

IMPORTANT UPDATE – PLEASE READ

Complying with the new Defensible Space Disclosure & Compliance State Mandate (AB 38)

- **Defensible Space Law: effective July 1, 2021** – Defensible space is the term for a buffer zone that homeowners create between a structure on the property and any flammable grass, trees, shrubs, or wildland area that surround it. Existing state and local laws require certain property owners to maintain defensible space on their property. Sellers of such properties will need to provide documentation that their property is in compliance with defensible space laws, or buyers will be required to agree to obtain such documentation of compliance in the future. This law applies to: sales of residential one to four properties; condominiums or other common interest development units; or manufactured homes; where the property is located in a high or very high fire hazard severity zone; when TDS is required.
- **Home Hardening Disclosure Law: effective January 1, 2021** – “Home hardening” refers to building resistant materials and home features that protect a home from catching fire. Beginning January 1, 2021, sellers will be required to complete a new home hardening disclosure (Fire Hardening and Defensible Space Advisory, FHDS) for properties that are: within high or very high fire hazard zones; built before 2010; residential one to four properties; condominiums or other common interest development units; or manufactured homes.

CAL FIRE

Go to the dedicated website for this new requirement, which is: www.fire.ca.gov/dspace

On the left-hand side of the top of that page you will find “Request a Defensible Space Inspection” pull-down list. Enter all the relevant info, and Cal Fire will both e-mail and call you with inspection updates.

They do not charge for their Defensible Space inspections.

They are mandated to concentrate their efforts in State “SRA” areas – State Responsibility Areas. Within that class of land, quite common in our region, Cal Fire maps a tract of land as “Moderate”, “High”, or “Very High” Wildfire Hazard Severity Zoned. Most all of our High Sierra lands fall into the High or Very High designation, which is Cal Fire’s primary focus in implementing this inspection requirement. They have expressed a willingness to assist local fire districts with inspections if they have available personnel. But, their jurisdiction is most closely tied to areas that do not have a local Defensible Space Ordinance in place that pre-dates the July, 01, 2021, trigger date for implementation of AB 38, passed in 2019.

If you would like to view the designation of a given county’s Fire Hazard Severity Zoning mapping, it can be found at:

[Welcome to Fire Hazard Severity Zones Maps \(ca.gov\)](http://www.fire.ca.gov/dspace)

Or, to drill down more easily as to whether a property is in a Very High Wildfire Hazard Severity Zone, that’s ALSO in a state-recognized SRA area, go to:

[FHSZ Viewer \(ca.gov\)](http://www.fire.ca.gov/dspace)

*****North Tahoe Fire Protection District & Meeks Bay Fire Protection District**

These jurisdictions did NOT enact a Defensible Space Ordinance preemptively at the local level, so they are relying upon the guidance provided by the State legislation. They are working together cooperatively and with CAL FIRE.

AB38/Real Estate Defensible Space Inspections need to be requested by visiting www.fire.ca.gov/dspace and following the instructions listed above for CAL FIRE. A CAL FIRE Defensible Space Inspector will receive the request and call/email to schedule the inspection within North Tahoe/Meeks Bay Jurisdictions. *Note: Alpine Meadows is in the North Tahoe Jurisdiction.

If you are having trouble requesting an AB38/Real Estate inspection on www.fire.ca.gov/dspace. Call CAL FIRE NEU(Nevada, Yuba, and Placer Counties) Defensible Space Phone Line: 530-889-0111 ext 1024, or call CAL FIRE AEU(Amador, and El Dorado Counties) Defensible Space Phone Line: 530-708-2793

Northstar Fire Department

This jurisdiction did enact a Defensible Space Ordinance preemptively at the local level, and as such are taking the lead on the continuing inspections and certification work they have established.

Call (530) 562-1212 and press either of the following two extensions to reach a Defensible Space inspector for that jurisdiction: Ext. 6, or 7.

Squaw Valley Fire Department

This jurisdiction did enact a Defensible Space Ordinance preemptively at the local level, and as such are taking the lead on the continuing inspections and certification work they have established.

Call (530) 583-6111 and press the following extension to reach their Defensible Space inspector: Ext. 2.

Truckee Fire Protection District

This jurisdiction did enact a Defensible Space Ordinance preemptively at the local level, and as such are taking the lead on the continuing inspections and certification work they have established.

They are attempting to schedule all inspections via internet. As such, go to the [Truckee Fire Protection District](http://www.truckeefire.org) website, at: <https://www.truckeefire.org>

At the top of the opening webpage, you will find a heading "INSPECTIONS", click on it and you will be directed to the page to schedule your property's inspection.

If all else fails, call (530) 582-7850, and the Administrative Staff will work through the website with you if need be.

I have been working this issue for over two years to-date. If you have additional questions that cannot be addressed by the fire professionals, e-mail at jrfintel@outlook.com or call me at (530) 412-3835, to work with you on the issue.

John R. Falk, TSBOR Legislative Advocate & Government Affairs Director

See below for additional information from C.A.R.

Defensible Space Law: effective July 1, 2021

- [Legal Q&A](#)
- [Quick Guide](#)
- [Slide Deck](#)

- **Home Hardening Disclosure Law: effective January 1, 2021**
 - [Legal Q&A](#)
 - [Quick Guide](#)
 - [Slide Deck](#)

- **Legal Live Webinars from November 2020, December 2020, and January 2021**
<https://www.car.org/riskmanagement/live>