Earthquake Guides

The California Seismic Safety Commission has developed a “Homeowner’s Guide to Earthquake Safety.” The guide includes information on geologic and seismic hazards, explanations of related structural and nonstructural hazards, recommendations for mitigating earthquake damage, and a statement that safety cannot be guaranteed with respect to a major earthquake and that only precautions such as retrofitting can be undertaken to reduce the risk of various types of damage. The Seismic Safety Commission has also developed a “Commercial Property Owner’s Guide to Earthquake Safety.” These guides are available at www.seismic.ca.gov or by calling (916) 263-5506.

If a buyer receives a copy of the Homeowner’s Guide (or, if applicable, the Commercial Property Owner’s Guide), neither the seller nor the broker(s)/agent(s) are required to provide additional information regarding geologic and seismic hazards, except that sellers and brokers/agent(s) must disclose what they actually know, including whether a property is in an earthquake fault zone.

Delivery of a booklet is required in the following transactions:

• Transfer of any real property improved with a residential dwelling built prior to January 1, 1960 and consisting of 1 to 4 units any of which are of conventional light-frame construction (Homeowner’s Guide); and
• Transfer of any unreinforced masonry building with wood-frame floors or roofs built before January 1, 1975 (Commercial Property Owner’s Guide).

In a transfer of residential dwellings consisting of 1 to 4 units, the following structural deficiencies and any corrective measures taken, which are within the seller’s actual knowledge, are to be disclosed to prospective buyers:

• Absence of foundation anchor bolts;
• Unbraced or inappropriately braced perimeter cripple walls;
• Unbraced or inappropriately braced first-story walls;
• Unreinforced masonry perimeter foundation;
• Unreinforced masonry dwelling walls;
• Habitable room or rooms above a garage; or
• Water heater not anchored, strapped, or braced.

Certain exemptions apply to the obligation to deliver the booklet when transferring either a dwelling of 1 to 4 units or a reinforced masonry building. These exemptions are essentially the same as those that apply to delivery of the Real Estate Transfer Disclosure Statement. (See Part I, Section I, Subsection A, Item 2 – Real Estate Transfer Disclosure Statement.)

(CAL. PUB. RES. §§2621 et. seq., 2690 et. seq.; CAL. BUS. & PROF. §§ 10147, 10149; CAL. CIV. §§2079.8, 2079.9; CAL. GOV’T §§ 8875 et. seq., 8893.2, §8897 et. seq.)

*CalDisclosures recommends purchasing a third-party disclosure report to help satisfy this requirement.