



FORMS

AB-38 FIRE SAFETY, HOME HARDENING, AND DEFENSIBLE SPACE FORM

Subject Property Address / APN:

- Subject Property is NOT LOCATED in a high or very high fire hazard severity zone, and the Seller may wish to complete this form as an advisory and voluntary disclosure.
- Subject Property is NOT LOCATED in the California Department of Forestry and Fire Protection's official high or very high fire hazard severity zone, but is in a supplemental high fire area as shown in the [Fire section](#) of this report, and the Seller may voluntarily choose to complete this form as an advisory disclosure.
- Subject Property IS LOCATED IN a high or very high fire hazard severity zone, requiring AB-38 compliance. **Completion of an AB-38 form is REQUIRED for this property.** A Defensible Space Inspection with CAL FIRE can be scheduled [here](#).

Neither seller(s) nor their agent(s) has independently verified the fire hazard determination above or is personally aware of any errors or inaccuracies in the fire hazard determinations above. The fire hazard determination above was prepared by Property I.D.

If the Property is located in a HIGH or VERY HIGH Fire Hazard Severity Zone, and has 1-4 units built before 2010, Seller must give Buyer written notice and information on how to harden a home against fire, as well as a list of features on the property that make the home vulnerable to wildfires and flying embers, if Seller is required to complete a Real Estate Transfer Disclosure Statement pursuant to CIV §1102.

NOTICE: If this home is located in a high or very high fire hazard severity zone and this home was built before the implementation of the Wildfire Urban Interface building codes which help to fire harden a home, in order to better protect your home from wildfire, you might need to consider improvements. Information on fire hardening, including current building standards and information on minimum annual vegetation management standards to protect homes from wildfires, can be obtained on the internet website <http://www.readyforwildfire.org>.

A. FEATURES MAKING HOME VULNERABLE - IF THE PROPERTY IS IN A HIGH OR VERY HIGH FIRE HAZARD SEVERITY ZONE, SELLER MAKES THE FOLLOWING DISCLOSURES:

Pursuant to Civil Code § 1102.6f [Law section \(ca.gov\)](#): If Seller is aware of any of the following features that may make the home vulnerable to wildfire and flying embers, Seller will check all that apply:

1. Eave, soffit, and roof ventilation where the vents have openings in excess of one-eighth of an inch or are not flame and ember resistant.
2. Roof coverings made of untreated wood shingles or shakes.
3. Combustible landscaping or other materials within five feet of the home and under the footprint of any attached deck.
4. Single pane or non-tempered glass windows.
5. Loose or missing bird stopping or roof flashing.
6. Rain gutters without metal or noncombustible gutter covers.

If the property is not in either a high or very high fire hazard severity zone, but the property is in or near a mountainous area, forest-covered lands, brush-covered lands, grass-covered lands, or land that is covered with flammable material, Seller may choose to voluntarily make the disclosures in Section A above, even if not mandated by law, because the Buyer might consider the information material.

B. CONSTRUCTION COMPLETION - HOME FIRE HARDENING FINAL INSPECTION REPORT: If Seller has checked this box, Seller has completed construction and has obtained a final inspection report that covers compliance with defensible space requirements and home hardening pursuant to Gov. Code §51182, [Law section \(ca.gov\)](#). Seller has attached a copy of the report here, or Buyer may obtain a copy of that report at: _____

C. DEFENSIBLE SPACE DISCLOSURE - IF THE PROPERTY IS IN A HIGH OR VERY HIGH FIRE HAZARD SEVERITY ZONE, BUYER AND SELLER AGREE TO THE FOLLOWING DEFENSIBLE SPACE COMPLIANCE DISCLOSURES AND TERMS:

Defensible space and vegetation management ordinances require the clearing of flammable materials around the structure to maintain a zone of safety from wildfires and flying embers. Some cities and/or counties have local defensible space and vegetation management ordinances. For areas that do not, owners of real property must follow the State of California's guidelines requiring the owner of the property to maintain defensible space of 100 feet around the structure, Public Resources Code §4291, [Law section \(ca.gov\)](#). The disclosures in this Section are required pursuant to Civil Code §1102.19, [Law section \(ca.gov\)](#).

[Return to 1 Page NHD™](#)

Property ID

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Have Questions?



We have answers.

NOTE: Your signature on the NHDS Report Receipt page is sufficient to acknowledge delivery/receipt of this page and all the information herein.



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AB-38 FIRE SAFETY, HOME HARDENING, AND DEFENSIBLE SPACE FORM **(continued)**

Sellers of 1-4 dwelling residential units (condominiums, manufactured homes, common interest developments) located in a HIGH or VERY HIGH Fire Hazard Severity Zone, where the Real Estate Transfer Disclosure Statement is required must also complete items (1) OR (2) below:

- (1) This property is located in an area where local defensible space and vegetation management ordinances require the owner of the property to provide documentation from a qualified agency authorized to provide this documentation stating that the property complies with Public Resources Code §4291, [Law section \(ca.gov\)](#), or a local vegetation management ordinance.

Check only one of the following:

- a. Buyer agrees to obtain defensible space compliance documentation pursuant to the local ordinances if the ordinances allow buyer to bring the property into compliance.

OR

- b. Seller shall provide buyer with documentation stating that the property complies with local defensible space and vegetation management ordinances along with information of the local agency from which that compliance document was obtained.

OR

- (2) This property is located in an area that has not enacted an ordinance requiring an owner of real property to obtain documentation stating that the property is in compliance with Public Resources Code §4291, [Law section \(ca.gov\)](#), or a local vegetation management ordinance.

Check only one of the following:

- a. Buyer agrees to obtain defensible space compliance documentation pursuant to the State of California's requirements for defensible space and vegetation management within one year from the close of escrow.

OR

- b. Seller has obtained documentation (within the last 6 months) from a qualified agency authorized to provide this documentation stating that the property is in compliance with defensible space and vegetation management laws, and Seller will provide buyer with a copy along with information of the authorized local agency from which that compliance document was obtained.

Seller has completed Section A and/or Section B and Section C of this Fire Safety, Home Hardening, and Defensible Space Disclosure Form and represents that Seller's answers are true and correct to the best of Seller's knowledge, and Seller acknowledges receipt of this Fire Safety, Home Hardening, and Defensible Space Disclosure and agrees with the terms in Section C.

Seller _____ Date _____

Seller _____ Date _____

Buyer acknowledges receipt of this Fire Safety, Home Hardening, and Defensible Space Disclosure Form and agrees with the terms of compliance in Section C.

Buyer _____ Date _____

Buyer _____ Date _____

[Return to 1 Page NHD™](#)

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