

Balcony Inspection Laws: Deadline January 1, 2025

Does California law require a periodic inspection of balconies or elevated walkways or staircases in an apartment or condo association?

Yes. But the inspection is required only if the building has three or more multifamily dwelling units and only if the elevated structure (the balcony or elevated walkway or staircase) is built or supported with wood or wood-based material.

What exactly qualifies as a balcony or elevated walkway or staircase?

Technically, what is required to be inspected is an “Exterior Elevated Element” (EEE), which is defined as balconies, decks, porches, stairways, walkways, and entry structures that extend beyond exterior walls of the building, which has a walking surface that is elevated more than six feet above ground level and is designed for human occupancy or use.

When must this inspection be performed?

The first inspection of all exterior balconies or elevated walkways and staircases must be completed by January 1, 2025.

Who is required to perform this inspection?

It depends. If the property is part of a condo association, then a licensed architect or engineer must do the inspection. If the property is an apartment building then the inspection may additionally be completed by a general contractor with an “A,” “B,” or “C-5” license (with at least five years of experience) or a certified building inspection.

If the inspector finds a problem, does it have to be corrected?

Yes. Emergency repairs must be completed “immediately” after receipt of the inspection report. But non-emergency repairs must be completed within 120 days after receipt of the report unless the local enforcement agency grants an extension.

Can the inspector who made the original repair recommendation also perform the repair?

No.

When must the second or subsequent inspections be completed?

It depends. For an apartment building, inspections must take place every six years. For condos, every nine years.

Why do some requirements depend on whether the property is a condo association or an apartment building?

Because the balcony inspection requirement stems from two different laws. SB 721, passed in 2018, applies only to apartment buildings. SB 326, passed a year later, applies only to condo associations. These two laws are largely the same. While there are some technical differences, the most significant differences are the time periods for inspections and who may do the inspections, as discussed above.

But both laws have the same deadline for completing the first inspection: January 1, 2025.