



**CALIFORNIA STATE EXTERIOR ELEVATED ELEMENTS LAW
APARTMENT BUILDINGS**

[AB 2579](#) extends the inspection deadline to **January 1, 2026** for balconies, decks, stairs, and other Exterior Elevated Elements (EEE) at *apartments and other multi-family buildings*, originally set by [SB 721](#).

The inspection will determine whether EEE and associated waterproofing are in good working condition, free of decay and other hazards, and safe for residents and visitors. *Future inspections are required every 6 years.*

If your building is a condominium or other common interest development, then see “*Frequently Asked Questions for Condominiums (SB 326)*” at <https://www.oaklandca.gov/e3web>.

CONTENTS: FREQUENTLY ASKED QUESTIONS

- If inspection is required, is there an Inspection form? 2
- What buildings must be inspected? 2
- What are Exterior Elevated Elements (EEE)? 2
- My building does not have Exterior Elevated elements. 2
- Are duplexes or single-family homes required to be inspected? 3
- My building does not have rental units. Does it need to be inspected? 3
- Do inset decks need to be inspected?..... 3
- My Exterior Elevated element is covered. Only one side opens to the outside. 3
- Do fire escapes need to be inspected? 3
- My Exterior Elevated element is decorative only. 3
- Are railings in older buildings required to be repaired or replaced if no rot or deterioration is found?..... 3
- What if a building owner wants to remove a balcony? 3
- Who keeps the inspection report?..... 4
- Contact Us 4
- References 4

IF INSPECTION IS REQUIRED, IS THERE AN INSPECTION FORM?

Yes, please find the Inspection Form at <https://www.oaklandca.gov/e3web> or contact staff at balconycompliance@oaklandca.gov or call (510) 238-7189.

WHAT BUILDINGS MUST BE INSPECTED?

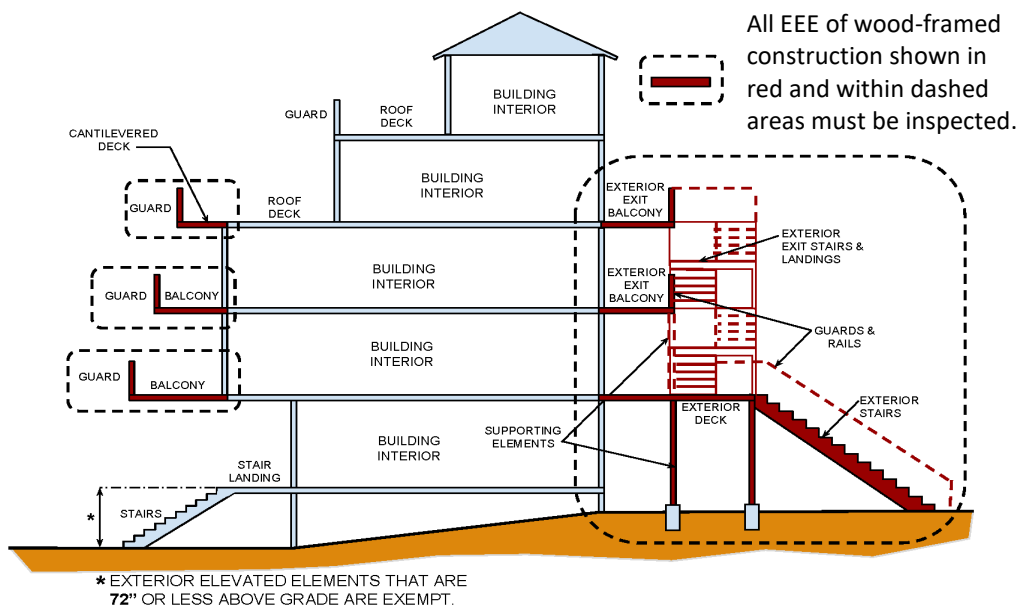
Apartments and other multi-family buildings with 3 or more units that have Exterior Elevated Elements must be inspected.

If your building is a condominium or other common interest development, then see “Frequently Asked Questions for Condominiums (SB 326)” at <https://www.oaklandca.gov/e3web>.

WHAT ARE EXTERIOR ELEVATED ELEMENTS (EEE)?

EEE include the following:

- Balconies, decks, porches, stairways, walkways, railings, and entry structures that extend beyond exterior walls of the building; and
- That have a walking surface more than six (6) feet above ground level; and
- Rely in whole or in substantial part on wood or wood-based products for structural support or stability.



Source: Image adapted from City of Berkeley

MY BUILDING DOES NOT HAVE EXTERIOR ELEVATED ELEMENTS.

Please complete the EEE survey (<https://oaklandca.gov/eee>) for exemption.

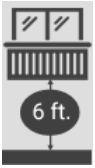
ARE DUPLEXES OR SINGLE-FAMILY HOMES REQUIRED TO BE INSPECTED?

Duplexes or single-family homes are not required to be inspected, since each building has fewer than 3 units each. Please complete the EEE survey (<https://oaklandca.gov/eee>) for exemption.

MY BUILDING DOES NOT HAVE RENTAL UNITS. DOES IT NEED TO BE INSPECTED?

Yes, if there are three or more residential units in the building.

DO INSET DECKS NEED TO BE INSPECTED?



Yes, inset decks must be inspected if they are located beyond an exterior wall, are wood-framed, and have a walking surface more than 6 feet above the ground.

Source: Image adapted from City of Fremont

MY EXTERIOR ELEVATED ELEMENT IS COVERED. ONLY ONE SIDE OPENS TO THE OUTSIDE.

If the Exterior Elevated Element is wood-framed and is exposed to the weather from any side, then EEE inspection is required. If rain or other moisture can accumulate on the surface or at the joints/intersections, then EEE inspection is required.

DO FIRE ESCAPES NEED TO BE INSPECTED?

Fire escapes do not fall under SB 721. Oakland Fire Department will continue to inspect fire escapes. Please complete the EEE survey (<https://oaklandca.gov/eee>) for exemption.

MY EXTERIOR ELEVATED ELEMENT IS DECORATIVE ONLY.

If the Exterior Elevated Element is wood-framed, has a walking surface more than 6 feet above ground level, and is designed for human occupancy or use, then EEE inspection is required. Otherwise, please complete the EEE survey (<https://oaklandca.gov/eee>) for exemption.

ARE RAILINGS IN OLDER BUILDINGS REQUIRED TO BE REPAIRED OR REPLACED IF NO ROT OR DETERIORATION IS FOUND?

Railings already in use, which were up to code at the time of installation, are permitted to remain in use. Conditions that do not meet current code requirements do not, of themselves, constitute an unsafe condition.

WHAT IF A BUILDING OWNER WANTS TO REMOVE A BALCONY?

Please call (510) 238-3911 for Zoning review.

WHO KEEPS THE INSPECTION REPORT?

Copies of all inspection reports shall be maintained in the building owner's permanent records for not less than two EEE inspection cycles. The reports shall be disclosed and delivered to the buyer at the time of any subsequent sale of the building.

CONTACT US

Email balconycompliance@oaklandca.gov or call (510) 238-7189.

REFERENCES

- [AB 2579](#) (Quirk-Silva), Ch. 835, Stats. 2024
- [SB 721](#) (Hill), Ch. 445, Stats. 2018
- Health and Safety Code Section [17973](#), et seq.