



CALIFORNIA “RIGHT TO CHARGE” LAWS TO DATE

The City of West Hollywood monitors the latest State laws dealing with the “right to charge” electric vehicles in multi-unit dwellings. These statutes represent the latest information for condominium owners, HOAs, tenants, and landlords. The City cannot offer legal advice on these statutes. Consultation with electric vehicle and/or legal experts may still be warranted to understand your rights and what applies to your situation.

Condos:

HOAs - ([SB 1016](#) & [Civil Code 4745](#)) - HOAs may not prohibit or unreasonably restrict the installation or use of EV charging stations in a designated parking space.

Tenants & Landlords:

Residential: ([AB 2565](#), [WHMC 17.58](#), [Civil Code §§1947.6 \(residential property\)](#))]

For residential leases signed, renewed or extend on or after July 1, 2015, landlords are required to approve a tenant’s written request to install an electric vehicle charging station at the tenant’s parking space if the tenant enters into a written agreement which includes requirements regarding the installation, use, maintenance and removal of the charging station, requires the tenant pay for all modifications and the cost associated with the electric usage of the charging station. The landlord is not required to provide the tenant with an additional parking space in order to comply with this law.

As of January 1, 2020, tenants are NOT required to maintain a \$1,000,000 general liability insurance policy if the charging station is certified by a Nationally Recognized Testing Laboratory that is approved by the OSHA of the United States Department of Labor and any associated alterations to the dwelling’s electrical system are performed by a licensed electrician. The charging station and modifications must comply with all applicable laws and covenants, conditions and restrictions ([SB 638](#)).

- *This law does not apply: (1) when parking is not included as part of the rental contract; (2) to properties with fewer than five parking spaces; (3) to properties subject to rent control (unless either (1) a lease is executed, extended, or renewed on or after January 1, 2019, or (2) the unit is within a jurisdiction that adopted an ordinance before January 1, 2018 requiring the landlord to approve a tenant’s request to install an electric vehicle charging station at the tenant’s parking space); (4) when 10% or more of existing spaces already have electric vehicle charging stations.*

Note: West Hollywood amended its code in 2017 to be mandate that the city’s rent control buildings be accountable to State’s requirements. See more information [here](#).

Commercial: [[Civil Code §§1952.7 \(commercial property\)](#)]

For commercial leases executed on or after January 1, 2015, landlords are required to approve a tenant’s written request to install an electric vehicle charging station if certain requirements are met. The tenant is not allowed to install more electric vehicle charging stations than the number of spaces allocated to tenant under the lease. If no parking spaces were allocated, the tenant has the right to convert a number of spaces based on a formula which takes into account the square footage of the rented premises and the total number of parking spaces for the entire property.

- *This law does not apply to a: (1) commercial property with less than 50 parking spaces; or (2) commercial property which already has 2 electric charging stations for every 100 spaces.*