

BALCONY INSPECTIONS: What to Expect

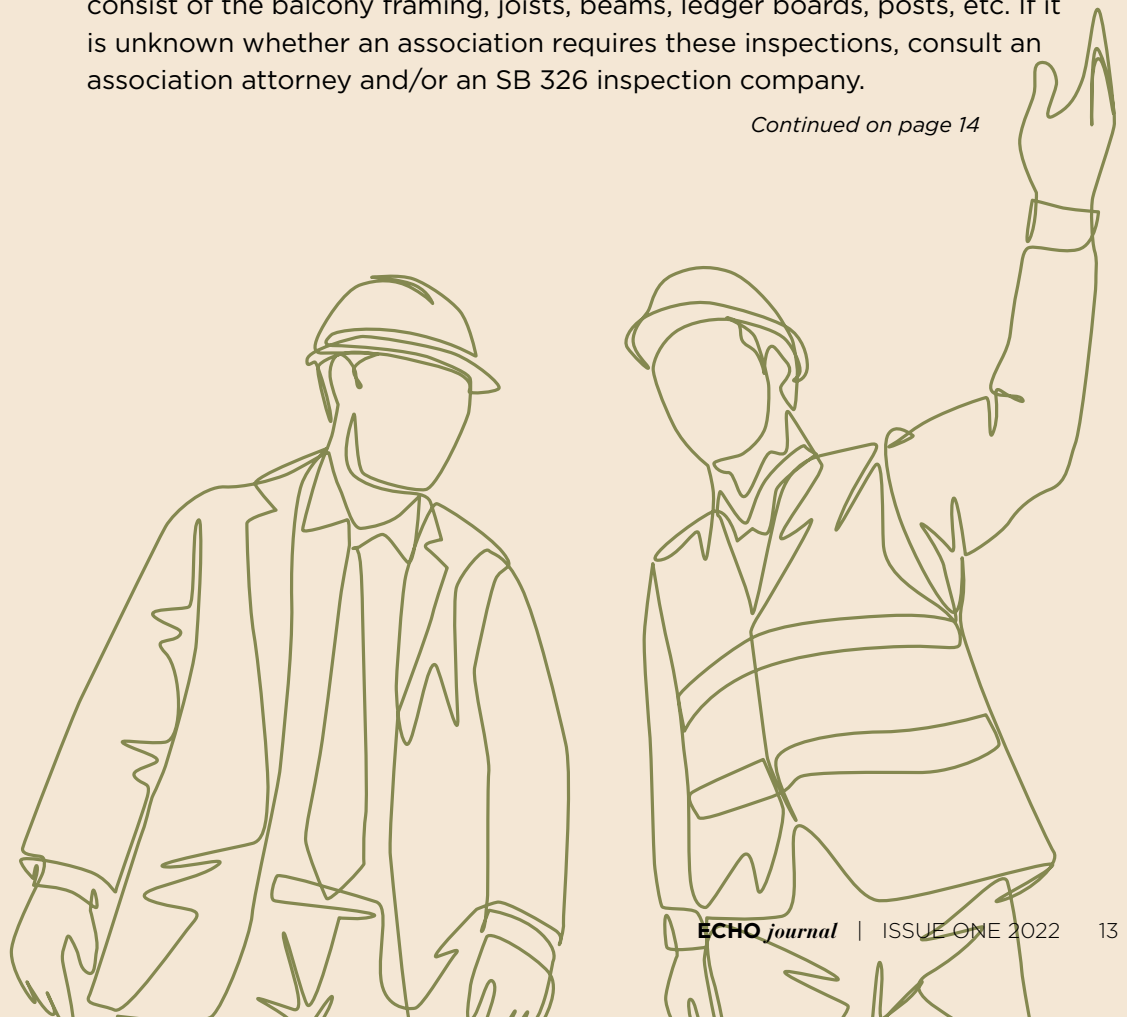


Exterior Elevated Elements (EEEs) include decks, balconies, stairways and landings, walkways, and any railings.

Senate Bill 326 (Davis-Stirling Act Civil Code §5551) went into effect January 1, 2020, requiring condominium associations to have an inspection by a licensed architect or structural engineer of exterior elevated elements (EEEs) that are “supported in whole or in substantial part by wood or wood-based products” with a walking surface more than six feet above ground level. The inspections are required every nine (9) years, and for existing associations, the first inspection must be completed before January 1, 2025 (within the next three (3) years). A full reading of the law and its definitions can be found at www.davis-stirling.com/HOME/Statutes/Civil-Code-5551.

This article focuses on the scheduling and performance of the inspection and what an association should expect. Two key aspects of the law are a “visual inspection” of the load-bearing components and the inspection of a “statistically significant sample” of the EEEs. EEEs include decks, balconies, stairways and landings, walkways, and any railings. Load-bearing components consist of the balcony framing, joists, beams, ledger boards, posts, etc. If it is unknown whether an association requires these inspections, consult an association attorney and/or an SB 326 inspection company.

Continued on page 14



Balcony Inspections: What to Expect

Continued from page 13

Visual Inspection

The law defines a visual inspection as an “inspection through the least intrusive method necessary to inspect load-bearing components, including visual observation only or visual observation in conjunction with, for example, the use of moisture meters, borescopes, or infrared technology.” The main takeaway is the “least intrusive method,” meaning the intent is to have the balcony inspection performed without the removal of an extensive amount of exterior cladding (e.g., stucco, siding), or what is typically referred to as destructive testing.

Statistically Significant Sample

The law defines statistically significant sample as “a sufficient number of units inspected to provide 95 percent confidence that the results from the sample are reflective of the whole, with a margin of error of no greater than plus or minus 5 percent.” Determining the number of balconies that need to be inspected based on this criterion is a mathematically defined formula. The sample size calculator at the following link can be used to determine that number: www.calculator.net/sample-size-calculator.html.

Scheduling the Inspection

The first step in scheduling the inspection is determining how many of the balconies need to be inspected. This part is relatively easy, particularly if all the balconies are of the same configuration and size. For example, if a community has fifty (50) balconies that are all the same, 50 is entered as the population size in the sample size calculator, and the result is a sample size of forty-five (45); therefore, 45 balconies would need to be inspected. A population of less than 50 balconies likely requires the inspection of every balcony.

Looking at the previous example, if the 50 balconies include twenty (20) that are large and thirty (30) that are Juliet (small) balconies,

entering 20 as the population in the calculator determines a sample size of 20, in other words all the large balconies. A population of 30 results in a sample size of twenty-eight (28), so of the 50 total balconies, forty-eight (48) would need to be inspected. In this case, the time required to inspect the remaining two balconies is relatively minimal, and the community should consider inspecting every balcony.

For larger associations with hundreds of balconies, the sampling calculation results in a significantly reduced percentage of balconies requiring inspection. For a population of two hundred (200), the sample size is one hundred thirty-two (132). For a population of 300, the sample size is 169.

Unless all the balconies are to be inspected, once the sample number to be inspected is determined, a random selection of balconies will be made. This is done by creating a numbered list of all the balconies and using a random number generator to select the ones to be inspected. Then an inspection schedule is generated, and inspection dates are agreed upon between the inspector and the association, allowing enough time to notify the owners. Notification of the owners is a critical part of the inspection process, since access through the interior of the units may be required to inspect the balconies.

The Inspection

A balcony inspection is scheduled; what should be expected? If the balcony framing is exposed (see *photo A*) the inspection will consist of a visual



inspection of the framing, including joists, beams, posts, the railing, the deck surface, and any intersection with the building walls, with possible use of a moisture meter. No building materials need to be removed to perform the visual inspection.

If the balcony framing is covered with stucco, plywood, or drywall (see photo B) then some material at the underside of the balcony will need to be removed to be able to inspect the framing. The least intrusive method is to have small holes drilled through the underside of the balcony to allow the insertion of a borescope camera to visually inspect the framing. Typically, holes can be drilled every three (3) to four (4) feet, but an inspector may need to inspect every joist bay (the space between two joists). The number and location of holes is at the discretion of the inspector.

Because the holes created are small, they can be easily sealed with patching material or sealant and painted to match the existing surface. Inspection companies may include the drilling and patching of the holes as part of their proposal or may provide a separate proposal from a contractor to be included with their inspection proposal. If an association has preferred contractors or maintenance personnel, the inspection company can coordinate with them to complete the inspections.

Access to the balconies is critical. Most second-floor balconies and many third-floor balconies can be accessed from the exterior with ladders, mitigating the need for interior access. Fourth floor and higher balconies will require the use of a lift or access through the interior of the units, adding to the time and expense of the inspection. If possible, access from the exterior is the preferred method for these inspections. It should be noted that it is often necessary to access a patio or balcony below the one to be inspected, so when notifying owners, those of both the unit with a balcony to be inspected and the unit below should be included.

Unit owners do not need to remove items from their balconies for the inspections, but if there are many objects (e.g., pots, fountains, boxes) on the balcony, then an effort should be made to rearrange or remove some items to allow easier access to the balcony surface. Typically, the inspection of each balcony takes ten (10) to twenty (20) minutes. If interior access is needed, the inspector should



provide a window of time for each unit, and the association should assist in making sure access is available for each unit during that time frame. Additional costs could be necessary if the inspector must return at a later date due to lack of access.

Once the inspection is completed, if it is determined that there is an immediate safety threat, the inspector should inform the association immediately. Per the law, the local code enforcement agency must be informed as well.

The final step in the process includes preparation of a report identifying the building components, the current condition, the expected future performance, and recommendations for repairs or replacement. The report will be signed or stamped by the architect or structural engineer. Once the report is delivered to the association, it is the association's responsibility to determine the best course of action regarding any recommended repairs or maintenance requirements.



Andy Bradvica is a founding partner of B2R Consulting Group with offices in San Diego, Orange, and Roseville, California. He is a licensed architect and focuses on providing balcony inspections and reports as defined by SB 326. He also performs forensic analysis, building inspections, building condition assessments and reports, SB800 inspections, and construction defect investigations. To learn more, visit www.b2rconsultinggroup.com.