

Appeal to the California Building Standards Commission

Regarding Building Standards in Title 24, California Code of Regulations

Instructions

1. The California Building Standards Commission (CBSC) may consider appeals by persons adversely affected by building standards. Review the California Administrative Code (CAC) regulations on page two of this form to determine if CBSC has authority to consider the subject of your appeal.
2. A filing fee of \$450 payable to CBSC (no cash) must accompany a submitted appeal.
3. Mail completed form, fee and all attachments to CBSC, 2525 Natomas Park Drive, Suite 130, Sacramento, CA, 95833-2936.

Scope of Appeal. Which provision(s) of CAC Section 1-303 best describes the situation giving cause for your appeal? Check box(es) as appropriate.

Section 1-303(a)

Section 1-303(b)

Section 1-303(c)

Appellant Information

Appeal filed by an individual (or firm) pursuant to CAC Section 1-303(a)

Appeal filed by an individual (or firm) jointly with a local enforcement agency pursuant to CAC Section 1-303(b)

Appeal filed by an individual (or firm), including a state or local agency, pursuant to CAC Section 1-303(c)

Individual/Firm Representative Last Name		Individual/Firm Representative First Name	
Name of State/Local Agency (if applicable)			
Mailing Address		City, State	Zip Code
Email Address			Phone Number
Name of Local Enforcement Agency (for joint appeal)			
Building Official Name		Building Official Signature	
Mailing Address		City, State	Zip Code
Email Address			Phone Number

Description and Case History. Attach an explanation of the situation giving cause for the appeal, including the following, if applicable.

1. Describe any action that has been taken to resolve the situation.
2. Attach copies of all correspondence, decisions and other documents relating to this appeal.
3. Describe the desired outcome of your appeal.
4. Indicate the number of attached pages:

Regulatory References

A response to your appeal will be provided in accordance with the appeal provisions in the California Code of Regulations (CCR), Title 24, Part 1, California Administrative Code, Chapter 1, Article 3.

To assist in completing the appeal, some applicable provisions have been provided below. However, the submitting appellant(s) should review the full text of the current regulations available online at the [commission's website](http://www.dgs.ca.gov/bsc) www.dgs.ca.gov/bsc.

1-303. Scope of appeals and types of appellants. Appeals to the Commission and the matters which can be appealed are as follows:

(a) An appeal may be submitted by any person adversely affected by the administration of building standards or administrative regulations of Title 24, or the enforcement or the lack of enforcement of Title 24, by any state agency as prescribed in Health and Safety Code Section 18945(a) and this article.

(b) An appeal may be submitted by any person adversely affected by the enforcement of Title 24 by a local enforcement agency, in the company of the local enforcement agency, as prescribed in Health and Safety Code Section 18945(b) and this article. Joint appeals must have statewide significance.

(c) An appeal may be filed by any person, including a state or local agency adversely affected by an apparent conflict, duplication or overlap of any current Title 24 provision, or any other matter of statewide significance relating to the application of Title 24.

(d) When the basis of an appeal is the action of a state agency other than the Commission, the appellant must obtain a final determination from the state agency in question relating to the issue under appeal before the Commission will hear the appeal.

Exception: An apparent conflict, duplication or overlap in other available state appeals procedures or within the regulations or code.

1-305. Time limitations for appeals.

Appeals will be accepted by the Commission only within six (6) months of when the act, interpretation, decision or practice complained of occurred.

Exception: The Commission, at its discretion, may accept and act on an appeal when more than six (6) months have passed if special circumstances are found to exist.

1-307. Appeal form and filing fee. Only subsections (a) and (b) are provided below.

(a) An appeal shall be submitted using Appeal Form BSC-33, which is available on the Commission's website, or by contacting the Commission's office by telephone at (916) 263- 0916, or by email to cbsc@dgs.ca.gov. The form contains instructions on providing the necessary information and the required documents, including but not limited to:

1. The specific regulation, rules, interpretation or decision of any state agency respecting the administration of any building standard being appealed.
2. The dates of any act, interpretation or decision of any state agency related to the complaint.
3. The nature of any act, interpretation or decision of any state agency related to the complaint.
4. The reasons for the appeal.
5. Documentation of the official action of the applicable state agency with respect to the agency's final determination on the issue.
6. Identification of witnesses, experts and other representatives of the appellant.

(b) The appeal shall be filed by mail with the Executive Director, California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833.

Note: The above regulations implement Health and Safety Code Sections 18931, 18945, 18946 and 18949. These provisions may be accessed at the [California Legislative Information website](http://leginfo.legislature.ca.gov/faces/home.xhtml): <http://leginfo.legislature.ca.gov/faces/home.xhtml>.