

ASSEMBLY THIRD READING  
AB 628 (McKinnor)  
As Amended March 27, 2025  
Majority vote

## SUMMARY

Requires a rental unit, for leases entered into, amended, or extended on or after January 1, 2026, to have a working stove and refrigerator, as specified, subject to certain exemptions, in order to be deemed tenantable (or habitable).

### Major Provisions

- 1) Provides that a dwelling shall be deemed untenable, in relation to a landlord's duty to ensure that a building intended for human habitation is fit for occupancy, if it lacks either of the following:
  - a) A stove that is maintained in good working order and capable of safely generating heat for cooking purposes. Specifies that 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.
  - b) A refrigerator that is maintained in good working order and capable of safely storing food. Specifies that a refrigerator that is subject to recall by the manufacturer or a public entity is not capable of safely storing food. Requires a tenant to notify the landlord when the lease is signed if the tenant chooses to provide and maintain their own refrigerator and specifies that the landlord is not responsible for the maintenance of a refrigerator provided by the tenant.
- 2) Specifies that the requirements for a stove and refrigerator in good working order, as described above, do not apply to the following types of housing:
  - a) "Permanent supportive housing" as defined in paragraph (2) of subdivision (c) of Section 8698.4 of the Government Code.
  - b) Any single-room occupancy unit that provides living and sleeping space for the exclusive use of the occupant, but may require occupants to share food preparation facilities with others, or any unit in a "residential hotel" as defined in paragraph (1) of subdivision (b) of Section 50519 of the Health and Safety Code.
  - c) 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.
- 3) Specifies that the additional requirements required by this bill only apply to a lease entered into, amended, or extended on or after January 1, 2026.

## COMMENTS

Although it appears that most landlords in California, as elsewhere, provide a stove and a refrigerator as a matter of course, they are not required to do so by law. Existing law only requires a rental unit, in order to be "tenantable" (or fit for human habitation) to provide and maintain, in safe and working order, such things as plumbing and gas facilities, heating and hot

water systems, electrical lighting, and an adequate number of receptacles for garbage and rubbish. Most people expect a working stove and refrigerator in a rental unit, especially given that these basic necessities are difficult to move in and out of a dwelling. However, according to a 2022 article in the *Los Angeles Times*, it appears that not all landlords provide these basic appliances. (See e.g. Dillon, Liam, *Why do so many L.A. apartments come without fridges? Inside the chilling mystery*, Los Angeles Times, May 18, 2022.) It is unclear how widespread this problem is, or whether the purported conditions in Los Angeles are representative of the state.

This bill makes clear that stoves and refrigerators are more than mere "amenities." It would do this by adding a safe and working stove and refrigerator to the list of things that existing law *requires* in order for a dwelling unit to be deemed "tenantable" and fit for human habitation. The bill would only apply to leases entered into, amended, or extended on or after January 1, 2026.

This bill creates exemptions that take account of rental units where a stove or refrigerator in each dwelling unit is not an expectation or is impractical. Specifically, the bill exempts facilities that provide single-room occupancy, including residential hotels, as defined in existing law. The bill also exempts other forms of housing – including "permanent supportive housing," as defined, and senior living facilities. Permanent supportive housing, typically provided to persons who have experienced homelessness, and senior living facilities, do not always provide a kitchen or stove in individual dwelling units. In some cases, this may be for safety reasons; in other cases, it may be because the facilities offer shared dining rooms or communal kitchens.

### **According to the Author**

According to the author, "California's rental housing affordability crisis has been exacerbated by outdated laws that do not consider basic household appliances a necessary part of a rental home. While many landlords do include a working refrigerator and stove in a residential lease, a growing number of rental properties are not, creating significant financial burdens on tenants seeking an affordable and safe place to live." The author points out that a "working stove and a working refrigerator are not luxuries - they are a necessary part of modern life." The author believes that by making these necessary appliances standard in rental units, "California can provide all of its residents with a safer, more affordable and more dignified place to call home."

### **Arguments in Support**

The California Rural Legal Assistance Foundation writes in support:

Finding an affordable rental home in California is already extremely challenging for low-income renters. Making people pay more just to be able to store and cook food can mean the difference between finding a home or not. California has outdated laws that classify basic household appliances as "amenities" instead of a necessary part of a rental home, one of the few states that do so. While many landlords do include a working refrigerator and stove in a residential lease, a growing number do not, placing a significant financial burden on tenants seeking an affordable and safe place to live. A working stove and refrigerator are not luxuries, they are a necessary part of modern life. Most people would not consider a unit to be habitable without these things and the law should reflect that. AB 628 would make that important change.

### **Arguments in Opposition**

The California Housing Consortium opposes AB 628, and Housing California, opposes the bill unless amended. However, both groups took this position on the bill as introduced, and their letters focused on the two features of the bill that were recently amended.

It is unclear if recent amendments remove this opposition, but the amendments appear to address all of the concerns raised in the opposition letters. For example, the California Housing Consortium, an advocate for low-income housing, argues that "requiring that each affordable housing unit have stoves and refrigerators purchased within the last 10 years would lead to significant waste of appliances in good working condition and could significantly drive up the cost of maintaining these units. Such a requirement would unnecessarily increase the cost of maintaining affordable housing units, which are challenging to build and preserve, and put the existing affordable housing stock at-risk. This could lead to a decrease in the availability of affordable housing options for low-income Californians." To the extent that the California Housing Consortium based its opposition on the requirement that the appliances be not more than 10 years old, the recent amendment should address that concern.

Housing California also expressed concern about the wastefulness of the ten-year requirement. However, they also argue that the bill should be amended to exempt certain kinds of housing. Specifically, they write that "some affordable housing units, namely permanent supportive housing units and single-room occupancy units serving the formerly homeless, have communal cooking facilities due to space constraints of older buildings and the safety of residents. It would be impractical, expensive, and unsafe to mandate the inclusion of stoves in these units." Recent amendments exempt these types of housing.

## FISCAL COMMENTS

None

## VOTES

### ASM JUDICIARY: 9-1-2

**YES:** Kalra, Bauer-Kahan, Bryan, Connolly, Harabedian, Pacheco, Papan, Stefani, Zbur

**NO:** Essayli

**ABS, ABST OR NV:** Dixon, Sanchez

## UPDATED

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CONSULTANT: Tom Clark / JUD. / (916) 319-2334

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