



"Great Apartments Start Here!"

Janet M. Gagnon
Senior Vice President, Government
Affairs & External Relations
janet@aagla.org
213.384.4131; Ext. 309

July 13, 2026
Via Electronic Mail

Honorable Mayor Caroline Torosis
and the Members of the Santa Monica City Council
City Hall Council Chambers
1685 Main Street, Room 250
Santa Monica, California 90401

Re: Rent Control Changes & Creation of Eviction Threshold – Agenda Item 11B

Honorable Mayor Torosis and Members of the Santa Monica City Council:

The Apartment Association of Greater Los Angeles (AAGLA) represents approximately 10,000 rental housing providers throughout Los Angeles, Ventura and San Bernardino counties, including many in Santa Monica. This letter is to express our serious concerns regarding the draft resolutions under consideration tomorrow tonight regarding substantial changes to rent control in Santa Monica.

RENT CONTROL CHANGES

We appreciate that Santa Monica wants to support existing occupants when a renter dies or is incapacitated and that has long been standard policy allowing for immediate family members to continue to remain in the unit. The resolution would extend the definition of family members to siblings, grandparents and grandchildren as well as domestic partners, spouses, children, and parents. We appreciate the Rent Control Board removing its original intent to include extended family as it would lead to a legal quagmire as to who is actually a family member and who is merely pretending to be one and is why no other city has adopted such a broad definition.

However, **the removal of death or incapacitation will open a pandora's box of false claims** especially concerning NON-family members who are also included in the definition of "Covered Occupants". **Since such individuals must only claim that they had an intent to form a household with the renter, literally anyone could falsely pose as a household member creating a perpetual tenancy for anyone merely "claiming" to have any affiliation with the renter.** Even San Francisco's ordinance limits "successor in interest" to immediate family members, domestic partners, and pre-existing co-tenants that were already named on the lease.

This change will result in considerable litigation against the City for creating such a vague and ambiguous standard that will surely be ripe for abuse. **It is a gross overreach in the drafting of the ordinance to include Non-Family Members in the "exclusion" from eviction and should be removed from the definition of "Covered Occupants".**

Further, it makes no logical sense for an occupant who is not a family member to remain after the renter leaves on a voluntary basis as the very definition of their occupancy relies on being part of a "household" with the renter. **If the renter voluntarily vacates the rental unit, then this Non-Family Member "household" member should vacate along with the renter to maintain the household at the new location.** It is unnecessary and detrimental to include a



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Non-Family member in this definition as domestic partners are already covered under the definition of Family Member.

In addition, "unreasonable rejection" by an owner of a Non-Family Member occupant specifically states, "lack of creditworthiness" or "financial criteria" and not legally obligated to pay some or all of the rent. This means that a Non-Family member occupant may not be able to pay the rent if they are allowed to stay once the renter moves out. **This creates an obvious conflict between a Non-Family Member holdover occupant and their ability to meet new financial obligations for the rental unit. Either the definition of "unreasonable rejection" must be changed to allow creditworthiness as a legitimate rejection or Non-Family Members must be removed from the definition of "Covered Occupants".**

Also, the current draft makes it ambiguous at best as to whether the owner can raise the rent on the occupant that is staying after the renter voluntarily leaves and is likely in conflict with state law under the Costa Hawkins Rental Housing Act (CA Civil Code Section 1950.54). San Francisco's ordinance makes clear that any occupant claiming "successor in interest" must sign a new lease at current market rate. **If Santa Monica is to move forward with any such revisions, then it must add a clear requirement that the continuing occupant must sign a lease and is subject to paying rent at current market rate.**

EVICTIION THRESHOLD

We understand that Santa Monica wants to help renters; however, an eviction threshold will do the exact opposite by allowing renters to dig themselves into a deeper hole of rental debt that they can never pay back. Current RSO rents in Santa Monica are far below Small Area Fair Market Rent (SAFMR) as set by the U.S. Department of Housing and Urban Development (HUD). As a result, allowing renters to fall behind by 150% of SAFMR means that they will be behind in rent by **several months** making it impossible for them to avoid eviction and reach an amicable resolution. They will carry the debt for years and ruin their credit in the process making finding new housing even more difficult and precluding certain types of employment.

A far better solution would be for Santa Monica to apply for Measure A funding from Los Angeles County Affordable Housing Solutions Agency (LACAHS) to create a direct rental assistance program for renters in need.

If Santa Monica insists on allowing renters to fall further behind in debt, then the resolution should at least be changed to reflect actual rent paid at time of notice. This will limit the degree of debt renters would accrue as well as making the calculation far easier for both renters and rental housing providers in order to follow this new policy.

Thank you for your time and consideration. Please feel free to reach out to me directly by telephone at (213) 384-4131; Ext. 309 or via electronic mail at janet@aagla.org.

Sincerely,

A handwritten signature in black ink that reads "Janet M. Gagnon". The script is cursive and elegant.

Janet M. Gagnon, Esq.

CC: Daniel Yukelson, Executive Director, Apartment Association of Greater Los Angeles