

# Kimball, Tirey & St. John LLP

## Equipment Loans for California Residential Landlords

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Some creative landlords loan items to residents as an amenity. Borrowed items may include:

- Bicycles (and bike locks and helmets);
- Kayaks (and life vests);
- Paddleboards (and life vests);
- Sports and recreation equipment;
- Ironing board and iron;
- Tools;
- Books and DVDs; and
- Games

Landlords loaning equipment to residents should consider utilizing a “Borrowed Equipment Agreement and Release of Liability” form that will include the following provisions:

- Identifying users (residents and/or their guests);
- Identifying the equipment that is borrowed;
- Identifying checkout and check in time;
- Requiring users to comply with manufacturer recommendations and applicable laws (this is particularly important when borrowed equipment could be hazardous);
- Requiring or recommending users to utilize protective gear (when borrowed equipment could be hazardous);
- Makes the security deposit for the unit also apply to the borrowed equipment;
- Resident and user responsibility for lost and damaged equipment;
- A release of liability and agreement to indemnify; and
- Guardian/parental responsibility and signatures for users under the age of 18

Landlords planning to loan equipment to residents should:

- Identify and assess equipment they would like to loan to residents;
- Develop a system of checking equipment in and out, assessing condition and dealing with equipment repair needs;
- Create a notebook (or post online) manufacturer’s recommendations for equipment; and
- Discuss the equipment loan plan with their insurance agent to ensure that they have appropriate insurance coverage.

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