

**FINAL STATEMENT OF REASONS
FOR PROPOSED BUILDING STANDARDS OF THE
CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
REGARDING THE 2019 CALIFORNIA EXISTING BUILDING CODE,
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 10**

(HCD 07/19)

The Administrative Procedure Act requires that every agency shall maintain a file of each rulemaking that shall be deemed to be the record for that rulemaking proceeding. The rulemaking file shall include a Final Statement of Reasons. The Final Statement of Reasons shall be available to the public upon request when rulemaking action is being undertaken. The following are the reasons for proposing this particular rulemaking action:

UPDATES TO THE INITIAL STATEMENT OF REASONS:

Government Code Section 11346.9(a)(1) requires an update of the information contained in the Initial Statement of Reasons. If the update identifies any data or any technical, theoretical or empirical study, report, or similar document on which the state agency is relying that was not identified in the Initial Statement of Reasons, the state agency shall comply with Government Code Section 11347.1.

HCD has made no changes to the Initial Statement of Reasons as originally proposed.

MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS:

Pursuant to Government Code Section 11346.9(a)(2), if the determination as to whether the proposed action would impose a mandate, the agency shall state whether the mandate is reimbursable pursuant to Part 7 of Division 4. If the agency finds that the mandate is not reimbursable, it shall state the reasons for the finding.

HCD has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts. HCD's proposal does not mandate state reimbursement pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code.

OBJECTIONS OR RECOMMENDATIONS MADE REGARDING THE PROPOSED REGULATIONS:

Government Code Section 11346.9(a)(3) requires a summary of EACH objection or recommendation regarding the specific adoption, amendment, or repeal proposed, and an explanation of how the proposed action was changed to accommodate each objection or recommendation, or the reasons for making no change. This requirement applies only to objections or recommendations specifically directed at the agency's proposed action or to the procedures followed by the agency in proposing or adopting the action, or reasons for making no change. Irrelevant or repetitive comments may be aggregated and summarized as a group.

No comments were received for any of the following items of the 2019 CEBC Final Express Terms:

Regarding Item 1, Section 1.1.9 “Effective date of this code,” of Final Express Terms.

Regarding Item 2, Sections 1.8.4.1 “Permits,” and 1.8.9.1 “Authority to enforce,” of Final Express Terms.

Regarding Item 3, Sections 109.3.6 “Weather-exposed balcony and walking surface waterproofing,” and 109.3.6.1 “Weather-exposed balcony and walking surface (exterior elevated element) inspections for multifamily buildings with three or more dwelling units,” of Final Express Terms.

Regarding Item 4, Section 202 definitions “Accessory Dwelling Unit” and “Exterior Elevated Element,” of Final Express Terms.

Regarding Item 5, Section 302.5 “New and replacement materials,” of Final Express Terms.

DETERMINATION OF ALTERNATIVES CONSIDERED AND EFFECT ON PRIVATE PERSONS:

Government Code Section 11346.9(a)(4) requires a determination with supporting information that no alternative considered would be more effective in carrying out the purpose for which the regulation is proposed, or would be as effective and less burdensome to affected private persons than the adopted regulation, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

HCD is not aware of any additional cost impacts that a representative private person would necessarily incur in reasonable direct compliance with the proposed action beyond current costs, since the inspection and correction requirements for exterior elevated walking surfaces is already a statutory requirement and being applied. As related to compliance with the original statute for the inspection of exterior elevated elements, HCD has estimated a cost of \$150 to \$300 per inspection, however there is no additional cost impact beyond that imposed by existing state and local laws. HCD has estimated a required replacement garage door opener with battery back at a cost of \$150 to \$350 however, there is no additional cost impact beyond that imposed by existing state and local laws.

REJECTED PROPOSED ALTERNATIVE THAT WOULD LESSEN THE ADVERSE ECONOMIC IMPACT ON SMALL BUSINESSES:

Government Code Section 11346.9(a)(5) requires an explanation setting forth the reasons for rejecting any proposed alternatives that would lessen the adverse economic impact on small businesses, including the benefits of the proposed regulation per 11346.5(a)(3).

Not applicable.