

CalRHA 2020 Housing Legislation

Chris Zraggen, Capitol Advocacy



August 17, 2020

In August the Legislature has begun to wind down the Legislative session as we approach an August 31st Constitutional deadline that requires the Legislature to adjourn for the year. It goes without saying that this has been an incredibly unprecedented year that has seen deadlines set, reset, and then reset again. All of this, paired with a significant reduction in state revenue has required a truncated legislative session and a significant pairing down of bills to focus on the biggest problems for the state. Inter-house politics between the Assembly and the Senate has fostered consternation in the Legislature, largely over disagreements about which bills have been deemed priorities this year.

Housing is one of only a few issues that started off the year as a key issue, and continued to be considered as such. The Senate Pro Tem has been actively engaged in this discussion, as has Assemblymember David Chiu, the Chair of the Assembly Housing Committee.



Phil Ting: Chair, Assembly Housing Committee



Supreme Court Chief Justice Tani Cantil-Sakauye

On August 13th, the Judicial Council voted to allow tenant eviction hearings to resume on September 2, 2020. The council first voted in April to temporarily halt evictions and delayed a vote in June to end the moratorium, but finally came to a vote on August 13th. Supreme Court Chief Justice Tani Cantil-Sakauye who is also the Chairwoman of the Judicial Council urged the Legislature and the Governor to resolve this issue. She noted that it is the Legislature's purview to act on this matter, not the Judiciary's. Judicial Counsel's date to resume hearings on September 2nd provides the Legislature and the Governor time to strike a deal on housing and evictions. This places even more pressure on the Legislature and the Administration to work out a deal on housing relief. CalRHA has participated in a number of conversations with the Governor's office to be part of the solution.

On August 13th, the Judicial Council voted to allow tenant eviction hearings to resume on September 2, 2020. The council first voted in April to temporarily halt evictions and delayed a vote in June to end the moratorium, but finally came to a vote on August 13th. Supreme Court Chief Justice Tani Cantil-Sakauye who is also the Chairwoman of the Judicial Council urged the Legislature and the Governor to resolve this issue. She noted that it is the Legislature's purview to act on this matter, not the Judiciary's. Judicial Counsel's date to resume hearings on September 2nd provides the Legislature and the Governor time to strike a deal on housing and evictions. This places even more pressure on the Legislature and the Administration to work out a deal on housing relief. CalRHA has participated in a number of conversations with the Governor's office to be part of the solution.

In late July we learned from the Senate Judiciary Committee that they would not set some of the 80 bills that were initially referred to the committee. This is due to the condensed timeline because of the COVID-19 pandemic. Among the bills that were not set were AB 828 by Assemblymember Phil Ting, which would have created a statewide moratorium on evictions and foreclosures, and **AB 1703** by Assemblymember Richard Bloom, which would have imposed a right of first refusal mandate on rental property owners in California. The stalling of these bills is a significant win for property owners.



Assemblymember Phil Ting

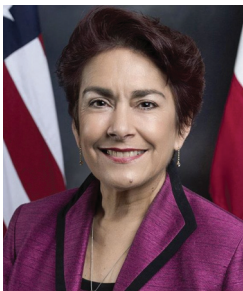
One of the bills that will be heard in Senate Judiciary is **AB 1436**, authored by Assemblymember David Chiu. This bill would give tenants 5 months from the end of the state of emergency for COVID-19, or 12 months after April 1, 2021 (whichever comes first) to repay back owed rent. Amendments to this bill were taken in late April to include mortgage forbearance that was included in Assemblymember Monique Limón's bill earlier this year, **AB 2501**, which failed on the Assembly Floor. The addition of forbearance has brought out fierce opposition from California Bankers who helped kill Limon's bill earlier this year. Regardless, **AB 1436** remains the Assembly's priority bill for housing this year and discussions between Senate and Assembly leadership will continue on this bill until all parties reach a consensus on the matter.



Assemblymember Monique Limón

The Senate's priority housing bill is **SB 1410**, authored by Senator Caballero. While Senator Caballero is the lead author on the bill, it has been made clear that this is one of the Senate Pro-Tem's top priority bills and she has been pushing hard for this. This bill requires owners and tenants to make a rent stabilization agreement where housing providers would forgo rent and subsequently

receive tax credits in the future. CalRHA continues to push for amendments to this bill to: 1) clarify that participation in this program is in fact voluntary, 2) specify that the commitment to not evict a tenant under this agreement is limited to the nonpayment of rent, and 3) provide more immediate relief to small property owners.



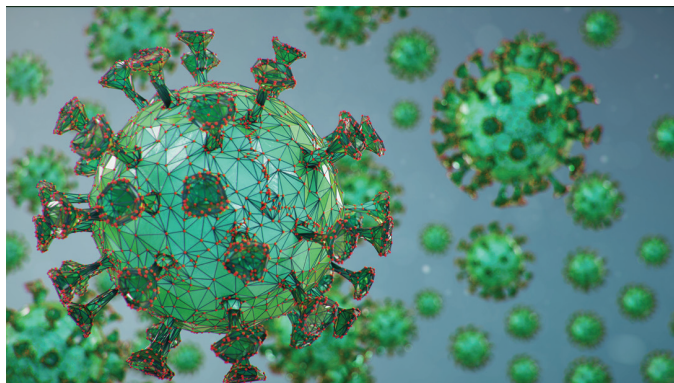
Senator Anna Caballero

This bill passed out of the Assembly Judiciary Committee with 7 AYE votes and 3 NO votes on August 12th, and will now go to the Assembly Appropriations Committees. Like **AB 1436**, discussions will continue around this bill until a consensus is reached.

SB 1190, by Senator Durazo continues to move forward. This bill authorizes tenants to terminate a lease in the event that they or an immediate family member are a victim of a crime. Though the enforcement provisions of **AB 1482** from last **SB 1190**. On August 12th this bill passed out of the Assembly Judiciary Committee with 8 AYE votes and 3 NO votes and now will head to the Assembly Floor for a full vote of the house.



Senator Maria Elena Durazo



COVID-19 has rocked the nation, and more specifically the state of California. All parts of our state have been impacted in one way or another and the Legislature has especially felt these impacts, as has the housing industry. CalRHA continues to find itself fighting against harmful housing legislation in an effort to protect property owners in the state. Our Association will continue this fight in the final two weeks of session and we will ensure that we uphold the interest of our members as we advocate against harmful legislation.



Welcome New SBRPA Members!

July 2020

Alan Gallegos, Annette Ordas, Bennett Rogers, Adrea Caren, Catherine & Eberhard Brunner, Catherine Orton, Eva Enrique, Chelsea Carroll-Escalera, Greg & Leslie White, John Steel, Ken Manford, Millie Szerman & Holly Angel, Rafael & Alejandra Ochoa, Patrick Navailles, Seaside Ranch, R. David & Toni Fox, Richard Zach Rissel, Lois, Kathy & Greg Waldref, Surface Management Inc., Dr. Letty Lauffer, Victor & Barbara Bartolome,

May & June 2020

Anita Carmichael, Battistone Administration, LLC, Peter Harms, Castleberg Properties, Michael & Christa Myers, Matthew Platler, Cindy Abbott & Larry Lepow, Jim Nuttall, Roberto Gonzales, Sally Saenger, Homes 805 Inc., Plaza Commercial Center

