



American Planning Association
California Chapter

Creating Great Communities for All

April 14, 2026

The Honorable Assemblymember Buffy Wicks
1021 O Street, Room 8140
Sacramento, California 95814

RE: AB 1903 (Wicks) Construction defects. – SUPPORT

Dear Assemblymember Wicks:

The American Planning Association, California Chapter (APA California) is pleased to support your AB 1903, which would increase the amount of homeownership housing built in California by reducing construction defect litigation, while ensuring homeowners get speedier repairs.

APA California is a non-profit organization made up of practicing planners, citizens and public officials committed to advancing the practice of local, regional, and statewide planning throughout urban, suburban, and rural California. As adopted in APA California's Legislative Platform, *Plan California*, our organization is supportive of efforts that minimize constraints to housing production.

California's residential construction defect law, enacted through SB 800 (2002), was intended to create a fair and efficient process to resolve construction defect claims while giving builders the opportunity to repair problems before litigation occurs. The premise was simple: a defect is identified by the homeowner, the builder is responsible to repair it, and if the repair does not occur or is not approved, the homeowner can sue the developer.

Unfortunately, as a result, homeowners often face years of litigation rather than having problems with their homes resolved quickly through repairs. Additionally, the costs and uncertainty affiliated with litigation have become a substantial impediment to the construction of condominiums, which are an essential entry-level homeownership option. As a result, the construction of condominiums has decreased 75% since the first years after SB 800 passed.

AB 1903 restores the original intent of the law by strengthening the right to repair, improving transparency in claims, and ensuring disputes are resolved efficiently. The bill makes the following key improvements:

Strengthening the Right to Repair

- Requires completion of the pre-litigation repair process before any lawsuit may be filed.
- Improves the notice of claim process by requiring claimants to identify the location and observable evidence of alleged defects.



Ensuring Claims Involve Actual Damage

- Restores the principle that a defect claim must involve damage beyond the defective component itself.
- Prevents recovery of investigative costs for speculative defect claims.

Encouraging Repairs Instead of Litigation

- Establishes a developer option to have third party enhanced quality control inspections during construction.
- For projects that receive a third-party certification that they were built to proper standards, enables builders who repair defects have the ability to obtain a release once repairs are completed.

Increasing Transparency in HOA Litigation

- Requires HOA members to be informed and vote before an association files construction defect litigation affecting their homes.

By correcting the imbalance in the current system, AB 1903 will ensure that homeowners get the repairs they need in a timely way, while also making it more economically feasible to build condominiums – creating more entry-level homeownership opportunities for the people of California.

For these reasons we support AB 1903 (Wicks) and respectfully request your do pass recommendation and aye vote. If you have any questions, please contact Lauren De Valencia, Stefan/George Associates, APA California's lobbyist, at 916 443-5301, lauren@stefangeorge.com.

Sincerely,

A handwritten signature in blue ink that reads 'Reuben Duarte'.

Reuben Duarte
Vice President Policy and Legislation
APA California

cc: The Assembly Judiciary Committee
 The Governor's Office
 The Office of Land Use and Climate Innovation
 The California Department of Housing and Community Development