



First American  
Natural Hazard Disclosures™

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# Who You Gonna Call... ...for Your Defensible Space Inspection?

Beginning July 1, 2021, Sellers or Buyers may be required to provide documentation that their property is in compliance with defensible space laws. You're probably wondering, "Who do I call to document vegetation management compliance?"

## We've Done the Research for You!

In addition to reporting if a property is in a "high or very high Fire Hazard Severity Zone" as identified by CAL FIRE (specified in Assembly Bill 38), we proudly announce a new advisory that identifies **your local fire authority and phone number** to schedule a defensible space inspection.

**Vegetation Management (Defensible Space) Inspection Advisory**

In addition to state laws that require defensible space in wildland areas, many counties and cities have a vegetation management ordinance that requires defensible space around buildings and that vacant land is not a wildfire hazard. Such laws and ordinances may require defensible space inspections through property inspections. Failure of the inspection may result in a limited ability to obtain financing, failure of the inspection may result in a limited ability to obtain financing, failure of the inspection may result in a limited ability to obtain financing.

Additional Statutory Disclosures	IN	NOT IN	Map N/A	Property is:	NHD Report page:
Fire Hazard Severity Zone (AB 38) (Includes Local Inspection Contact Info)	<b>X</b>			IN a mapped High Fire Hazard Severity Zone and subject to defensible space compliance inspection by governing fire agency.	<a href="#">14</a>

To inquire about defensible space requirements, contact the local fire authority. The local fire authority may be a fire protection district, a city or county fire department, the CAL FIRE regional unit, or other community service agency.

COUNTY	AGENCY	TELEPHONE	JURISDICTION
Contra Costa	Contra Costa FPD / Cal Fire (Uninc areas)	925-941-3300 / 408-778-2121	Contra Costa FPD



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# Helpful Resources About AB 38 Defensible Space Compliance

By Patrick McClellan

On January 1, 2021, the first phase of California's AB 38 wildfire disclosures became effective: "Home Hardening Disclosures" (California Civil Code § 1102.6f). On July 1, 2021, the second phase is effective: "Vegetation Management (Defensible Space) Compliance Disclosure" (California Civil Code § 1102.19). Cited below are some helpful resources that will explain the new law and guide the real estate agent and consumer in understanding the conditions under which the new disclosures apply and anticipating a defensible space inspection, if one is needed.

## Assembly Bill 38 Law

(Text of law as chaptered in Sections 1102.6f and 1102.19 of the California Civil Code) The California Legislature finds and declares that wildfires, among other things, have grown larger and have increased in intensity over the last several decades. More than 2,000,000 California households, approximately one in four residential structures in California, are located within or in wildfire movement proximity of "high" or "very high" fire hazard severity zones identified on maps drawn by the Department of Forestry and Fire Protection ("CAL FIRE"). There is a pressing need to increase wildfire resistance within developed areas to minimize wildfire impacts and implement comprehensive vegetation management measures in wildlands to minimize wildfire size and severity. [Source: The AB 38 Law]

Learn more by visiting <https://go.nhdacademy.com/AssemblyBill38Law>

## CAL FIRE List of Low-cost Wildfire Retrofits

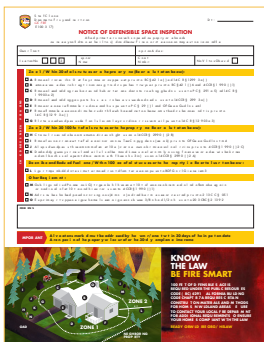
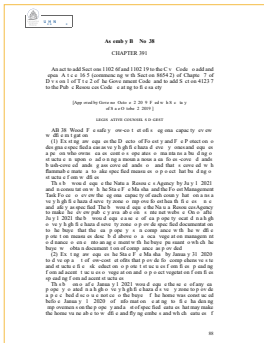
(Dated 1/31/2020) Offers ten low-cost ways to harden your home against wildfires and five no-cost ways to create defensible space and enhance the effects of a hardened home. This is a best-practices guide and to assist homeowners to ensure their home is more ignition-resistant from wildfires. Low cost can be subjective. Some of these items are based on upgrading to more stringent materials when that feature is up for replacement due to normal maintenance or lifespan (e.g., a roof). [Source: The Retrofit List]

Learn more by visiting <https://go.nhdacademy.com/CAL-Fire-RetrofitsList>

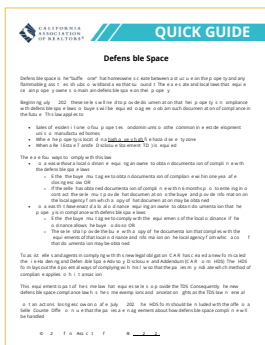
## CAL FIRE Notice of Defensible Space Inspection (the checklist)

This is the Defensible Space Inspection Form developed by CAL FIRE for use in documenting that a property is in compliance with defensible space requirements. The completed report form establishes that a fire department representative has inspected your property for fire hazards and notifies the property owner to correct any violation(s) indicated. Failure to correct these violations may result in a citation and fine. [Source: The Inspection Form]

Learn more by visiting <https://go.nhdacademy.com/CAL-Fire-DefensibleSpaceChecklist>



# Helpful Resources About AB 38 Defensible Space Compliance



## California Association of REALTORS® Quick Guide: Defensible Space

Defensible space is the “buffer zone” that homeowners create between a structure on the property and any flammable grass, trees, shrubs, or wildland area that surround it. There are state and local laws that require certain property owners to maintain defensible space on their property. Beginning July 1, 2021, these sellers will need to provide documentation that their property is in compliance with defensible space laws, or buyers will be required to agree to obtain such documentation of compliance in the future. [Source: C.A.R.]

Learn more by visiting [https://go.nhdacademy.com/CA-DefensibleSpace\\_QuickGuide](https://go.nhdacademy.com/CA-DefensibleSpace_QuickGuide)

## California Association of REALTORS® Form FHDS

(For members only.) On July 1, 2021, this form replaces the association’s Form HHDA, which guided sellers through the AB 38 home hardening disclosures. The new Form FHDS (“Fire Hardening and Defensible Space Advisory, Disclosure and Addendum”) includes the content of the HHDA plus guidance for seller and buyer on documenting Defensible Space Compliance for a property on state lands or in a local jurisdiction where a vegetation management ordinance may require it. [Source: C.A.R.]

## Local Defensible Space Contact in the AB 38 Disclosure: A Sample

First American NHD and JCP-LGS directly investigated 350 different state and local fire departments and districts in California, covering 475 city and county jurisdictions. We asked fire officials to identify who you should contact to request an AB 38 inspection. First American NHD and JCP-LGS disclosure reports now provide that local AB 38 inspection contact information for the property address. Find it at the bottom of the “Fire Hazard Severity Zone (AB 38)” disclosure discussion section in the new “Vegetation management (Defensible Space) Inspection Advisory.” Below is a glimpse of this new feature:

**Vegetation Management (Defensible Space) Inspection Advisory**

In addition to state laws that require defensible space in wildland areas, many counties and cities have a vegetation management ordinance to ensure defensible space exists around buildings and that vacant land is not a wildfire hazard. Such laws and ordinances are enforced by the local fire authority, building department, or other governing agency through property inspections at the owner's expense. In many jurisdictions, failure of the inspection may result in a limited which the property owner must cure any violation, with financial penalties for continued non-compliance in the property. Pursuant to AB 38, documentation of defensible space compliance in a wildfire hazard area as of July 1, 2021 [California Civil Code Section 1102.19].

If a local vegetation management ordinance applicable to the Property, visit the website of the city or county clerk in the municipal jurisdiction where the property is located. As an accommodation for the seller or buyer, contact information is listed below that may assist in identifying the governing fire authority for the Property. The listed provider(s) may include the appropriate agency to inspect and document the Property's vegetation management (defensible space) compliance. The local fire authority may be a fire protection district, a city or county fire department, the CAL FIRE regional unit, or other community service agency.

COUNTY	AGENCY	TELEPHONE	JURISDICTION
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## Need more information...

### Ask Your NHD Rep!

Your First American or JCP-LGS Sales Rep is well versed in the fire zone disclosures in the NHD report and will be happy to explain the report's AB 38 disclosures and other features that can simplify your business.

### Don't forget about NHD Academy

This is the only online resource where you and your clients can find educational videos that explain California's principal natural hazard disclosures. The nine episodes cover the statutory wildfire, earthquake and flood hazard disclosures — and natural hazard zones contained in the Safety Element of California's county and city General Plans. Click on “Training Videos” on the top menu of [www.fanhd.com](http://www.fanhd.com) or [www.disclosures.com](http://www.disclosures.com).

