



Planning & Building Department
 Bureau of Building
 Exterior Elevated Elements, www.oaklandca.gov/e3web

(510) 238-7189
 711 for CA Relay Service
balconycompliance@oaklandca.gov

This Inspection Form must be completed by a qualified inspector and emailed to balconycompliance@oaklandca.gov.

BUILDING INFORMATION

This building has **3 or more units** AND **Exterior Elevated Elements**: wood-framed balconies, decks, porches, stairs, walkways, railings, or other entry structures that extend beyond exterior walls of the building AND **are more than six (6) feet above grade**.

Building Address: _____ Year Built: _____ Number of Units: _____

Building Owner/Manager Name(s): _____

Phone: _____ Email: _____

QUALIFIED INSPECTOR INFORMATION

SB 721 Apartments / Multi-Family:

- Architect
- Civil Engineer
- Structural Engineer
- Contractor (A, B, or C5)
- Building Inspector/Official, ICC (not currently employed by City of Oakland)

SB 326 Condominiums / Common Interest Developments:

- Architect
- Civil Engineer
- Structural Engineer

Inspector Name: _____ License/Certificate #: _____

Company: _____ Phone: _____

Address: _____ Email: _____

The inspector must provide the owner/HOA with an Inspection Report that includes the following REQUIREMENTS:

- SB 721: At least 15 percent of **each type** of Exterior Elevated Element (EEE) have been inspected
- SB 326: A sufficient number of EEE have been inspected to provide 95 percent confidence of a representative sample
- Photographs of each Exterior Elevated Element inspected
- Current condition of each Exterior Elevated Element inspected
- Expectations of future performance and projected service life

Full Inspection Report is ATTACHED for City of Oakland review because of the following:

- Rot/decay/deterioration/water intrusion were found
- Other repair/replacement needed: _____
- Further inspection needed Test results
- Inspector advised owner/manager of immediate threat to safety of occupants requiring preventing access and/or conducting emergency repairs

If a Permit is needed, then see next page for more information.

If repair/replacement has been completed or is underway, provide **Permit #: B** _____

- Yes, Building Bureau conducted final inspection approval
- Not final

Signature of Inspector: _____ Date: _____

SB 721 Apartments / Multi-Family (see next page for SB 326 Condominiums / Common Interest Developments)

WHO MAY PERFORM THE INSPECTION?

If inspection is required, then the building owner must hire a qualified inspector to conduct the inspection. After you have found an inspector, then these websites help confirm licensure and years of practice:

- Licensed architect (<https://www.cab.ca.gov>) **OR**
- Licensed civil or structural engineer (<https://www.bpelsg.ca.gov>) **OR**
- Licensed building contractor possessing an A, B, or C5 classification issued by the California State Licensing Board (<https://www.cslb.ca.gov>) with a minimum 5 years of experience constructing multi-story wood frame buildings as a holder of the aforementioned licenses, **OR**
- An individual certified as a building inspector or building official from a recognized state, national, or international association (<https://www.iccsafe.org/verify>)
- The inspector **cannot** be a current employee of the City of Oakland.

WHEN MUST INSPECTIONS BE COMPLETED AND REPORTS SUBMITTED?

[AB 2579](#) extends the inspection deadline to **January 1, 2026** for Exterior Elevated Elements (EEE) at apartments and other multi-family buildings (**3 units or more**), 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.*

The EEE inspector shall produce an initial report and, if requested by the owner, a final report indicating that required repairs have been completed. A written report of the evaluation stamped or signed by the inspector must be presented to the building owner or designated agent within **45 days** of completing the inspection.

An inspection report that recommends immediate repairs, advises that any EEE poses an immediate threat to the safety of the occupants, or that preventing occupant access or emergency repairs, including shoring, are necessary, shall be provided to the building owner and City of Oakland Code Enforcement Services within **15 days** of the inspector completing the report.

WHO MAY PERFORM REPAIRS? ARE PERMITS REQUIRED?

An Exterior Elevated Element (EEE) found by the inspector to need repair or replacement is the responsibility of the building owner. Any repair shall be performed by a licensed contractor *not* serving as the EEE inspector.

A Building Permit is required to repair most parts of a typical wood deck, guard rail, or exterior stairway. Please visit the Permit Center website: <https://www.oaklandca.gov/departments/planning-and-building> or call (510) 238-3891.

Immediate Threat: An EEE that the inspector advises poses an immediate threat to the safety of the occupants, or finds preventing occupant access or emergency repairs, including shoring, or both, are necessary, shall be considered an emergency condition and the building owner shall perform required preventive measures immediately.

No Immediate Threat: The owner of the building that requires corrective work to an EEE that, in the opinion of the inspector, does not pose an immediate threat to the safety of the occupants, shall apply for a permit within **120 days of receipt** of the inspection report. Once the permit is approved, the building owner shall have **120 days** to make the repairs unless an extension of time is granted by City of Oakland Code Enforcement Services.

If the building owner does not comply with the repair requirements within **180 days**, the inspector shall notify City of Oakland Code Enforcement Services and the building owner. If within **30 days** of the date of the notice the repairs are not completed, the building owner shall be assessed a civil penalty based on a fee of not less than \$100 or more than \$500 per day until repairs are completed, unless an extension of time is granted by City of Oakland Code Enforcement Services. If a civil penalty is assessed, a building safety lien may be recorded against the property.

SB 326 Condominiums / Common Interest Developments

WHO CAN PERFORM THE INSPECTION?

If inspection is required, then the Homeowners Association (HOA) must hire a qualified inspector to conduct the inspection. After you have found an inspector, then these websites help confirm licensure and years of practice:

- Licensed architect (<https://www.cab.ca.gov>) **OR**
- Licensed civil or structural engineer (<https://www.bpelsg.ca.gov>)

WHEN MUST INSPECTIONS BE COMPLETED?

SB 326 requires inspections of condominiums and other common interest developments with Exterior Elevated Elements (EEE) be completed by **January 1, 2025**. 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 9 years.*

Prior to conducting the first visual inspection, the inspector shall generate a random list of the locations of each type of EEE. The list shall include all EEE for which the HOA has maintenance or repair responsibility. The list shall be provided to the HOA for future use.

“Statistically significant sample” means a sufficient number of units inspected to provide 95 percent confidence that the results from the sample are reflective of the whole, with a margin of error of no greater than plus or minus 5 percent.

“Visual inspection” means inspection through the least intrusive method necessary to inspect load-bearing components, including visual observation only or visual observation in conjunction with, for example, the use of moisture meters, borescopes, or infrared technology.

The inspector shall perform the **visual inspection** in accordance with the random list generated. If during the visual inspection the inspector observes building conditions indicating that unintended water or water vapor has passed into the associated waterproofing system, thereby creating the potential for damage to the load-bearing components, then the inspector may conduct **further inspection**. The inspector shall exercise their best professional judgment in determining the necessity, scope, and breadth of any further inspection.

WHEN MUST THE INSPECTION REPORT BE SUBMITTED?

WHO MAY PERFORM REPAIRS? ARE PERMITS REQUIRED?

If the inspector advises that the Exterior Elevated Elements (EEE) pose an **immediate threat** to the safety of the occupants, the **inspector shall provide a copy of the inspection report to the HOA immediately upon completion of the report**, and to City of Oakland Code Enforcement Services within **15 days** of completion of the report.

Upon receiving the report, the HOA shall take preventive measures immediately, including preventing occupant access to the EEE until repairs have been inspected and approved by the City.

EEE found by the inspector to need repair or replacement is the responsibility of the HOA. It is recommended that any repair shall be performed by a licensed contractor *not* serving as the EEE inspector.

A Building Permit is required to repair most parts of a typical wood deck, guard rail, or exterior stairway. Please visit the Permit Center website: <https://www.oaklandca.gov/departments/planning-and-building> or call (510) 238-3891.

Code enforcement proceedings under the Oakland Municipal Code will be initiated against HOAs that do not complete corrective work or if work is not completed on time.