

RESOLUTION NUMBER _____ (CCS)

(City Council Series)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA
SUBMITTING TO THE VOTERS A MEASURE TO AMEND ARTICLE XXIII OF THE
CITY CHARTER TO EXPAND JUST CAUSE EVICTION PROTECTIONS TO SINGLE-
UNIT DWELLINGS, AND MODIFY REQUIREMENTS FOR GOOD FAITH OWNER
MOVE IN EVICTIONS FROM NON-RENT CONTROLLED RENTAL UNITS

WHEREAS, the City's Rental Control Law (Article XVIII of the City Charter, also referenced as "RCCA") and the City's Housing Policies Law (Article XXIII of the City Charter, also referenced as "HPCA") prohibit evictions of tenants except as enumerated in the law, generally excluding only tenants renting single-unit dwellings and condominiums; and

WHEREAS, the HPCA permits owners to evict tenants based on the owner's good faith intent to occupy the unit or have a qualified family member occupy the unit, subject to certain limitations to ensure tenants are not unfairly displaced for this reason; and

WHEREAS, Article XVIII, Section 1806(a)(8) was amended by Measure RC in 2022 to further regulate owner move in evictions from rent controlled rental units to ensure that owner move in evictions are not used to circumvent just cause requirements, but the same amendments were not made to Article XXIII, Section 2304(a)(8); and

WHEREAS, in order to align the HPCA with the RCCA so that the same just cause protections would apply to controlled and non-controlled units, the City Council has considered expanding the HPCA to extend just cause for eviction protections to cover single-unit dwellings and condominiums; and

WHEREAS, there are a growing and significant number of single-unit dwellings and condominiums being used for residential rentals in the City; and

WHEREAS, other jurisdictions, including the City of Los Angeles, County of Los Angeles, Culver City, Beverly Hills, West Hollywood, Pasadena, Berkeley, San Francisco, Oakland, and East Palo Alto currently extend just cause for eviction protections to single-unit dwellings and condominiums, making Santa Monica an outlier with respect to comparable jurisdictions with robust tenant protections; and

WHEREAS, tenants of single family homes are more likely to be evicted for owner move in than tenants in multi-unit dwellings; and

WHEREAS, to ensure tenants of non-rent controlled units have adequate protection against bad faith owner move in evictions, it is necessary to amend the HPCA to align with the 2022 amendments of the RCCA with respect to owner move-in evictions.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA MONICA DOES RESOLVE AND PROCLAIM AS FOLLOWS:

SECTION 1. At the General Municipal Election called for November 3, 2026, the following measure shall be submitted to the qualified electors of the City of Santa Monica:

MEASURE " ": Shall Article XXIII of the City Charter related to housing policies be amended to extend existing eviction protections to tenants renting single-unit dwellings and condominiums and require that for owner occupancy evictions from non-rent controlled units, the owner must intend in good faith to occupy the unit within 60 days after the tenant vacates and for at least 2 years thereafter?	Yes _____ No _____
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SECTION 2. That the City Clerk shall file a certified copy of this resolution with the Board of Supervisors and with the county election department of the County of Los Angeles.

SECTION 3. That the City of Santa Monica recognizes additional costs may be incurred by the County by reason of the addition of this measure to the ballot and agrees

to reimburse the County for any additional costs.

SECTION 4. The City Clerk shall transmit to the City Attorney, in accordance with applicable law, a copy of the proposed measure. The City Attorney shall prepare an impartial analysis of the measure, which shall not exceed 500 words in length. The impartial analysis for each measure shall be filed by the date set by the City Clerk for the filing of primary arguments. In accordance with applicable law, not less than 10 calendar days before the City Clerk submits the official election materials for printing, the City Clerk shall make a copy of all applicable elections materials available for public examination in the City Clerk's office.

SECTION 5. The City Council authorizes its members, as follows, to file written arguments for or against the measure described above and which is contained in Exhibit 1 to this Resolution, which Exhibit is incorporated by reference herein:

FOR: _____

AGAINST: _____

All written arguments filed by any person in favor of or against the measure, including any rebuttal arguments, shall be accompanied by the names and signatures of the persons submitting the argument as required by applicable law, and any names, signatures, and arguments may be filed until the time and date fixed by the City Clerk in accordance with applicable law, after which no change may be submitted to the City Clerk unless permitted by law.

SECTION 6. The City Clerk shall cause the text of the measure, which is contained in Exhibit 1, together with the City Attorney impartial analysis, and any arguments for or against the measure, as well as any rebuttals, to be mailed to all qualified voters with the sample ballots. In addition to other notices and publications required by law, the City

Clerk, not less than forty (40) days and not more than sixty (60) days before the General Municipal Election, shall cause the text of the measure to be published once in the official newspaper and in each edition thereof during the day of publication. The City Clerk is authorized to give such notices and to fix such times and dates as are required by law or which are appropriate to conduct properly the election.

SECTION 7. The provisions of Resolution Numbers 11763 and 11764 are referred to and incorporated into this resolution for more particulars concerning the conduct of General Municipal Election to be held on November 3, 2026, and in all respects the election shall be held and conducted as provided for by applicable law. The City Clerk is authorized and directed to procure and furnish any official ballots, notices, printed materials and all supplies or equipment that may be necessary in order to properly and lawfully conduct the election.

SECTION 8. The City Clerk shall certify to the adoption of this Resolution, and thenceforth and thereafter the same shall be in full force and effect.

APPROVED AS TO FORM:

HEIDI VON TONGELN
City Attorney

Exhibit 1

Section 2302(a) and (h) of Article XXIII of the City Charter shall be amended to read as follows:

2302 Definitions.

The following words or phrases as used in this Article shall have the following meanings:

(a) Nonrentcontrolled rental units.

All residential rental units in the City of Santa Monica except those units that are subject to rent control pursuant to Article XVIII of this Charter ~~or are single family homes.~~

. . .

~~(h) Single family home.~~

~~A property that has been developed with only one dwelling and any lawful accessory structures, or a lawfully created condominium, stock cooperative or similar unit that is part of a larger residential structure or complex.~~

Section 2304(a)(8)(iv) and 2304(a)(8)(v) of Article XXIII of the City Charter shall be amended to read as follows:

2304 Just cause eviction—Notices to cease.

(a) No landlord shall take action to terminate any tenancy in a noncontrolled rental unit including, but not limited, to making a demand for possession of a rental unit, threatening to terminate a tenancy, serving any notice to quit or other eviction notice or bringing any action to recover possession or be granted recovery of possession of a controlled rental unit except on one of the following grounds:

. . .

(8) The landlord seeks to recover possession in good faith for use and occupancy by herself or himself, or her or his children, parents, grandparents, brother, sister, father-in-law, mother-in-law, son-in-law, or daughter-in-law. For purposes of evictions under this Subsection:

. . .

(iv) The landlord or enumerated relative must intend in good faith to move into the unit within ~~thirty (30)~~ sixty (60) days after the tenant vacates and to occupy the unit as a primary residence for at least ~~one year~~ two years, unless extenuating circumstances exist. The City may adopt regulations governing the determination of good faith.

(v) If the landlord or relative specified on the notice terminating tenancy fails to occupy the unit within ~~thirty (30)~~ sixty (60) days after the tenant vacates or fails to occupy the unit as a primary residence for at least two years, unless extenuating circumstances exist, the landlord shall:

A. Offer the unit to the tenant who vacated it.

B. Pay to said tenant all reasonable expenses incurred in moving to and/or from the unit.