

September 4, 2012

The Honorable Felipe Fuentes  
Assembly Member 39<sup>th</sup> District  
State Capitol, Room 2114  
Sacramento, CA 95814

RE: AB 2231 (Fuentes) – SUPPORT IF AMENDED

Dear Assemblymember Fuentes:

The Neighborhood Council of Westchester/Playa (“NCWP”) has taken a support, if amended, position of AB 2231 (Fuentes). The NCWP represents the communities of Westchester, Playa del Rey, and Playa Vista within the City of Los Angeles and works to promote more citizen participation in government and to make government more responsive to local needs. While NCWP is in strong support of the intent of the bill, we believe that the bill does not adequately address the issue of liability for homeowners.

NCWP agrees with the bill that the responsibility for repairing damaged sidewalks lies with the appropriate local entities unless a repealing ordinance is approved by a majority of voters in that jurisdiction. The bill does not, however, address liability, most commonly from trip and fall accidents, on either repairs or unrepaired sidewalks. As written, AB 2231 leaves property owners vulnerable to liability lawsuits.

To ensure that property owners are not unfairly held liable for accidents that occur on sidewalks of which they do not retain the responsibility to maintain, an amendment is needed. Appropriate amendments include, but are not limited to, provisions that declare property owners immune from liability for accidents on sidewalks that remain unrepaired by the local agencies that retain responsibility for repairs.

NCWP will be pleased to support AB 2231 (Fuentes) when amendments are taken to protect property owners from unfair and onerous liability claims.

Sincerely,

NEIGHBORHOOD COUNCIL OF WESTCHESTER/PLAYA

Cyndi Hench  
President

c: Senator Alex Padilla  
Councilmember Bill Rosendahl, Los Angeles City Council  
Westside Regional Alliance of Councils