

One in Four California Homes is in a High or Very High Fire Hazard Zone

According to the California Department of Forestry and Fire Protection (CDF), approximately 2 million homes (one in four) are located in high or very high fire hazard severity zones. **Have you checked the one you are selling today?**

Assembly Bill 38 was signed into law by the Governor on October 2, 2019 and will establish a first ever statewide fire retrofit program. **Some of the recommended actions need to commence rapidly in 2020 for the homeowners planning to sell within a year.** In a nutshell, when a property is IN a high or very high fire hazard severity zone, **Seller must do the following:**

1. **Effective January 1, 2020**, after completing construction, if Seller receives a final inspection report (where that report covers compliance with home hardening laws), Seller must give a copy of that report to Buyer, or information on where Buyer can get a copy of that report.
2. **Effective January 1, 2021**, for homes built before 2010, Seller must give Buyer a written notice that includes language on how to harden a home against fire, and a list of features on the property that make the home vulnerable to wildfires and flying embers.
3. **Effective July 1, 2021**, Seller must provide Buyer with documentation stating that the property complies with defensible space laws (properties with forest, brush, grass, or flammable material, or near mountains, must maintain a defensible space around the structure of at least 100 feet), and/or local vegetation management ordinances. This depends on whether local ordinances are already in existence.
4. **Effective July 1, 2021**, Seller shall provide to Buyer documentation stating that the property (within 6 months preceding the sale) is in compliance with state and/or local vegetation management ordinances. If Seller has not obtained documentation of compliance, Seller and Buyer shall enter into a written agreement that the property will be in compliance within one year from the date of the close of escrow.
5. **Effective July 1, 2025**, Seller must provide Buyer with a list of low-cost retrofits to harden a home against fire, and Seller must specify which items on the list Seller has completed.

High and very high fire hazard severity zones have been legally required disclosures in California for decades. This new law will help Agents and Sellers comply with the law, but it could open the door for non-disclosure litigation on prior transactions, since nearly all NHD companies failed and continue to fail in compliance. Property I.D is and has always been the only NHD company that researches Federal, State, and Local fire resources to fully disclose fire hazard information.

Know more about Fire Law and Disclosure Updates, call me to schedule a Group Seminar for your office.

