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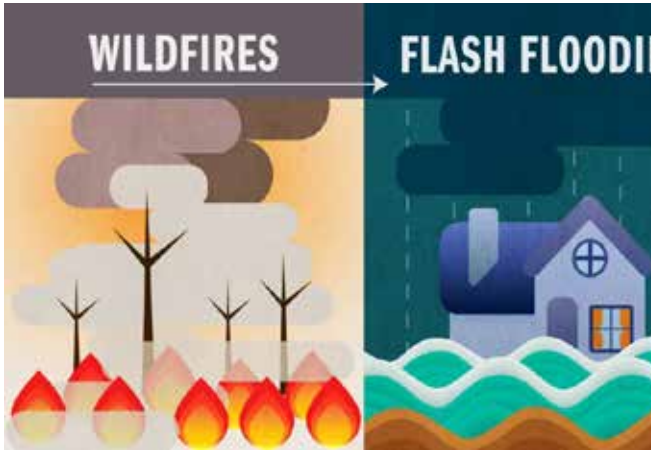
2019 Economic Forecast & Officer Installation page 13





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(Photos/facts retrieved from National Flood Insurance Program and FEMA)

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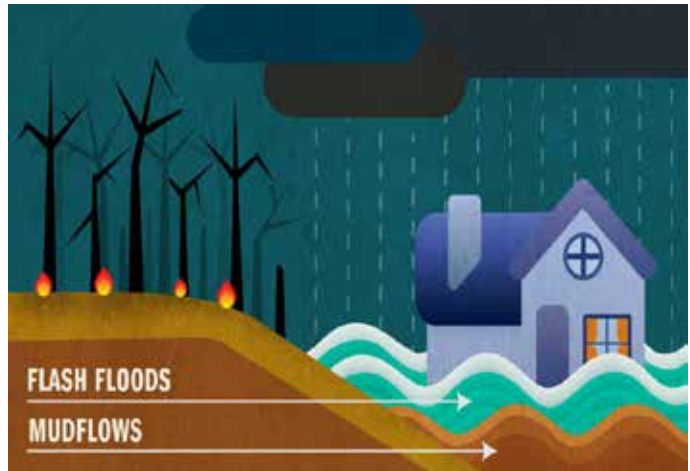
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January 2019

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CALENDAR

Wednesday, January 30, 2019, 6 PM

ECONOMIC FORECAST

WITH DR. MARK SCHNIEPP

Elks Lodge, 150 N. Kellogg Ave., Santa Barbara CA



Please join us for a look at the state of the local economy and find out what's in store for us in 2019.

The 2019 Board of Directors will also be inducted at the meeting.

Cost: \$55/members \$65 non-members
 RSVP to programs@sbrpa.org
 See page 13 for details.

2019 JANUARY						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1 <i>SBRPA Closed</i>	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30 <i>Economic Forecast Mtg</i>	31		

Holiday Hours:

SBRPA Office will be closed January 1, 2019, in observance of the Holidays.

CORRECTION: The founder of the *Landlord Liaison Program*, now known as *Partners in Housing Solutions*, in Santa Barbara is Glen Bacheller, not Glen Sutherland.

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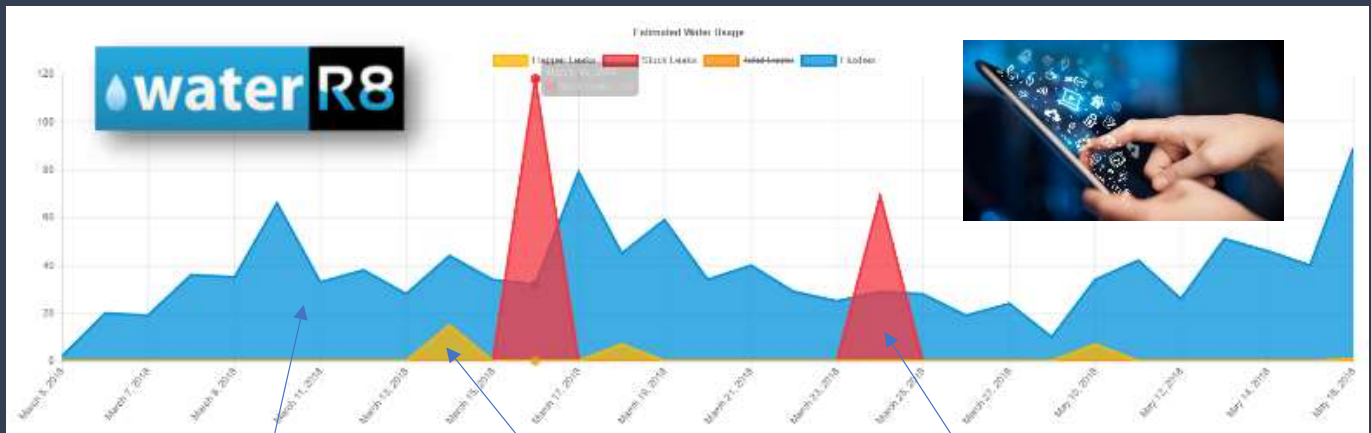
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SBRPA President's Message & CaIRHA/NAA Update

James Carrillo • CPM®, SBRPA President



What a pleasure it was to see so many of you members and your guests at our holiday get-together in December. Your engagement, support and enthusiasm are much appreciated and needed as we move forward into 2019.

Locally, there is much to keep track of. The first quarter of 2019 will bring forward the two new City of Santa Barbara ordinances regarding written leases and relocation fees that were recommended by the landlord / tenant task force in 2018. The City Council will take on a new look as Gregg Hart leaves to assume his new post as a County Supervisor, and the Council must decide how to fill his chair. This appointment or special election will prove to be crucial in the ultimate make-up of the Council and will likely create a swing vote on matters of importance to property owners and managers.

Look for housing, or better said, the lack of affordable housing, to continue to be a big topic in Santa Barbara. While the City made an effort with the advent of Accessory Dwelling Units (ADU), concerns continue to be voiced from all sides regarding the lack of affordable housing included in this program. None of this helps the small operator (sometimes referred to as the "Mom and Pop" owner) who bears the brunt of public backlash related to projects very different from his six- or twelve-unit building. SBRPA will continue to monitor all of the housing policy matters that come before the City Council to keep you informed of their status.

It should not be lost on the community that SBRPA does more than advocate for property owners and managers. As your advocates we have an obligation to the community at large, and nowhere is this more evident than in our collaboration with the Housing Authority of the City of Santa Barbara, the County of Santa Barbara Housing Authority, and organizations like Transition House. You may be aware that both the City and County Housing Authorities are members of SBRPA. This collaboration allows us to provide mutually beneficial services to each other that keep our organization strong and helps the Housing Authority grow its inventory of affordable housing in their geographic areas. One example of this would be Villa del Sol Apartments in Santa Maria. This brand new, 55+ community

offers a lifestyle and amenities that provide a complete living experience for its 55+ residents. This community was built by a member company of SBRPA, and at this community 28 apartments have been opened up for residency for clients of the Housing Authority of the County of Santa Barbara.

If you attended our holiday gathering in December, you were able to hear the appreciation of Kathleen Baushke, Executive Director of Transition House, as SBRPA presented Transition House with a check for \$7,000—its share of the proceeds from our October charity golf tournament. These funds will be used to for many of the services provided to its clients including child care, the children's programs, life skills training, and case management. Transition House is the only homeless resource center on the central coast that serves **families with children**. No other shelter on the central coast does that. While it is a three-stage program, the first stage, the emergency shelter, has room for approximately 20 families, totaling 70 individuals. The emergency shelter generally works off of a "wait list." Such is the need in Santa Barbara. Your support of SBRPA also supports Transition House, and we thank you.

Finally, it doesn't take long for things to heat up in Sacramento. The legislative session for 2019 has actually already begun, and the deluge of proposed legislation for the new year has started. It is too early to tell what bills will survive the process, but rest assured SBRPA will be there lobbying for its members in early April, which is "crunch time" for new legislation.

Welcome to 2019! As always, we are here to serve you.





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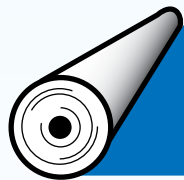
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MISSION STATEMENT

We are the go-to organization for our members, suppliers, and the rental housing community.

Santa Barbara Rental Property Association **CODE OF ETHICS**

We, the members of the Santa Barbara Rental Property Association, recognize our duty to the public and to those individuals who choose to reside in rental housing. Being ever mindful of the increasing role of the rental housing industry in providing homes, we have united ourselves for the purpose of improving the services and conditions of the rental housing industry. Therefore, we adopt this Code of Ethics as our guide in dealing with all people.

- We conduct ourselves in an honest and ethical manner at all times to better the communities of which we are a part.
- We comply with all laws and regulations applicable to the rental housing industry.
- We respect the rights and responsibilities of our residents and diligently respond to their requests.
- We believe that every resident is entitled to the quiet enjoyment of a safe and habitable residence.
- We strive to conserve natural resources and to preserve the environment.
- We believe in the value of contracts and their enforcement.
- We believe in the importance of continuing education for rental housing owners, managers, and residents.
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How Autonomous Vehicles will Change You & the World

2019 Economic Forecast with Dr. Mark Schniepp & 2019 Board Member Induction

January 30, 2019 • Wednesday, 6:00 p.m.
Elks Lodge • 150 N Kellogg Ave, Santa Barbara , CA

Please join us as we welcome in the New Year with an informative and entertaining look at the state of the local economy with Dr. Mark Schniepp—and swear in your new and continuing SBRPA board members for 2019. All while enjoying dinner and networking at the conveniently located (with plenty of parking!) Elks Club in Santa Barbara (feels like Goleta).

In what has become a January tradition, Dr. Mark Schniepp from the California Economic Forecast will join us and reflect on the state of the local and state economies, with no doubt a few insights into the state of the nation and world, and venture a guess at how things will unfold in 2019. Always a superb analyst who infuses his observations with a bit of humor, Dr. Schniepp is a local treasure who understands the economics of the rental housing industry and its concerns, and speaks to them from his experience and vast data collection.

For the January program, Dr. Schniepp will look back and reflect on a turbulent year, the mid-term elections, and ongoing local cries for increased “tenant protection” ordinances, and what we can expect moving forward. Mark will also discuss one of the most important technological changes as part of his forecast: How autonomous vehicles will change you and the world. It promises to be a great evening!

The California Economic Forecast (CEF), founded in 1989 as the private consulting arm of the UCSB Economic Forecast Project and since early 2000 an independent venture headed by Dr. Schniepp (incorporated in 2004), is a full-service economic consulting firm with expertise on the California economy. CEF has been preparing publications and presentations for almost 30 years, including economic analyses of large and small scale projects in San Luis Obispo, Ventura, and Santa Barbara Counties for business and public sector clients. CEF has developed a prolific database on California and its regional economies, allowing it to address a wide range of topics. For more information, go to www.californiaforecast.com.

Also on the agenda is the annual swearing in of newly elected and continuing board members before the program begins. We hope to see you there! **RSVP by 1/25/18: lisa@sbrpa.org or 805-687-7007**

Dinner RSVP

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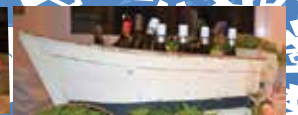
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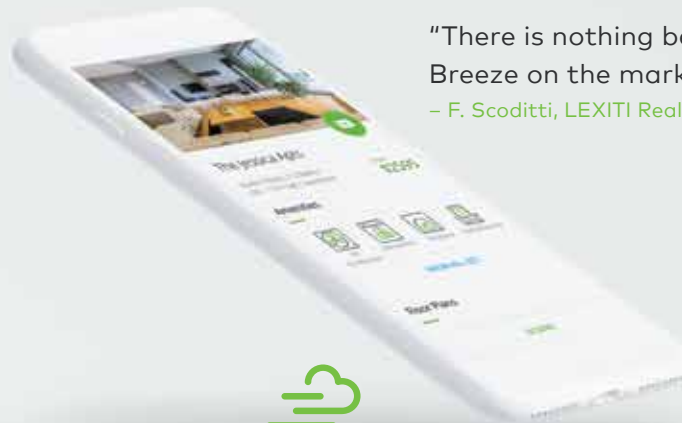
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Minneapolis' Radical Solution

Minneapolis may have just become the most radically pro-housing, anti-climate-change city in the nation. The Midwest metropolis recently voted to eliminate single-family zoning and instead allow duplexes and triplexes to be built on lots now reserved for one house.



Minneapolis Duplex

Such an ambitious, large-scale overhaul of zoning rules is practically unheard of in U.S. cities, where single-family neighborhoods with their rows of houses set behind landscaped front yards have typically been off the table during discussions of citywide "Smart Growth" and affordable housing.

Minneapolis' 2040 Comprehensive Plan is radical for other reasons too. The plan would do away with the requirement that new housing developments include parking, and it would allow taller, denser buildings next to transit stops.

But city leaders recognized that they cannot meet their goals of creating more units of affordable housing, building communities that are less dependent on cars and reducing racial and economic disparities, without reconsidering single-family zoning, which makes up nearly 60% the city.

Continuing to preserve single-family neighborhoods as they were decades ago would have left vast swaths of the city unaffordable to many buyers, hostile to new approaches to transportation and, often, still segregated as a result of discriminatory housing practices dating back decades.

While rezoning single-family properties for denser development may seem extreme today, some of Minneapolis' older neighborhoods — as in many cities — actually grew up with homes next to duplex, triplex and fourplex apartment buildings. This mix of housing was only later prohibited by strict single-family zoning, which was often adopted in the last century as a way to segregate neighborhoods without explicitly banning any racial or religious group.

If there is a silver lining to the affordable housing crisis that has swept cities across the country in recent years, it's that political leaders are finally talking about dramatic changes to housing policy that could address historical wrongs and lay the groundwork for more sustainable ways of growing.

Minneapolis certainly gets credit for taking a bold approach. (The regional planning agency still needs to sign off on the city's plan; if it does, the new zoning rules would go into effect next year.) Seattle is considering rezoning 6% of its single-family neighborhoods. Portland has been mulling over a proposal to allow four-unit buildings in most single-family neighborhoods. And one Oregon lawmaker, frustrated with the slow pace of the regulation, is drafting a bill that would allow such buildings on single-family lots in any city in the state with more than 10,000 residents.

California has begun to whittle away at single-family zoning as well. Recent state laws allow a homeowner to build an accessory dwelling unit if there is enough space on the property — essentially allowing two units on lots zoned for one home.

State Sen. Scott Wiener (D-San Francisco) has been pushing for even more dramatic change. Last year he offered a controversial bill to override local zoning and allow taller, denser housing around transit stations — even on single-family lots. That proposal was felled by concerns that it would promote gentrification and undermine local control of land use, along with opposition from single-family neighborhood protectionists. Undaunted, Wiener has introduced a new version this year (Senate Bill 50); it still faces a fight in Sacramento, but the opposition already appears to be softening.

In Los Angeles, the city's first attempt to rezone land around light rail stations exempted all single-family neighborhoods from having to accept increased density. Only after lobbying by YIMBY — Yes in My Backyard — activists did the City Council approve a plan that rezoned exactly one single-family neighborhood to allow midsize apartments and town house developments. It was the most modest step forward possible, illustrating how challenging it can be to change the status quo, one neighborhood or one community plan at a time.



Los Angeles, Single Family Neighborhood

That's why Minneapolis' decision to eliminate single-family zoning is such a big deal. It's not uncommon for cities governed by progressive Democrats to espouse lofty goals to create affordable housing, fight segregation and slash greenhouse gases. It is not at all common, however, for those elected officials to brave the political heat and enact policies designed to help reach those goals over the objections of established neighborhoods.

There may be debates over exactly how radical the changes to the status quo should be, but it's clear that single-family neighborhoods can no longer be sacrosanct. Not if cities are serious about increasing the supply and affordability of housing. And not if we're serious about building more walkable, bikeable, transit-friendly communities to reduce driving and slow climate change.

Article from ENEWSPAPER.LATIMES.COM

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Sacramento Report



Steve Carlson



Jonathan Arambel

December 3, 2018, marked the beginning of the new legislative session here in California. While legislators actually get to work on January 7, 2019, they were all in town on the 3rd to be sworn into office. This presented them with the opportunity to introduce new legislation. In all, 176 bills were introduced on swearing-in day. We expect that by the end of February—the deadline to introduce more bills—there will be an additional 2,400 bills!

With a new administration and about 3/4 of the legislature being Democrats, we are expecting a flurry of aggressive bills affecting most industries, and of course housing will be a priority for many. It's hard to know what to expect, but it's a safe bet that we will see **50-100 bills trying to increase tenant protections**. Assembly mem-

bers Bloom, Chiu, and Bonta, the same authors of AB 1506 last year that would have repealed Costa-Hawkins, are back with a new spot bill AB 25. There are no details of what the bill language will look like and as of right now it's just a placeholder dealing with the subject of affordable housing and rental pricing. Senator Scott Wiener also reintroduced his bill to streamline local housing approvals that failed last year because of local government opposition. These are the first of many we will see this year.

We will continue to work with the authors and the rest of the legislature to create policies that result in an increase of new housing units to help alleviate the housing shortage and move away from further burdensome rental housing mandates.

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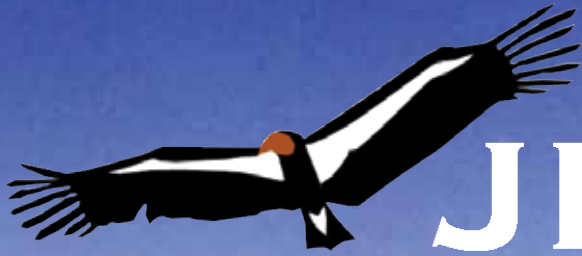
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Service Animals and Security Deposits

Service Animals have been a hot topic in civil rights jurisprudence, with stories of emotional support peacocks and snakes allowed in public places, even airplanes. Many of the individuals served by these animals live in rental housing and are protected by state and federal anti-discrimination statutes. In addition, California security deposit laws apply as well, with specific provisions for service animals. To avoid potential claims of discrimination and violation of security deposit laws, the prudent landlord should be aware of the pertinent laws establishing the parameters for leasing to tenants with service animals.

Anti-discrimination laws proscribe discrimination in the selection of tenants other than for reasonable, legitimate business purposes, such as the employment or income of the prospective tenant, which standards are applied uniformly. "Discrimination" is the selection based on a class, category, or characteristic of a tenant. A landlord cannot refuse to rent or apply different requirements, procedures, or amount of rent based on race, color, religion, ancestry, national origin, sex, sexual preference, disability, age, parenthood, pregnancy, political affiliation, position in a labor dispute, or any other arbitrary classification. It can, however, establish reasonable rules, regulations, and requirements for conduct that serve the legitimate business needs of the landlord.

With respect to animals, landlords can have a general "no pets" policy, or limit pets to certain species or sizes, but landlords cannot require pets be declawed or devocalized. However, service animals for disabled individuals do not count as "pets," and thus restrictive policies on pets do not apply to service animals. A landlord with a restrictive pets policy could even potentially face liability under California and federal anti-discrimination laws if they turn down an otherwise qualified prospective tenant that has a service animal for a disability. Because of this distinction between service animals and pets, landlords faced with a conflict between a restrictive pets policy and a prospective tenant with a service animal would be well-served to com-

municate with the tenant about the service animal. This communication is limited, as the tenant is not required to demonstrate that the service animal has been professionally trained as such, and the landlord cannot ask the tenant about the nature and severity of their disability. However, the landlord can ask the tenant to provide a verification letter from a doctor regarding the disability and need for a service animal.

Apart from official service animals such as seeing-eye dogs, the afore-mentioned anti-discrimination statutes may be used by tenants with emotional support or companion animals to request "reasonable accommodations" such as the waiver of a no pets policy. However, because an emotional support animal is not always directly related to a physical disability, it is not always certain that allowing an emotional support animal in contravention of a no pets policy is a reasonable accommodation that must be granted. These determinations are made on a case-by-case basis and thus it is important to open a dialogue with a prospective tenant requesting a reasonable accommodation for an emotional support animal.

Apart from anti-discrimination statutes and "reasonable accommodations", the California Civil Code requires landlords to allow tenants who are disabled to maintain certain assistance dogs, which may include guide dogs for the blind or visually impaired, "signal dogs" for those who are deaf or hearing impaired, or "service dogs," that are specially trained to the requirements of an individual with other types of disabilities. The code provides that tenants with such animals may not be required to post an additional security deposit, or otherwise denied "full and equal access" to housing accommodations based on the person's need for the service animal.

While compliance with anti-discrimination statutes regarding service animals and emotional support animals may seem relatively straightforward, security deposits can be tricky. The maximum amount

Continued on page 29

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a landlord can charge as a security deposit for an unfurnished unit is two months' rent. Some landlords have a policy whereby they normally take a security deposit equal to one months' rent, and if the tenant has a pet, they ask for an additional amount, such as another months' rent, as a "pet deposit." It would seem innocuous to apply this to a tenant with a service animal, as they are in fact bringing an animal into the premises and all other tenants must pay the pet deposit if they have an animal. However, in that situation, were a tenant with a service animal allowed to rent the apartment, the landlord could not charge the additional "pet deposit" because it is specifically banned by Civil Code 54.1. Had the landlord just always collected a security deposit equal to two months' rent, he could have done the same with the tenant that had a service animal.

As always, it is important to seek independent legal counsel as to your specific objectives and circumstances. If you have questions on these topics and/or need legal advice on these subjects, please call (805) 965-7746 or email David Grokenberger at David@rogerssheffield.com; Michael Brelje at Mike@rogerssheffield.com, or Scott Soulages at ssoulages@rogerssheffield.com.

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Santa Barbara Happenings

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The City of Santa Barbara Gets Partial Funding from the State of California for Its Tiny Homes Project

In mid-November 2018 the City of Santa Barbara Staff, along with the Housing Authority and a couple of non-profit agencies, introduced a proposal to the City Council to build 40 tiny homes for the homeless on the 1.3-acre parking lot at the corner of Castillo and Carrillo Streets. The proposal was made in an effort obtain funding under the Homeless Emergency Aid Program ("HEAP") that the State of California has put in place. Despite alleged issues with inadequate notice being given to the neighbors in the surrounding area, the City Council approved the submission of the proposal for potential funding.

Recently, at a meeting to discuss the proposal in more detail, it was announced that the State only awarded 2 million of the requested 6.5 million in funding. What this means for the future of the proposal is currently unclear.

There was discussion of potentially reducing the number of tiny houses. However, the applicants behind the HEAP funding proposal believe the project can only be effective and sustainable if at least 22 of the 40 houses are built. Because the application received under one-third of its requested funding, it is unlikely that this number of houses will be able to be built.

For now, though, the City plans on evaluating its options and meeting with local residents to hear their concerns about locating the project at the proposed site.

Goleta to Build New Fire Station to Serve Western Residents

In early December the Goleta City Council voted unanimously to approve a development plan for a new fire station across the street from Sandpiper

Golf Course at 7952 Hollister Avenue in Goleta. The Council also voted to rezone the land proposed for the 11,600-square-foot station from commercial visitor-serving to public.

These actions by the City Council are a big step toward bringing the project to fruition. However, because the proposed location for the fire station is in the Coastal Zone, the City will now have to seek the approval of the Coastal Commission. It is expected that this approval will be obtained, but it is unclear how long that will take.

Once the station is built, it will allow fire fighters to meet the necessary 5-minute response time (currently not achievable) for over 20,000 Western Goleta residents.

County of Santa Barbara Board of Supervisors in the Process of Streamlining H2A Worker Housing

The County Board of Supervisors continues to revise an ordinance that will, once passed, loosen the permitting restrictions for the construction of housing on farm land for H2A Visa workers. This ordinance has been pushed for by local farmers who state that building housing, and the County making it more streamlined to do so, is necessary to maintain the viability of farming in Northern Santa Barbara County.

The H2A Visa program allows for temporary visas for foreign workers when there is a need for agricultural laborers. This program has been controversial, with many labor advocates citing supposed poor working and/or living conditions. Those advocates also have spoken out against the decision of the Board of Supervisors to streamline the permit process to build housing on agricultural land.

Farm owners have also stated that they would rather not use the H2A Visa program or build housing but see it as necessary due to the current labor and housing shortages in Northern Santa Barbara County.

Continued on page 33

Charming 8-Unit West Beach Apartment Complex Sold



114-120 Natoma Ave., Santa Barbara

Steve Golis and Lori Zahn recently represented the owner in the sale of this prime 8-unit apartment complex. Previously known as the “Ambassador Sulphur Baths”, this charming property is located just off Chapala Street and Cabrillo Boulevard near Santa Barbara’s West Beach. The property had been listed at \$3,295,000.

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The County Board of Supervisors is aware and weary of the housing shortages in Northern Santa Barbara County, and that has prompted much of its desire to streamline the process for building H2A housing on farmland. Another concern brought to the Supervisors' attention by the public is that foreign workers are not invested in the neighborhoods where they reside temporarily and that the more real estate they occupy, the more significant the impact. The County Board of Supervisors is scheduled to have another hearing on this ordinance in December (after this article has been sent to print).

If the County Board Supervisors decides to vote on and pass the ordinance streamlining the permitting process, it is expected that farmers will begin applying for and building housing on farmland in Northern Santa Barbara County.

City of Santa Barbara Architectural Review Board Denies 76-Unit Apartment Project

Recently, the Santa Barbara Architectural Review Board voted 3-2 to deny a 76-unit apartment building proposal that was made under the City's Average Unit Density (AUD) program. The project that was proposed would have provided 44 two-bedroom units, 32 one-bedroom units, and a coffee shop on the 700 block of Milpas Street in Santa Barbara. The Board denied the project stating that it was not compatible with the surrounding neighborhood. Board members Howard Wittausch, David Watkins, and Bob Cunningham voted to deny the project; members Amy Fitzgerald-Tripp and Richard Six voted to approve it.

This project exemplifies the ever-increasing tension between the need for millennial workforce housing and the desire to preserve the current look and feel of Santa Barbara.

Santa Barbara City Council Reverses Historic Landmarks Commission Determination

Recently, the Santa Barbara City Council voted 5-2 to reverse a Structure of Merit determination for the building located at 428 Chapala Street in Santa Barbara. The two dissenting votes were cast by councilmembers Jason Dominguez and Kristen Sneddon, while the supporting votes were cast by councilmembers Randy Rowse, Greg Hart, Eric Friedman, Oscar Gutierrez, and Mayor Cathy Murrillo.

The structure of merit determination was originally made by the Historic Landmarks Commission because, according to the Commission, the building was an "early example of masonry architecture" in Santa Barbara. The argument made by the owners of the building, and accepted by a majority of the Council, was that the building had been substantially redone in the past 15 years and only part of one wall of the building had a sandstone design that was the basis for the initial determination of the Commission.

The owners contested the Structure of Merit determination because of the increased scrutiny and restrictions that the determination would cause to any future changes to the building.

Goleta Passes Ordinance to Ban Electric Scooter Rentals

A few months ago, the electric scooter rental companies Bird and Lime dropped off several hundred electric scooters in Goleta and Isla Vista neighborhoods. The companies, which are both well-funded startups, have made it a practice of entering cities which have not yet addressed the newly-developing scooter rental market and exploiting the lack of regulation. Not surprisingly, this has not made the cities that they have entered very supportive of the new businesses.

In response to the sudden surge of scooters, the City of Santa Barbara impounded 100 Lime scooters left around the City and then moved quickly to enact an emergency ordinance.

Recently, Goleta took a similar but harsher approach. After hearing numerous members of the community expressing their disdain for the way the scooters have invaded the community, the City Council enacted an outright ban on the scooter rentals. The City Council said it may revisit the topic in the future, but many councilmembers expressed skepticism about the benefits of having the scooters.

The ban went into effect immediately after the vote, so property owners in Goleta can now report any rental scooters they see in the city limits, and the scooters will be impounded.

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