

Mandatory Government Retrofit Items
submitted by Jeff Kahn, SRAR Risk Management Committee

You are selling a residential property within the City of Los Angeles. What are the mandatory retrofit items that must be completed prior to the close of escrow?

1. The Los Angeles Municipal code Section 122.03 requires that the Seller of Residential property provide the Buyer with a **Certificate of Compliance** stating that all applicable items have been retrofitted with the **water saving devices** specified in said code section. Property shall have **ultra low flow toilets** in all bathrooms as well as **flow restrictor showerheads** on all showers.
2. Los Angeles City Ordinance No. 161.136 requires that all **external sliding glass doors** (the sliding part only) must be tempered glass or “impact hazard glazed” with a safety film approved by the City of Los Angeles.
3. California Health and Safety Code Sections 13113.8(b) and 19211 requires Sellers to provide buyer with a written statement indicating that the Property is in compliance with the applicable local ordinance regarding installation of **smoke detectors and water heater bracing, anchoring or strapping**. Los Angeles City ordinance requires installation of smoke detectors in every bedroom and hallway adjacent to a bedroom. Single family residences may have battery operated smoke detectors, but all multi dwelling units, including condominiums and townhomes, must be hardwired. Los Angeles City ordinance requires all water heaters to be double strapped as per city ordinance specifications.
4. Los Angeles City Ordinance requires the installation of a **Seismic Gas shutoff Valve** prior to the close of escrow. Said ordinance requires a permit from the Department of Building and Safety as well as an inspection by the Department.
5. In addition to the above, it should be noted that State law now requires the installation of **Carbon Monoxide detectors** in all single family dwellings. While this is not a retrofit, or point of sale, requirement in the City of Los Angeles, it is state law that all residential single family dwellings have Carbon Monoxide detectors effective July 1, 2011. The state requirement would appear to require a Carbon Monoxide detector be installed outside each separate sleeping area in the immediate vicinity of the bedroom and on every level of the property. For all units other than single family dwelling units, this law goes into effect on January 1, 2013.

The governmental agencies requiring the above retrofit items do not dictate who is to pay for this. It is the custom and practice in the City of Los Angeles that the Seller pays for these retrofit items, but this is a negotiable item between seller and buyer. The city and state are neutral on who pays for these items, only that they must be completed prior to the close of escrow. REO properties are NOT exempt from these retrofit requirements nor from the Carbon Monoxide detector requirements.