

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MERCED, CALIFORNIA, ESTABLISHING INSPECTION PROCEDURES FOR MULTI-UNIT SUBSTANDARD BUILDINGS POLICY

WHEREAS, California Assembly Bill 548 (“AB 548) was enacted during the 2023 legislative session to ensure safe and habitable living conditions in multi-unit residential buildings, by requiring local enforcement agencies to establish policies and procedures for inspecting such buildings when a housing unit is found to be substandard or in violation of state housing laws, and the City’s building official, or their code enforcement officer, or building inspector determines that the substandard condition(s) could reasonably affect other units; and,

WHEREAS, AB 548 requires that the developed policies and procedures meet specific requirements, including the identification of hazardous conditions that could affect other units, the inspection of adjacent units, the allowance of inspection of all units in the presence of severe building-wide conditions, and the provisions of notice to property owners; and,

WHEREAS, the City of Merced recognizes the importance of safeguarding the health and safety of residents living in substandard multi-unit housing and is committed to ensuring compliance with State law.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MERCED DOES HEREBY RESOLVE, DETERMINE, FIND, AND ORDER AS FOLLOWS:

SECTION 1. That the City acknowledges the importance of maintaining safe residential living conditions in multiple-unit residential buildings.

SECTION 2. That the Inspection Procedures for Multi-Unit Substandard Buildings Policy provides procedures for the enforcement of housing regulations and the maintenance of habitable living conditions that protect the wellbeing of residents, and procedures for appeal of order for payment of relocation benefits pursuant to State law.

SECTION 3. That the City Council hereby approves the City of Merced Inspection Procedures for Multi-Unit Substandard Buildings Policy, attached hereto as Exhibit A.

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PASSED AND ADOPTED by the City Council of the City of Merced at a regular meeting held on the ____ day of _____, 2026, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:
MATTHEW SERRATTO, MAYOR

MAYOR

ATTEST:

D. SCOTT MCBRIDE, CITY CLERK

BY: _____
Assistant / Deputy City Clerk

(SEAL)

APPROVED AS TO FORM:


CRAIG J. CORNWELL, CITY ATTORNEY

INSPECTION PROCEDURES FOR MULTI-UNIT SUBSTANDARD BUILDINGS POLICY

SUBJECT: Inspection of Multi-Unit Buildings

EFFECTIVE: Adopted March _____, 2026

PURPOSE:

Assembly Bill 548 (2023), codified as Health and Safety Code Section 17970.7, requires local enforcement agencies to develop policies and procedures for inspecting a property with multiple residential units whenever an inspector or code enforcement officer has determine that (1) a unit is “substandard,” as defined in Section 17920.3, or in violation of Section 17920.10 (regarding lead hazards); and (2) the defects or violations have the potential to affect other units at the property. This policy is adopted in compliance with Health and Safety Code Section 17970.7.

POLICY:

It is the policy of the City of Merced to properly handle substandard living conditions within multi-unit buildings and to maintain an accurate record of noticing in order to protect tenants’ rights and the living conditions of the community.

PROCEDURES:

A. Inspection

All inspections are to be consistent with the current laws and inspection practices in place. Upon inspection of a unit within a multi-unit complex that the code enforcement officer/building inspector determines to be substandard pursuant to Health and Safety Code Section 17920.30 or in violation of Health and Safety Code Section 17920.10, the code enforcement officer/building inspector must determine whether those violations are such that they could reasonably affect additional units in the complex. The code enforcement officer/building inspector shall document and photograph all violations that may be used as a basis for additional inspections of adjacent units.

B. Determination

When determining whether to inspect additional units, the code enforcement officer/building inspector may consider factors including, but not limited to:

- Building type;
- Building age;
- Building size;
- Construction method;

EXHIBIT A

- Cause of the substandard condition; and
- History of violations.

A non-exhaustive list of violations that could reasonably affect other units are:

- Mold;
- Mildew;
- Pests; and/or
- Lead Hazards.

If one of the above listed or another violation is present and the code enforcement officer/building inspector determines the violation(s) could reasonably affect other units, the code enforcement officer/building inspector must inspect or reasonably attempt to inspect the following:

- Adjacent units (above, below, and neighboring); and
- Any additional units that the code enforcement officer/building inspector determines could be reasonably affected.

If severe and widespread defects or violations are found, the code enforcement officer must inspect or attempt to inspect all units within the building. In the event the tenants of adjacent and reasonably affected units do not respond to the request to inspect, the code enforcement officer/building inspector may seek an inspection warrant based on the violations in the adjacent unit.

C. Notice of Violation Requirements

Upon the conclusion of the inspection, and within a reasonable time, the code enforcement officer/building inspector shall draft a notice of violation to advise the owner/operator and tenant of each known violation and of each action required to remedy the violation. Notice must be issued to the following:

- Property owner/operator;
- Tenant of unit;
- Tenants of adjacent units (above, below and neighboring); and
- Tenants of additional units that the code enforcement officer determines could be reasonably affected.

The notice should include the following:

- Date of the inspection;
- A list of violation(s) discovered;
- Actions required to correct the violation(s); and
- Time frame in which to make the corrective actions.

EXHIBIT A

If the code enforcement officer/building inspector determines the violations are particularly severe and widespread, the code enforcement officer must notify all tenants within the building.

D. Re-Inspection

The code enforcement officer/building inspector must schedule a re-inspection to verify the anticipated corrections outlined in the notice or order to repair or abate.

EXHIBIT A