



City of Santa Barbara Required One-Year Lease Offers

Krista Pleiser, Santa Barbara Association of Realtors



The City of Santa Barbara recently enacted an ordinance that requires landlords to offer written one-year leases to tenants. This is a brief breakdown of the ordinance. To view the full ordinance, view the Santa Barbara Municipal Code Chapter 26.40 at <http://qcode.us/codes/santabarbara/>.

What is this Ordinance and who does it apply to?

This Ordinance requires landlords in the City of Santa Barbara to offer a one-year written lease to all tenants. The landlord's signing of a lease which has a minimum term of one year shall be considered an offer in writing.

The following do NOT need to offer a one-year lease

- a) A single-family dwelling
- b) Rooms or accommodations in hotels or boarding houses which are lawfully rented to transient guests for a period of less than thirty days
- c) Dwelling units in a condominium, community apartment, planned development or stock cooperative, or in a limited equity stock cooperative as defined in the California Business and Professions Code

When does this Ordinance take effect?

The mandatory offer of a one-year lease shall be implemented no later than September 9, 2019, unless:

- a) There is currently a written lease. When the lease expires then this ordinance shall apply
- b) An owner-occupied unit that is rented to a tenant for less than one year
- c) A rental unit occupied by a tenant who subleases that unit to another tenant for less than one year
- d) A rental unit where tenancy is an express condition of, or consideration for employment under a written rental agreement or contract
- e) Lawfully operated vacation rentals

Is offering the lease a one-time offer or continual?

Leases must continually be offered year-after-year, even if the tenant has rejected the one-year lease offer in the past.

What happens if the tenant or the landlord don't want a one-year lease?

Rejection by prospective tenant or tenant - The rejection must be in writing (signed and dated by tenant). Rejection forms can be:

- a) prepared by the city attorney and made available through the City's website OR
- b) prepared by the landlord or tenant to communicate the rejection

Non-renewal of leases by landlords - If the landlord does not wish to continue the rental relationship, then at the time the landlord delivers notice of such termination, the tenant shall be offered a one-session conciliation meeting (non-binding) with the landlord using the Santa Barbara Rental Housing Mediation Board, if available, or a qualified mediator of mutual choice and provided at mutual expense.