

AMENDED IN SENATE JUNE 12, 2012

AMENDED IN ASSEMBLY JANUARY 13, 2012

AMENDED IN ASSEMBLY JANUARY 11, 2012

AMENDED IN ASSEMBLY MAY 10, 2011

AMENDED IN ASSEMBLY APRIL 7, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1124**

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**Introduced by Assembly Member Skinner**  
(Coauthors: ~~Senators DeSaulnier and Hancock~~)

February 18, 2011

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An act to amend ~~Section 381.2 of the Public Utilities Code~~ *Section 1941.1 of the Civil Code*, relating to ~~energy~~ *landlord and tenant*.

LEGISLATIVE COUNSEL'S DIGEST

AB 1124, as amended, Skinner. ~~Energy: energy efficiency-Landlord and tenant.~~

*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 require that these provisions would not be interpreted to prohibit a tenant or owner from qualifying for energy savings assistance programs for repair or replacement of heating or hot water systems.*

~~Existing law requires the Public Utilities Commission (PUC) to order certain electrical corporations to collect and spend certain funds for~~

~~public benefit programs, including cost-effective energy efficiency and conservation programs. Existing law requires the PUC, by March 1, 2010, to have opened a new proceeding or amended an existing proceeding to investigate the ability of electrical corporations and gas corporations to provide energy efficiency financing options to their customers to implement the comprehensive energy efficiency program for certain residential and nonresidential buildings developed by the State Energy Resources Conservation and Development Commission pursuant to a specified provision of law. Existing law also requires the PUC to include an assessment of each electrical corporation's and each gas corporation's implementation of that program in a specified triennial report required under existing law.~~

~~This bill would require the PUC, in its review of the energy efficiency programs of electrical corporations and gas corporations, to ensure compliance with specified principles.~~

Vote: majority. Appropriation: no. Fiscal committee: *yes-no*. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     *SECTION 1. Section 1941.1 of the Civil Code is amended to*  
 2     *read:*

3     1941.1. (a) A dwelling shall be deemed untenable for  
 4     purposes of Section 1941 if it substantially lacks any of the  
 5     following affirmative standard characteristics or is a residential  
 6     unit described in Section 17920.3 or 17920.10 of the Health and  
 7     Safety Code:

8     (a)

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

11    (b)

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

15    (c)

16    (3) A water supply approved under applicable law that is under  
 17    the control of the tenant, capable of producing hot and cold running  
 18    water, or a system that is under the control of the landlord, that  
 19    produces hot and cold running water, furnished to appropriate

1 fixtures, and connected to a sewage disposal system approved  
2 under applicable law.

3 (d)

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

6 (e)

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

10 (f)

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

16 (g)

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

23 (h)

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

25 (i)

26 (9) A locking mail receptacle for each residential unit in a  
27 residential hotel, as required by Section 17958.3 of the Health and  
28 Safety Code. This subdivision shall become operative on July 1,  
29 2008.

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

36 ~~SECTION 1. Section 381.2 of the Public Utilities Code is~~  
37 ~~amended to read:~~

38 ~~381.2. (a) By March 1, 2010, the commission, by opening a~~  
39 ~~new proceeding or amending an existing proceeding, shall~~  
40 ~~investigate the ability of electrical corporations and gas~~

1 corporations to provide various energy efficiency financing options  
2 to their customers for the purposes of implementing the program  
3 developed pursuant to Section 25943 of the Public Resources Code.  
4 (b) In the report prepared pursuant to Section 384.2, the  
5 commission shall include an assessment of each electrical  
6 corporation's and each gas corporation's implementation of the  
7 program developed pursuant to Section 25943 of the Public  
8 Resources Code.  
9 (c) In its review of the energy efficiency programs of electrical  
10 corporations and gas corporations, the commission shall ensure  
11 compliance with the following principles:  
12 (1) Achieve maximum energy savings for all customer classes  
13 by adopting whole building, performance-based approaches.  
14 (2) Maximize opportunities of leveraging private capital by  
15 increasing and streamlining access to on-bill repayment programs  
16 without increasing utility costs.  
17 (3) Encourage job creation and training opportunities, with an  
18 emphasis on skilled occupations necessary for installation of highly  
19 efficient energy savings measures.  
20 (4) Create a single point of contact to coordinate access to  
21 energy efficiency programs for prospective customers using  
22 approaches that streamline and simplify procedures for determining  
23 property-level program enrollment and customer eligibility as well  
24 as encourage customer participation.  
25 (5) Provide equivalent funding and comparable measures for  
26 all eligible customers within the energy efficiency programs;  
27 particularly those customers that are more difficult to reach and  
28 have not yet been served by the programs, including small  
29 businesses, renters, multifamily renters, persons with disabilities,  
30 and those located in remote areas.