



# Andor Law

Legislative Update 2022

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## Topics Covered

Offramp from Moratorium

SB 1536

# Offramp from Moratorium

- ▶ Gradual elimination of moratorium restrictions on termination of tenancy and nonpayment supported by OERAP rental assistance funds
- ▶ Some restrictions to persist through spring and summer
- ▶ Long term/indefinite restrictions

## SB 282 – What Applies Now

- ▶ Termination for nonpayment is permissible but if proof of application for rental assistance is provided by the renter to the housing provider on or before June 30, 2022, then no further action can be taken until the earliest of three events:
  - ▶ Housing provider receives payment;
  - ▶ The application is denied; or
  - ▶ October 1, 2022

# Long Term/Indefinite Changes

- ▶ Federal Requirements:
  - ▶ CARES Act - Renters in affordable properties or subject to federal backed mortgages must be provided 30 days' notice for nonpayment terminations
  - ▶ HUD Interim Final Rule for Nonpayment of Rent - Renters must be provided 30 days' notice for non-payment terminations and emergency rental assistance information.

# Long Term/Indefinite Changes

- ▶ State Law Requirements
  - ▶ Housing providers may not consider, in the application process or disclosing in rental references any:
    - ▶ Eviction judgments for claims that arose on or after April 1, 2020, and before March 1, 2022.; and
    - ▶ Unpaid rent (including rent reflected in judgment or referrals of debt to a collection agency) that accrued on or after April 1, 2020 through March 1, 2022.

# SB 282 – What Remains in Place Until September 30, 2022

- ▶ 10-day nonpayment notice requirements with disclosures related to rental assistance and eviction protection



# SB 1536

Restrictions related  
to portable cooling  
devices

Protection from  
liability and  
guidance for  
managing portable  
cooling devices

\*effective  
immediately

# General Rules

Housing providers may not prohibit or restrict residents from installing or using a portable cooling device (including window units) of the renters choosing except as allowed by statute



# SB 1536

- ▶ Housing providers may adopt permissible written rules for use and installation of portable cooling devices
- ▶ Relates to installation, use, removal, safety, and termination notices for not following the rules
- ▶ Housing providers have no liability for damages, injury or death caused by a portable cooling device **installed by the renter**

## SB 1536 – New Construction

- ▶ A dwelling with building permits for its construction issued on or after April 1, 2024 must provide cooling in at least one room of the dwelling unit (not including a bathroom).

Questions?





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Thank you!!

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