

CITY COUNCIL OF THE CITY OF OXNARD  
ORDINANCE NO. 3058

ORDINANCE OF THE CITY OF OXNARD, CALIFORNIA, AMENDING SECTIONS 27-3,  
27-4 AND 27-10 AND ADDING SECTION 27-13 TO THE OXNARD CITY CODE  
PERTAINING TO JUST CAUSE EVICTIONS AND TENANT PROTECTION

WHEREAS, the Oxnard City Code (“OCC”) needs to be reviewed and amended periodically to address changes in state law, correct clerical errors, and establish or strengthen regulations; and

WHEREAS, the proposed at-fault just cause amendment in this ordinance is intended to make it clear that an owner can't jump right to a notice to quit in the case of a swapped-out roommate but instead must give a reasonable opportunity to correct; and

WHEREAS, the proposed no-fault just cause amendment in this ordinance is intended to clarify that owners who intend to take back possession and re-occupy a property must complete an affidavit and require it to be served to the tenant at the same time as the termination notice. It also clarifies that the required affidavit must be submitted to the City within five (5) business days of service. Lastly, the amendment clarifies the requirements under the existing ordinance for tenancies that predated our ordinance; and

WHEREAS, the proposed fee established addition in this ordinance is intended to authorize a fee for the administration and enforcement of the Just Cause Eviction ordinance just as there is a fee established for administration and enforcement of the Rent Stabilization ordinance; and

WHEREAS, the City Council desires to enhance the City’s current Rent Stabilization and Just Cause Eviction ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OXNARD DOES ORDAIN  
AS FOLLOWS:

Part 1. Subdivision (B) of Section 27-3 of the Oxnard City Code is hereby amended to read as follows:

“(B)(1) A breach of a material term of the lease, as described in paragraph (3) of Section 1161 of the California Code of Civil Procedure, including, but not limited to, violation of a provision of the lease after being issued a written notice to correct the violation.

(2) A “breach of a material term” shall not include:

(a)1. The obligation to limit occupancy, provided that the additional occupant who joins the tenant of the residential real property thereby exceeding the limits on occupancy set forth in the lease is a dependent under age 18, or a replacement tenant who moved in after an approved tenant vacated the residential real property, so long as the additional replacement tenant does not exceed the limits set forth in the Uniform Housing Code.

2. The owner shall have the right to approve or deny the prospective additional or replacement tenant, who is not a minor dependent child, provided that the owner does not unreasonably withhold approval. If the owner fails to respond to the tenant in writing with a description of the

reasons for the denial of the request within a reasonable time from receipt of the tenant's written request, the tenant's request shall be deemed approved by the owner.

3. Notwithstanding any other provision of this ordinance, and notwithstanding any contrary provision of a rental agreement, an owner shall take no action to terminate a tenancy based on the tenant's sublease of the unit if all of the following conditions are met:

- (i) The original tenant continues to reside in the unit;
- (ii) The sublessee replaces a departed tenant, who had a right to occupy the rental unit under a rental agreement, on a one-for-one basis; and
- (iii) The landlord has unreasonably withheld approval of the new tenant after a request was made by the tenant or, if no such request was made, the owner failed to provide the tenant with a reasonable opportunity to correct the violation."

Part 2. Subdivision (A) of Section 27-4 of the Oxnard City Code is hereby amended to read as follows:

"(A) The intent to occupy the residential real property by the owner or their spouse, domestic partner, children, grandchildren, parents, or grandparents.

(1) For leases entered into on or after the effective date of this article, this subsection shall apply only if the tenant agrees, in writing, to the termination; or if a provision of the lease allows the owner to terminate the lease because the owner, or their spouse, domestic partner, children, grandchildren, parents, or grandparents unilaterally decides to occupy the residential real property for a period of at least 24 months, commencing within 90 days of the termination of tenancy as affirmed by the owner in a written affidavit submitted to the city within five (5) business days of serving a tenant with a notice of termination on the affected tenant.

(2) For leases entered into before the effective date of this ordinance, an owner may terminate a tenancy so that the unit may be occupied by the owner, or their spouse, domestic partner, children, grandchildren, parents, or grandparents without first obtaining the tenant's written permission and without a lease provision expressly providing for such a basis for termination. The owner or qualifying relative must intend in good faith to occupy the real property as their primary residence for a period of at least 24 months, as affirmed by the owner in a written affidavit submitted to the city within five (5) business days of service of the notice on the affected tenant.

(3) The affidavit required by paragraphs (1) and (2) of this subdivision (A) must be on a form provided by the city and must, in addition to being submitted to the City, be provided to the tenant contemporaneously with the termination notice. The affidavit must include the following information.

- (a) A statement that the owner or the owner's spouse, domestic partner, children, grandchildren, parents, or grandparents, intends in good faith to occupy the unit as to which the tenancy is to be terminated and to reside in that unit as their principal place of residence for a minimum of 24 months, commencing within 90 days of the termination of the tenancy;
- (b) The name, and the relationship to the owner, of the person for whose occupancy in the unit the tenancy is being terminated; and
- (c) The address of the owner or owner's spouse's domestic partner's, child's, grandchild's, parent's, or grandparent's principal place of residence as of the date when the tenant was served the notice of termination."

Part 3. Section 27-10 of the Oxnard City Code is hereby amended to read as follows:

“(A) The city manager may adopt administrative procedures and regulations to implement the provisions of this article. Any regulation intended to clarify the meaning of any provision of this article, or to add substantive (as opposed to merely procedural) details necessary to its implementation, shall not become effective unless approved by resolution of the city council. If approved by the city council, the regulation shall be published in an appropriate location, along with any other regulations implementing this article, on the city's website. Any presentation to the city council pursuant to this subdivision (A) shall include:

- (1) A succinct statement of why the regulation is necessary or desirable;
- (2) A succinct statement of what the regulation would do;
- (3) A succinct statement of how the proposed regulation is consistent with the intent of the ordinance provision to which it relates; and
- (4) The complete text of the proposed regulation.

(B) It is illegal for an owner or representative to retaliate against a tenant for lawfully and peaceably exercising their legal rights, including but not limited to, the right to file a complaint with code compliance. No owner may take any action increasing any rental amount, reducing any service, causing the tenant to involuntarily quit the premises, or discriminating against the tenant because of the tenant's use of any remedy provided by this article.

(C) Any provision of a rental housing agreement that purports to waive any provision of this article is void as against public policy.

(D) An owner's failure to comply with any requirement of this article is an affirmative defense in an unlawful detainer or other action brought by the owner to recover possession of the rental unit.”

Part 4. Section 27-13 is hereby added to Chapter 27 of the Oxnard City Code to read as follows:

**“Sec. 27-13. Fee Established**

Owners subject to this article shall pay the Just Cause Eviction fee as established by city council resolution. The Just Cause Eviction program fee is to implement and enforce the provisions of this article.”

Part 5. Severability. If any section, subsection, sentence, clause, phrase, part or portion of this ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this ordinance. The City Council declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, parts or portions be declared invalid or unconstitutional.

Part 6. Pursuant to Cal. Gov. Code Section 36933(c)(1), the City Attorney was designated to prepare, and the City Clerk published, a summary of this ordinance, and a certified copy of the ordinance was posted in the Office of the City Clerk a minimum of five days before the City Council's adoption of the ordinance.

Part 7. Within fifteen days after passage, the City Clerk shall cause this ordinance to be published one time in a newspaper of general circulation, published and circulated in the City. Ordinance No. 3058 was first read on April 29, 2025, and finally adopted on May 20, 2025 2025, to become effective thirty days thereafter.

AYES:

NOES:

ABSENT:

ABSTAIN:

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Luis Mc Arthur, Mayor

ATTEST:

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Lourdes A. Lopez, City Clerk

APPROVED AS TO FORM:

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Stephen M. Fischer, City Attorney