



RENTAL HOUSING

PAST, PRESENT, AND FUTURE LAWS AFFECTING
CALIFORNIA'S RENTAL HOUSING INDUSTRY



Laws of Rental *Past*...
Now the Law

AB 1482 - TENANT PROTECTION ACT OF 2019

“AT FAULT” Just Cause

Nonpayment of Rent

Material breach of lease terms after opportunity to cure.

Assigning or subletting property in violation of lease terms

Tenant’s refusal to allow owner to enter property

Employee or licensee’s failure to vacate property following termination of employment

Tenant’s failure to deliver possession after giving notice of intent to vacate, which is accepted by landlord in writing

Threat on or off the property directed at landlord/agent

AB 1482 - TENANT PROTECTION ACT OF 2019

“NO FAULT” Just Cause

1. Intent to occupy “Residential Real Property” by owner or owner’s spouse, domestic partner, child, grandchild, parent, or grandparent

2. Owner complying with local ordinance, court order, or order of government agency for a tenant or tenants to vacate the property

3. Intent to demolish or “substantial remodel” of the residential real property. Cosmetic improvements do not qualify

If an owner issues notice to terminate for “No Fault” cause, the owner shall notify tenant of his/her right to relocation assistance

A notice must be provided to all tenants that the residential property is exempt from the provisions of AB 1482

Relocation assistance shall be equal to one (1) month of tenant’s rent in effect at the time notice to terminate is served. Relocation assistance does not apply to:

1. “housing that has been issued a certificate of occupancy within the previous 15 years”
2. “single family homes”, owner occupied properties, ADUs, or duplexes that are owner-occupied

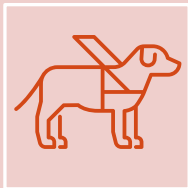
Relocation assistance is credited against any other assistance required by any other law (Not Cumulative)

Residential property shall not be subject to a local government ordinances and AB 1482 provisions

AB 468 - EMOTIONAL SUPPORT ANIMALS



Prohibits an owner of an emotional support dog (including certificate, identification, tag, vest, leash, or harness) from claiming the canine can be licensed as, qualified to be, or identified as a guide/signal/service dog.



Requires a person or business that sells/provides a certificate, identification, tag, vest, leash, or harness for an emotional support dog, to certify in writing that it is not entitled to the legal rights and privileges of a guide/signal/service dog.



Laws of Rental *Present*

AB 12 - REDUCTION IN RENTAL SECURITY



Permit property owners to collect up to one month's rent for security deposit for unfurnished units.
Effective July 1, 2024



Collect a security deposit totaling one month's rent for each dwelling unit –
With one key exception



Charge for all damage during tenancy and following termination.



Permit applicant to pay for improvements/repairs prior to occupancy.
Civil Code 1950.5 (c)(3)



Engage in thorough Pre-Inspection.
Civil Code 1950.5 (f)



No longer offer free rent as move-in incentive.

AB 1317 - UNBUNDLED PARKING



Pilot program prohibiting property owner from including a parking space in the rent of a dwelling unit.

- No formal end date
- Applies to **new builds after January 1, 2024.**

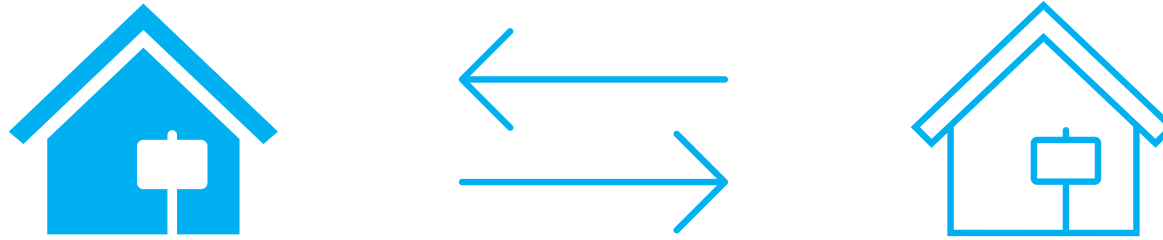


Charge for all damage during tenancy and following termination.

Applies to ten (10) California Counties:

- *Alameda*
- *Fresno*
- *Los Angeles*
- *Riverside*
- *Sacramento*
- *San Bernardino*
- *San Joaquin*
- *Santa Clara*
- *Shasta*
- *Ventura*

AB 1620 - COMPARABLE OR SMALLER UNITS



Local jurisdictions are authorized to require the property owner of a residential real property to move a tenant in good standing to an available, comparable or smaller unit located on an accessible floor, if certain conditions are met.

SB 567 - JUST CAUSE TERMINATION: RENT INCREASES

Prohibits a property owner from evicting renters to either substantially repair or remodel dwelling units until NOTICE has been served AFTER a building permit is obtained.

- Prevents a tenant from being evicted to begin demolition in preparation for repair and/or remodel.
- Requires property owner to obtain building permit **before** permissible eviction of tenant.
- Causes unnecessary delays in providing necessary and immediate repairs, which may include lead in water or “popcorn ceiling” containing asbestos.
- Increases property owners’ cost to make repairs or substantially remodel.
- Causes unnecessary delays and cost increases in labor and materials in future building contracts.

SB 712 - PERSONAL MICROMOBILITY DEVICES



Property owners are not allowed to prohibit a tenant from owning personal micromobility devices or from storing and recharging up to one device in their dwelling unit for each person occupying the unit, subject to certain conditions and exceptions.

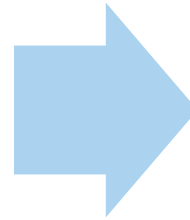


Definition – “Personal micromobility device”

A device that is powered by the physical exertion of the rider or an electric motor and is designed to transport one individual or one adult accompanied by up to 3 minors.

SB 602 - TRESPASS LETTERS

The validity of trespass letters are extended from 30 days to 12 months.



These trespass letters allow property owners to inform law enforcement that a unit is uninhabited and enables them to clear the unit of anyone who attempts to take up residence there without needing to go to court.

AB 234 - UNLAWFUL DETAINER PROCEDURES




Proposes to extend a defendant's time to respond to an unlawful detainer action from 5 court days to 10 court days.



Proposes to allow defendant's to orally "file" a motion to demurrer at hearing, with time to subsequently file written motion.


SB 1051 - LOCK CHANGES

Repeals, recasts, and revises existing law that applies when a person is alleged to have committed abuse or violence against an eligible tenant or the immediate family or household member of an eligible tenant, and the person is not a tenant of the same dwelling unit as the eligible tenant.



Definition - “Eligible Tenant”

A tenant who is a victim of abuse or violence, as defined, or a tenant whose immediate family member or household member is a victim of abuse or violence.



Requires property owners to, at their expense and upon the eligible tenant’s written request, change the locks of an eligible tenant’s dwelling unit not later than 24 hours after the eligible tenant gives the landlord specified documentation.

AB 2801 - SECURITY DEPOSITS



Proposes to limit the use of a security deposit to material and supplies **necessary** to make reasonable replacement or repairs.



Would also require property owners to take **photographs** of a rental unit:
(1) before tenancy; (2) during the move-out inspection and/or after a tenant moves out;
(3) after cleaning and/or repair.



Property owner would then be required to provide photographs take to the tenant with receipts and itemization 21 days following termination.



Laws of Rental *Future*



PETS IN RENTAL PROPERTIES

Would have required landlords to accept pets in their rental properties while prohibiting the owner/agent from charging a non-refundable pet fee.

Expect another bill to be introduced in 2025.

- What if insurance companies refuse to insure certain pets or all pets?
- What can be done if pets cause a nuisance to other renters?
- Can an indemnity clause for damage and/or injury caused by pets be added to a lease?
- How many pets are allowed in a single unit?

UNDOCUMENTED PERSONS

Governor Newsom vetoed a highly controversial bill that would have permitted undocumented persons access to the CalHFA home loan program.

- Will a bill be introduced to permit undocumented persons full and equal access to tenant assistance programs?
- Will a bill be introduced to address this issue through California's Fair Employment and Housing Act?

WATCH LIST

Will Congress create a federal tenant protection act?

What will be the fallout from California Proposition 33, if approved by voters?

What will be the impact of tenants' rights to free counsel via owner assessment?