

THE SUN-GAZETTE

Sen. Hurtado ensures safeguards for rural homebuyers

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SACRAMENTO – Senator Melissa Hurtado, 16th District, has simplified the process for prospective homebuyers to find out if the water tanks on a property have had any past issues and whether the previous owners received assistance for those problems.

Gov. Gavin Newsom signed Senate Bill (SB) 1366 on June 14, 2024. According to the Legislative Counsel's Digest, "This bill would require a seller of any real property who received domestic water storage tank assistance or is aware the real property received such assistance and the real property currently still has the domestic water storage tank to deliver a disclosure to the prospective buyer."

Visalia-based Self-Help Enterprises sponsored the bill. According to Self-Help, the organization provided water tanks to 290 families in Hurtado's district whose water wells went dry. Self-Help sponsored the bill to ensure that prospective homebuyers have the full picture regarding water availability.

Chris Bieno, Hurtado's press secretary, said the bill came about because the Senator's office received complaints from constituents regarding faulty water tanks. Unlike other disclosures which are mandated by law, such as the Natural Hazard Disclosure and a Lead-Based Paint Disclosure, prior to SB 1366 there was nothing in the law that forced a home seller to disclose any irregularities or even failures relating to water tanks.

Bieno said that, obviously, this issue concerns individuals buying homes that are not attached to any municipal water system.

As for Hurtado, she commented on the bill on her website: "The California dream is centered on one's ability to own a home. For too many families in rural communities, this dream has been shattered when homes they purchase do not have access to safe, affordable water and become reliant on domestic water tanks."

She added, "No family should move into a home without knowing it might face water shortages and costly repairs. Senate Bill 1366 ensures homebuyers get all the details about any water tank assistance a property has received, helping them make informed decisions and protecting their investment. I'm proud that the Governor has signed this bill, ensuring greater transparency and security for homebuyers across California."

Thomas J. Collishaw, the president and CEO of Self-Help, wrote on the website, "We believe it is crucial and incumbent upon sellers to provide potential homebuyers with the information they need to make informed decisions about the biggest investment they may ever make in their lives."

Effective Jan. 1, 2025, SB 1366 requires a seller who received water tank assistance pursuant to Section 13194 of the Water Code to provide to the buyer the following information:

- This property has a domestic water storage tank provided by a county, community water system, local public agency or nonprofit organization, pursuant to Section 13194 of the Water Code;
- The domestic water storage tank was made available to households that had a private water well that had gone dry, or had been destroyed due to drought, wildfire, other natural disasters or was otherwise nonfunctioning;
- The domestic water storage tank provided pursuant to Section 13194 of the Water Code might not convey with the real property; and
- Due to the water well issues that led to this property obtaining assistance pursuant to Section 13194 of the Water Code, the buyer is advised to have an inspection of the water well and to have a professional evaluate the availability of water to the property to ensure it suits the purposes for which the buyer is purchasing the property.