

New Landlord-Tenant Laws Effective 2026

AB 246 (Bryan) The Social Security Tenant Protection Act of 2025.

The Act authorizes a tenant of residential real property to assert Social Security hardship as an affirmative defense in an unlawful detainer proceeding based on the nonpayment of rent. The bill allows residential tenants to use "Social Security hardship" as a legal defense in eviction cases for nonpayment of rent through January 20, 2029. A tenant may assert this defense if their household's Social Security benefits were delayed, reduced, or interrupted due to federal action or inaction, causing them to be unable to pay rent. If the tenant proves this hardship, the court must pause the eviction case. The bill does not forgive unpaid rent; instead, tenants must pay all past-due rent or enter a payment plan within 14 days after benefits resume. Upon compliance, the court must dismiss the case. The Judicial Council must update court forms by January 1, 2027.



CA Assembly
Isaac Bryan

AB 628 (McKinnor) Habitability: Stoves and Refrigerators.

This bill makes a dwelling that substantially lacks a stove or refrigerator that are maintained in good working order and capable of safely generating heat for cooking or safely storing food untenable. AB 628 expands the definition of a "tenantable" dwelling to include a working stove and refrigerator for all leases entered into, amended, or extended on or after January 1, 2026. Landlords must repair or replace appliances that are subject to manufacturer or public recall within 30 days of notice. Tenants may agree to provide and maintain their own refrigerator if this is established in the lease. Certain housing types, such as permanent supportive housing, are exempt. The bill does not alter tenants' existing rights to repair untenable conditions or terminate the lease when landlords fail to make necessary repairs.



CA Assembly
Tina McKinnor

AB 747 (Kalra) SPARE Act (Service of Process Accountability, Reform and Equity Act) Strengthens procedural protections for defendants by increasing accountability for process servers, clarifying the

standard for substituted service, requiring photographic documentation of service, and enhancing access to post-judgment relief when service was unlawful. AB 747 requires county clerks to make the process server registry publicly accessible, creating a new local administrative duty. For substitute service, the bill defines "reasonable diligence" as three attempts on different days and times. Proof of service must include a photograph, a stamp, and GPS coordinates, or a detailed explanation if GPS is unavailable. Parties who did not receive proper service can petition to set aside a default judgment, and courts must hold a hearing if requested. The bill also requires unlawful detainer complaints to include details about how the termination notice was served. State reimbursement applies where required.



CA Assembly
Ash Kalra

AB 1414 (Ransom), allowing for an opt-out of landlord-tenant internet service.

Both the National Apartment Association and the California Rental Housing Association opposed. Beginning January 1, 2026, AB 1414 requires landlords of month-to-month or periodic tenancies to allow tenants to opt out of any subscription to a third-party internet service provider bundled with their tenancy. If a landlord fails to allow the tenant to opt out, the tenant may deduct the subscription cost from their rent. The bill also prohibits landlords from retaliating against tenants for exercising this right, consistent with existing legal protections against landlord retaliation.



CA Assembly
Rhodesia Ransom

Negotiated Legislation—Signed Neutral Bills

AB 414 (Pellerin) - Security Deposits.

Amendments were agreed upon, to allow for mutual written agreements for alternative methods of refunding security deposits, clarify that the itemized statement can be provided by email or first-class mail upon mutual agreement, and account for managing security



CA Assembly
Gail Pellerin

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deposit returns when multiple adult tenants reside in a unit. AB 414 updates rules for how landlords must return residential security deposits. If a landlord received the tenant's rent or security deposit electronically, the landlord must return any remaining deposit electronically, unless both parties agree in writing to a different method. Landlords must notify tenants in writing of their right to receive the return electronically. The bill also allows itemized statements to be delivered via email or mail, based on mutual agreement. For units with multiple adult tenants, refunds must be issued jointly unless another written agreement exists.

AB 863 (Kalra) - Residential Rental Properties: Language Requirements Instead of requiring a landlord to provide the tenant with a notice in Spanish, Chinese, Tagalog, Vietnamese, or Korean, as well as in English, amendments were taken to instead have the Judicial Council create a summons containing the languages and make it available on their website. AB 863 directs the Judicial Council to create a single standardized summons form for residential unlawful detainer (eviction) cases to be used by January 1, 2027. This form must include all required legal notices and instructions, and it must be available in English, Spanish, Chinese, Tagalog, Vietnamese, and Korean. The form must be published on the Judicial Council website. The bill aims to ensure that tenants receive multilingual, accessible notice when facing an eviction lawsuit.

SB 262 (Wahab) - Prohousing Local Policies. This bill adds additional local policies related to housing stability, and homelessness as pro-housing policies that the Department of Housing and Community Development (HCD) can consider in developing a pro-housing designation. We were able to have rent stabilization ordinance, funding for legal services for eviction defense and eviction prevention, as well as tenant protections amended out of the bill. SB 262 expands the criteria for a jurisdiction to be designated "prohousing" by the Department of Housing and Community Development. Existing law awards prohousing jurisdictions additional points or preference for certain state grants. The bill adds new examples of "prohousing local policies," including those focused on helping residents remain housed, not just policies that increase development capacity. It also includes conditional changes that apply only if AB 36 is enacted and SB 262 is enacted last.



CA Senate
Alisha Wahab

Two-Year Bills Eligible to move in 2026

- **Assembly Bill 1157 (Kalra/D, San Jose)** Just Cause and Rent Caps, which would have significantly altered the existing just cause and rent cap provisions established under AB 1482, the Tenant Protection Act of 2019.
- **AB Bill 1240 (Lee)** Corporate Ownership has become a two-year bill, parked in the Senate Judiciary Committee.
- **AB 1248 (Haney)** Rental Fees failed in the Assembly on the Floor, where it was sent to inactive. AB 1248 would have limited the fees that a rental property owner could charge in addition to rent and have required those fees to be included in the rent and not charged as a separate fee.
- **SB 436 (Wahab)** Right to Redeem Tenancy, which would have changed the 3-day pay or quit statute to a 14-day pay or quit, sits in the Assembly Judiciary Committee.
- **SB 681 (Wahab)** Housing, the Senate's housing reform proposal, which included provisions that limit fees that rental property owners may charge tenants which failed to get a hearing in the Assembly Housing Committee and now is a two-year bill.
- **SB 789 (Menjivar)** Vacancy Tax - SB 789 would have required a person that owns commercial real property to register with the California Department of Tax and Fee Administration (CDTFA) and annually file an information return to report specified vacancy information, and (2) subject late and unfiled returns to a penalty of \$100 per commercial property.

Editor's NOTE: Kate said they did not have a Legislative Update for December, so we are printing information from CalRHA's 2025 Webinar in its place. She did indicate AB 1157 (see above) is expected to be heard in the Assembly Judiciary Committee on January 13th.

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