



LEGISLATIVE INFORMATION

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AMENDED IN ASSEMBLY MARCH 27, 2025

CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

ASSEMBLY BILL**NO. 628****Introduced by Assembly Member McKinnor****February 13, 2025**

An act to amend Section 1941.1 of the Civil Code, relating to landlords and tenants.

LEGISLATIVE COUNSEL'S DIGEST

AB 628, as amended, McKinnor. Hiring of real property: dwellings: untenability.

Existing law requires that any building with a dwelling unit maintain certain characteristics in order to be tenantable, including the maintenance of adequate heating and hot water systems that conform to the standard of quality set by applicable law.

This bill would add a stove and refrigerator that ~~were purchased within the last 10 years and~~ *are* maintained in good working order *and are capable of safely generating heat for cooking purposes and capable of safely storing food, respectively*, to the list of characteristics required for the dwelling unit to be tenantable for leases entered into, amended, or extended on or after January 1, 2026. *The bill would prohibit the application of these new requirements for certain types of dwelling units, including permanent supportive housing, as defined.*

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:**SECTION 1.** Section 1941.1 of the Civil Code is amended to read:

1941.1. (a) A dwelling shall be deemed untenable for purposes of Section 1941 if it substantially lacks any of the following affirmative standard characteristics or is a residential unit described in Section 17920.3 or 17920.10 of the Health and Safety Code:

- (1) Effective waterproofing and weather protection of roof and exterior walls, including unbroken windows and doors.

(2) Plumbing or gas facilities that conformed to applicable law in effect at the time of installation, maintained in good working order.

(3) A water supply approved under applicable law that is under the control of the tenant, capable of producing hot and cold running water, or a system that is under the control of the landlord, that produces hot and cold running water, furnished to appropriate fixtures, and connected to a sewage disposal system approved under applicable law.

(4) Heating facilities that conformed with applicable law at the time of installation, maintained in good working order.

(5) Electrical lighting, with wiring and electrical equipment that conformed with applicable law at the time of installation, maintained in good working order.

(6) Building, grounds, and appurtenances at the time of the commencement of the lease or rental agreement, and all areas under control of the landlord, kept in every part clean, sanitary, and free from all accumulations of debris, filth, rubbish, garbage, rodents, and vermin.

(7) An adequate number of appropriate receptacles for garbage and rubbish, in clean condition and good repair at the time of the commencement of the lease or rental agreement, with the landlord providing appropriate serviceable receptacles thereafter and being responsible for the clean condition and good repair of the receptacles under their control.

(8) Floors, stairways, and railings maintained in good repair.

(9) A locking mail receptacle for each residential unit in a residential hotel, as required by Section 17958.3 of the Health and Safety Code. This subdivision shall become operative on July 1, 2008.

(10) ~~A stove and a refrigerator that were purchased within the last 10 years, Except as provided in subdivision (b), a stove that is~~ maintained in good working ~~order. order and capable of safely generating heat for cooking purposes. A stove that is subject to a recall by the manufacturer or a public entity is not capable of safely generating heat for cooking purposes.~~ This paragraph shall only apply to a lease entered into, amended, or extended on or after January 1, 2026.

(11) Except as provided in subdivision (b), a refrigerator that is maintained in good working order and capable of safely storing food. A refrigerator that is subject to recall by the manufacturer or a public entity is not capable of safely storing food. A tenant shall notify the landlord when the lease is signed if the tenant chooses to provide and maintain their own refrigerator. The landlord is not responsible for the maintenance of a refrigerator provided by the tenant. This paragraph shall only apply to a lease entered into, amended, or extended on or after January 1, 2026.

(b) The characteristics described in paragraphs (10) and (11) of subdivision (a) shall not apply to any of the following:

(1) Permanent supportive housing, as that term is defined in paragraph (2) of subdivision (c) of Section 8698.4 of the Government Code.

(2) A single-room occupancy unit that provides living and sleeping space for the exclusive use of the occupant, including those in which occupants share food preparation facilities with occupants.

(3) A unit in a residential hotel, as that term is defined in paragraph (1) of subdivision (b) of Section 50519.

(4) A dwelling unit within a housing facility that offers shared or communal kitchen spaces to its residents, including a dwelling unit within an assisted living facility.

~~(b)~~

(c) Nothing in this section shall be interpreted to prohibit a tenant or owner of rental properties from qualifying for a utility energy savings assistance program, or any other program assistance, for heating or hot water system repairs or replacement, or a combination of heating and hot water system repairs or replacements, that would achieve energy savings.