551(a)(3)

When and How Often Must Inspections Take Place?

- The law goes into effect January 1, 2020; however, the first inspections must take place by January 1, 2025.
- After the first inspection, they must take place every 9 years in conjunction with the onsite reserve study required by Civil Code Section 5550.
- All inspection reports must be incorporated into the reserve study and maintained by the association for two inspection cycles as records of the association.



Inspection Requirements and Report

Who is Qualified to Perform Inspections Under SB326?

- licensed architect; OR
- licensed structural engineer (requires a stamped document, so no general contractors or inspectors may conduct these inspections)

The Inspection Must Include:

- The inspector shall conduct a reasonably competent and diligent visual inspection of a reasonably statically significant sample of EEE's
- The inspector shall generate a random list of the location of each type of EEEs for which the association has maintenance or repair responsibility;
- If the inspector observes building conditions indicating that unintended water has passed into the waterproofing system, then the inspector may conduct further inspection; and
- The inspector must use their best professional judgement in determining the scope and breadth of further inspection (testing).

The Inspector's Report Must Include:

- Identification of the elevated load-bearing building components and associated waterproofing system;
- the current physical condition of the elevated structures;
- the expected future performance and remaining useful life of the components;
- recommendations of any necessary repairs. Local code enforcement to be notified if any imminent threats to personal safety discovered; and
- Report must be stamped or signed by the inspector.



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