

CALIFORNIA'S CENTRAL COAST RESOURCE FOR RENTAL PROPERTY OWNERS, MANAGERS & SUPPLIERS



NEWS

April 2019



Photo, santabarbaraindependent.com

STATE OF THE CITY 2019

March 21, 2019. Santa Barbara Mayor Cathy Murillo plans new tenant protection ordinances, including Just Cause.

2019 FAIR HOUSING SEMINARS

Santa Barbara, 04/29/2019 at SBAOR (p. 18)
North County, 04/30/2019 at Solvang City Hall (p. 16)



TOWN HALL MEETING

April 11, 2019 • 12:00 noon

SBRPA, SBAOR, & CAA to hold briefing on new State and Local ordinances. SBAOR offices, 1415 Chapala St., Santa Barbara, CA 93101. See page 17.



Call to Action! Attend & share your opinion!
Santa Barbara City Council Votes on New Ordinances, April 16, 2019, 2:00 PM
(See page 17)

Santa Barbara's #1 Local Choice



Let's talk about Insuring your Property

For over 35 years, Bill Terry Insurance Agency has been the local choice for insuring rental properties in Santa Barbara and the surrounding communities. Our friendly team of knowledgeable agents is here to help you create the right insurance portfolio to fit your needs.

- ✓ Rental Properties
- ✓ Earthquake
- ✓ Flood
- ✓ Umbrella



4213 State Street, Suite 205
Santa Barbara, CA 91355



Richard H. Martinez, CIC

Sr. Commercial Insurance Executive

CALL (805) 563-0400 • BillTerryInsuranceAgency.com

Lic#0L60662



SANTA BARBARA RENTAL PROPERTY news



SANTA BARBARA AREA'S RESOURCE FOR RENTAL PROPERTY OWNERS, MANAGERS & SUPPLIERS

April 2019

SBRPA OFFICE

Mon-Fri • 9am-5pm
Closed for lunch 12-1pm
123 West Padre Street, Suite D
Santa Barbara, CA 93105

www.sbrpa.org

Phone: (805) 687-7007

Fax: (805) 687-9708

Credit Check: (805) 687-7045

Toll Free Credit Check: 1-877-687-7045

SBRPA 2019 OFFICERS

Director & President James Carrillo, CPM®
Director & 1st Vice President Janet M. Eastman, CPM®
Director & 2nd Vice President Betty L. Jeppesen, Esq.
Director & Treasurer William B. Brace, CPM®
Executive Director Laura G. Bode

Chris Agnoli Director
Charles V. Eckert III Director
Robert V. Kooyman, CPM® Director
Joyce Hulsebos Director
Danielle Holzer-Burkitt Director
Steve Battaglia Director
Harold Goodman Director
Jeremy Bassan Director

Editor

Janet M. Eastman, CPM®

Graphic Design

Darkblade Enterprises

Calendar	5
SBRPA President's Message	7
"Just Cause" Ordinance	8
Welcome Kellie Lancaster.....	11
Code of Ethics/Mission Statement	12
Housing Cost Crisis	14
North County Fair Housing	16
Town Hall Meeting	17
SB City Council Meeting.....	17
SB Fair Housing.....	18
Sacramento Report.....	
Attorney's Corner	
Santa Barbara Happenings.....	
Directory of Advertisers.....	

Articles appearing in this magazine are presented as a public service and may not reflect the opinion of the publisher, its board of directors or its members.

Products and services advertised herein are not warranted, expressly or impliedly by the publisher or by its board of directors. No investigation has been conducted to ascertain the quality of the products and services advertised herein. The publisher takes no responsibility should the quality of the products and services not be as advertised.

The Rental Property News Magazine is published monthly by the Santa Barbara Rental Property Association, Inc. Editorial / advertising offices are located at 123 West Padre Street, Suite D, Santa Barbara, CA 93105. Phone (805) 687-7007, Fax (805) 687-9708. Subscription is included in the annual membership dues.

CENTRAL COAST PAVING

Commercial & Residential
Parking Lots & Driveways

- Asphalt Paving • Seal Coating • Concrete
- Chip Seal • Patching & Crack fill
- Striping



805 665 3292

WWW.CCPAVE.COM

CALENDAR

Tue.-Wed., April 2-3, 2019

California State Legislative Meetings Sacramento, CA

For those of you interested in state legislative affairs, join us April 2-3 in Sacramento. On the first day, SBRPA's lobbyists will brief us on status of currently pending legislation. On the second day a group of SBRPA members will lobby our SBRPA Legislators. For more information, contact Laura Bode at 805-687-7007 or laura@sbrpa.org. NOTE: Office will be closed.

Thursday, April 11, 2019 12 noon
Town Hall Meeting

SBAOR, 1415 Chapala, SB 93101

Plan to join our Town Hall Meeting to discuss the upcoming Santa Barbara City Council Meeting of 4/16/2019, which will focus on new tenant protection ordinances. This event is co-sponsored by SBAOR, SBRPA, and CAA. RSVP to programs@sbrpa.org See page 17 for details.



Tuesday, April 16, 2019 2:00pm
Santa Barbara City Council Meeting
SB City Hall, 735 Anacapa, SB 93101

CALL TO ACTION!
Per the March 21, 2019 State of the City meeting, Mayor Cathy Murillo plans to introduce new tenant protections, including Just Cause. Please attend and share your opinions. RSVP to programs@sbrpa.org



Monday, April 29, 2019 9:30am - 12 noon
Santa Barbara Fair Housing Seminar
SBAOR, 1415 Chapala St., SB 93101

The 2019 Santa Barbara Fair Housing Seminar is an SBRPA Certificate Class. This year's class will again be taught by Denise Cato, CEO Fair Housing Council of Orange County. Come for a review of Fair Housing Laws and Best Practices for Compliance and Success. See page 18 for more information.



APRIL 2019						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
	7	8	9	10	11	13
	14	15	16	17	18	19
Easter Sunday	22	23	24	25	26	27
	28	29	30	1	2	3

CA Leg Mtgs
 SBRPA Office Closed
 Town Hall Mtg
 SBAOR 12 noon
 SB City Council Mtg
 2:00 PM
 Good Friday
 Ofc closed at 1:00 PM
 Fair Housing Seminar
 So. County
 Fair Housing Seminar
 No. County

NOTE: Office closes at 1:00PM the third Thursday of every month for SBRPA Board of Directors Meeting.

Tuesday, April 30, 2019 10:00am - 12 noon
SBRPA North County Fair Housing Seminar
Solvang City Hall, 1644 Oak St., Solvang, 93463

The North County Fair Housing Seminar will be jointly sponsored by the County of Santa Barbara Legal Aid Foundation and SBRPA. Our Guest Lecturer will be Chandra Carr of the SB Legal Aid Foundation.

See page 16 for details.



Tuesday, May 7, 2019 9:00am - 11:00am
UCSB Spring Property Provider Meeting
UCSB San Clemente Center (use parking lot 50)



Tentative schedule:
 • IV Foot Patrol (updates)
 • UCSB Alcohol & Drugs
 (Naloxone distribution & training)

More details to come.

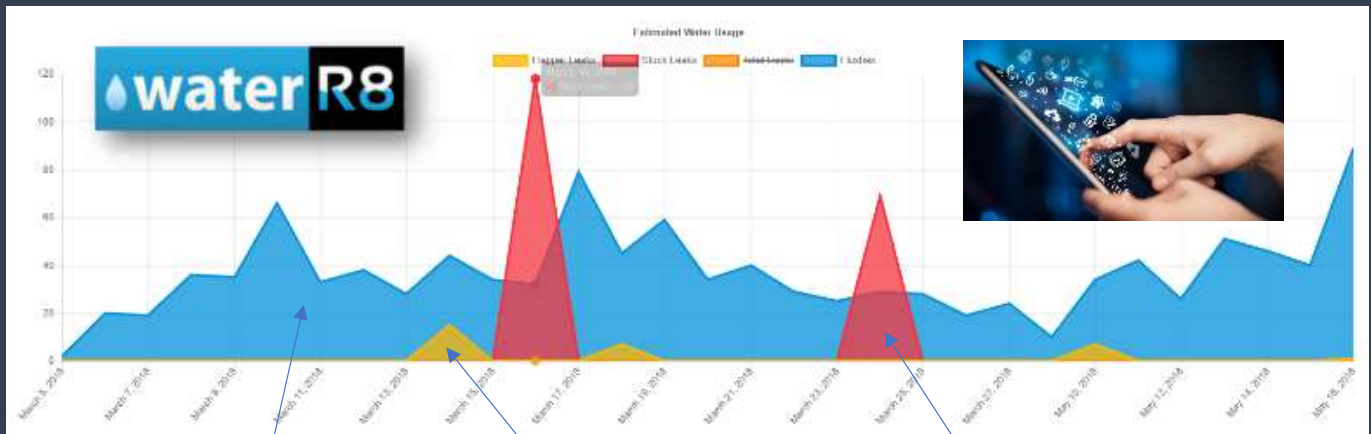
For more information contact:
 Jessie Long, Rental Service Coordinator
 University and Community Housing Services
jclong@housing.ucsb.edu 805-893-4371

SAVE 15% to 30% ON YOUR WATER BILL!

A single toilet leaking only 5 minutes per hour equates to 15,000 gallons of water wasted every month!



The SII Dashboard provides a powerful customer user interface that is highly intuitive and informative, displaying actionable data at your fingertips!



Total Flashes

Flapper Leak

Stuck Open Leak

Not only has our water bill dropped significantly, but with our weekly reports we have been able to repair new problems immediately before they can become costly.

– Jim Whilt, Santa Barbara

Ask us about our early indoor flood warning systems with 24/7 monitoring!

Call: Valerie Watson at: 888-893-6493
valerie.watson@sensor-industries.com

SBRPA President's Message

James Carrillo • CPM®, SBRPA President



As is the case with many non-profit organization members, you may sometimes be curious what your membership dollars provide to you. Some of the benefits of membership are obvious, like legal forms, a point of contact for your landlord/tenant questions, periodic updates on legislative matters and educational opportunities. But these are just some of the benefits of membership. Equally important are the benefits that you may not see on an everyday basis but are an important part of the work we do for you. The Government Relations Committee is a great example.

Co-chaired by Board members Michelle Roberson and Betty Jeppesen, the Government Relations Committee focuses on local issues of importance to members. This includes meeting with City Councilmembers, staying abreast of ordinances that impact property owners, and recommending candidates for the SBRPA PAC to support. As you are aware, in 2017 and 2018, SBRPA along with the Santa Barbara Board of Realtors took part in a landlord/tenant task force to draft two new ordinances dealing with mandatory one-year leases and relocation assistance for residents displaced in sufficient numbers from an apartment community. Recently, the ordinance committee met to finalize these ordinances before presenting them to the City Council. As fate would have it, at the last minute, two council members attempted to add the issue of "just cause" to the conversation regarding the two ordinances.

For those not familiar with "just cause", simply stated, this type of ordinance would prohibit the owner of a rental unit from regaining possession without stating a specific reason and going to court to prove that reason. An owner would no longer be able to decline to renew a lease or take back possession of a unit from a resident with a documented history of lease violations without going to court. Led by Michelle and Betty, our Association has been at the forefront, again with the Board of Realtors, to fight this unreasonable initiative by the City.

The City opines that "just cause" will help more renters stay in their units and that this will alleviate the housing shortage in Santa Barbara. This is a simple and nearsighted view that overlooks the many negative unintended consequences of making it harder to terminate a tenancy. What would really alleviate the housing shortage in Santa Barbara is to make more land available for development through public/private partnerships with few-

er punitive development fees and pre-construction costs. That would alleviate the housing shortage by spurring the building of new rental housing for all income levels.

Michelle attended the ordinance hearing and has continued to communicate and express our concerns to council members and the City Attorney on their efforts to bring "just cause" back into the mix. Efforts such as these by the Government Relations Committee are exactly the types of benefits which are critical to our membership that are not seen by the everyday member. We are here for you.

SBRPA and the Government Relations Committee need your help to continue to fight this battle. Under the guidance of Executive Director Laura Bode, you will be asked to contribute financially and to show up in person at upcoming hearings on this matter. Your support and presence make a difference. Please be on the lookout for those notices as we work our way through the rest of 2019.

An advertisement for Beach House Inn. The background is a light blue sky with white clouds. At the bottom is a green grassy field with several colorful flowers: a yellow sunflower, a large pink daisy, a purple daisy, and a white daisy. A yellow and black striped bee is flying near the pink daisy. The text is as follows:
Beach House Inn
(805) 966-1126
Call us for your "Staycation"
Furnished Apartments
Free Parking & Wifi
Kitchens
Dog Friendly
During your
*Fumigation
*Remodeling
*New Floors
*Water Damage
TheBeachHouseInn.com

What is a “Just Cause” ordinance?

Government Affairs Committee

This seems to be coming up lately and, most recently, in the City of Santa Barbara. Yes. Again.

A Just Cause ordinance basically prohibits a property owner's right to terminate a tenancy without something that is determined by elected officials as being a “just” reason.



Many are familiar with this as each Section 8 voucher comes with a “just cause” termination clause citing the only reasons you could terminate the tenancy if you take the voucher. The rationale of these laws is to address the “housing crisis” by not having families displaced without a good reason if they have been good tenants. The problem is that once these well-intended ordinances are in place, the next step for the tenants' rights advocates is to demand that a “rent cap” be put in place, since an increase in rent that is higher than someone could afford is the same as terminating a tenancy.

To my knowledge, the only city in the state that had a just cause ordinance without a rent control provision has been Glendale—and that recently changed.

The secondary issue is that these provisions end up protecting some bad actors since they know that their tenancy could not be disturbed without a provable reason—and what tenant wants to testify against their bad-actor neighbor? No longer could we simply agree that we are not going to renew the tenancy and move on, but we will need to find a lease violation to terminate that tenancy and likely take it to court to prove the violation should a just cause provision be in place.

This all may sound familiar to you since we all mobilized in 2017 to let our Santa Barbara City Council (“City Council”) know that we do not agree with rent control for various reasons that have been discussed *ad nauseum*. A Task Force was created and several thousand dollars out of the City budget and hours of



volunteer time from 6 individuals a Tenant's Rights package was created. Nobody liked it, but this was what months of negotiation ended up with and what we agreed to support despite the nay-sayers advising that this was not a good idea.

On January 30, 2018, City Council directed the ordinance committee to draft two ordinances pursuant to the Task Force's recommendations: (1) A mandatory 1-year written lease offer to be renewed annually by the landlord or mediated if the landlord was unable or unwilling to extend for another year; (2) A mass displacement ordinance that applies to buildings of 15-units or more.

The City Attorney drafted these ordinances last October, and we made comments with regard to some minor non-substantive issues. We met with the Ordinance Committee comprised of Kristen Sneddon (District 4), Oscar Gutierrez (District 3 and up for reelection this November), and Randy Rowse (District 2, who is terming out this November).

Kristen Sneddon has been vocal about being a rent control advocate, though she does not call it “rent control.” She first called it “rent stabilization” but has now changed her language and defers to a softer “Beverly Hills Model” that is “not rent control.” She has repeatedly stated that even though the Task Force made these recommendations (which the ordinance committee was directed by City Council to put forth), her duty is to her district that elected her and if that meant straying from the Task Force recommendations, that is what she would do.



It does not seem, however, that she understands just cause, but she hears it often and believes it will protect tenants so she wants to consider it further. Had she understood just cause, it would make sense to her that the Task Force compromise to have mandatory 1-year leases and renewal offers would place all tenants in a position where they had a “just cause” protection from terminating their tenancy during their lease term. This was the Task Force compromise that City Council directed the ordinance committee to draft.

Councilmember Oscar Gutierrez seems to simply repeat taglines as instructed. During the March 5, 2019, ordinance committee meeting, he appeared to wait for his cue. After the threshold of 15-units was discussed and made clear that this was the Task Force recommendation for the mass eviction ordinance. At that point, the only decision to make was what percentage of units (x) over what period of time (y) would be considered a mass eviction to trigger the ordinance that applies to 15 units or more. Councilmember Gutierrez' response was "three." Three what? He couldn't verbalize it, but basically, he said it should apply to all units, single family homes, and that the number three would trigger it.



The intent is not to be confusing or condescending. This is actually what transpired during the ordinance committee meeting in open session and all he could muster up was the number three and the word "all units." Both these items were not in question since this was outside the scope of the Task Force recommendations since the threshold of 15 was negotiated, decided, and directed by council to put through. However, as he and Sneddon decided together that 3 sounded good, Sneddon formed his words for him that a "mass eviction" should apply to any property that had 3 or more units displaced.



Randy Rowse disagreed. He repeated over and over that he did not want to stray from the Task Force's years of hard work and compromise only to come up with arbitrary numbers they did not understand. Gutierrez

and Sneddon nodded and said that in the spirit of compromise, seven (7) was a good threshold number to them.

But it did not end there.

Both Gutierrez and Sneddon made a motion to open discussion on Just Cause with City Council, neither seeming to understand what having a term lease in place means. Neither really understood what just cause means, only what was being fed to them by C.A.U.S.E. (we need just cause and relocation funds as we cannot be evicted from our homes).

C.A.U.S.E. comes out as a tenant advocacy group, but their information is distorted and they fail to empower

their followers with good information. In a tenant forum they held last September, ("Foro Inquilino"), they left out important protections tenants had in order to encourage them



to vote for Prop 10. While various tenants complained about habitability issues, their response was that rent control and just cause would solve their woes. They promised them if Prop 10 passed, they would get their existing units renovated and no rent increases. They promised them that State Street businesses would be rented and full of life again. They told them that this was the only way their habitability issues would be solved: rent control.

At no time did they tell them there were state laws prohibiting landlords from retaliating against them when they exercised a legal right, much less tell them what their legal rights were. They only told them that they could be kicked out with 30-days' notice, but failed to mention they were entitled to additional time if they resided in the unit longer. They did not give them contact information on where to report habitability issues. But, yes, they did tell them to encourage new laws to be written and Councilmember Gutierrez and Councilmember Sneddon agreed and said loud and clear, they will support them.

This is focusing on our local issues, but statewide is another battle. I believe I speak for our members in stating we are all good landlords trying to run good businesses. We cannot argue with groups and individuals that will only listen to half-truths and not understand existing laws or laws that they are drafting for the City of Santa Barbara.

We can, however, educate our community. We encourage you to make a donation to the Government Affairs Committee to allow us to begin our educational campaign. Reach landlords and tenants alike and explain to them what Just Cause does to communities and what rights they have. It is not right that tenants are led to believe that their only recourse for a habitability issue is rent control while their real issues go ignored by the groups claiming to support them. It is time to change the conversation.

The Government Affairs Committee is devoted to acquire and disseminate information regarding local issues that may affect rental property. Our time is spent meeting with local government officials and acting as liaisons to our community. If you'd like more information on getting involved in the committee, please email the SBRPA.

SPECIALIZING IN COMMERCIAL AND RESIDENTIAL PROPERTY



**Santa Barbara's Oldest
Full-Service Property
Management Company**



Laura Lerman
Commercial & Residential
Property Manager
BRE California Salesperson
License #01411837

Call Today to See
How We Can Meet Your
Commercial and Residential
Property Management Needs

805.963.5945

thelaurelco.com • 146 E. Carrillo, Santa Barbara, CA 93101



BRE California Brokers
License #00753419



Tower Property Management

Placement or Full Management
Properties For Rent
View our Web Page

307 E. Ocean Ave. • Lompoc, CA 93436
Phone (805) 740-0023 Fax (805) 736-7359
www.towerpm.com

SAN ROQUE REALTY



"A Friend on Your Side".

Ed Fuller

Broker/Owner
GRI, ABR, BPO, SRES, e-Pro, GREEN
Selling Santa Barbara Real Estate Since 1979
Office 805.687.1551 Cell 805.570.6988
55 Hitchcock Way Suite 202
Santa Barbara, CA 93105
CalDRE Lic #00661695
Ed@SanRoqueRealty.com

SPECTRUM

Realty of Santa Barbara
"There is no substitute for experience"

PROPERTY MANAGEMENT

- Strict rent collecting policy
- Fast tenant turnaround
- Obtain competitive bids and get YOUR approval
- Careful tenant screening
- On call 24 hours / 7 days a week
- No conflict of interest with "In-House" maintenance
- Easy to read monthly statements
- In business over 30 years
- Member SBRPA / IREM CPM candidate

*We increase cash flow and control expenses
to maximize property value.*

Call today for a free consultation
Andy Sillers, Broker
(805) 681-6268

SPECTRUMREALTY.COM



**Proudly Partnering With Local Businesses
For Over 60 Years**

www.towbes.com • (805) 962-2121 •



Welcome new SBRPA Office Manager Kellie Lancaster!

They say that lightning doesn't strike twice, but it seems that it has for SBRPA since finding another fabulous helper for Executive Director Laura Bode in new Office Manager Kellie Lancaster.

Kellie comes to the association with over 6 years of experience in the real estate industry working as an office coordinator and serving as the point of contact between tenants, vendors, instructors, and stakeholders in multiple states for EOS Programs, a family-owned property investment company in Manhattan Beach. She is originally from Redondo Beach and recently moved to the Santa Barbara area.



Welcome aboard, Kellie!

With a Master of Science degree in High Performance Science and Sports Management from Bond University, it is no surprise that Kellie enjoys racing outrigger canoes, yoga, and creating strength training programs for private clients to help them reach their latest goals—in addition to having spent 5 years as a sports swim coach and worked as a sports medicine physical therapy aide for 2 years.

Citing her favorite quote from Theodore Roosevelt, one that she subscribes to each day at SBRPA, "People don't care how much you know until they know how much you care." Kellie looks forward to getting to know SBRPA members and serving all their property management needs. You can reach her at 805-687-7007 and kellie@sbrpa.org.

Serving the Community Since 1993



Full service property management servicing residential, commercial, and facilities.



5290 Overpass Rd. Bldg C, Santa Barbara CA 93111
Phone: 805-692-1520 Fax: 805-692-1420
Email: SPM@sierrapropsb.com
BRE No. 01995764
CSL No. 1008596



SBRPA 2019 OFFICERS & DIRECTORS

President & Director, James Carrillo, CPM®
1st Vice President & Director, Janet M. Eastman, CPM®
2nd Vice President & Director, Betty L. Jeppesen, Esq.
Treasurer & Director, William B. Brace, CPM®

Executive Director, Laura G. Bode
Director, Chris Agnoli
Director, Steve Battaglia
Director, Charles V. Eckert III
Director, Harold Goodman
Director, Joyce Hulsebos
Director, Danielle Holzer-Burkitt
Director, Robert Kooyman, CPM®

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.
- We maintain an equitable and cooperative relationship among the members of this association and with all others who may become a part of this industry in order to further the interest of all members of this association.

SANDPIPER



PROPERTY MANAGEMENT

Helping You Increase Your Bottom Line!

Residential • Commercial • Multi-Family

Sandpiper Property Management is an Accredited Residential Management Company (ARM)
with the Institute of Real Estate Management (IREM)



MARKETING

- Craigslist, Newspaper, our website
- Over 10 online rental websites
- Tenant locator services
- 24/7 Phone attendant
- Market to Students, Adults, Seniors

SETTING RENT AMOUNTS

- Full market survey for each vacancy
- Maximize monthly rent
- Minimizing vacancy period

MANAGEMENT

- Collect rents
- Bilingual staff
- Handle slow or non paying tenants
- Pay monthly expenses
- Produce monthly statements for owners
- Distribute monthly proceeds to owners
- Our experienced staff protect your asset
- Regular site inspections

24 HOUR MAINTENANCE

- 24/7 on call maintenance team
- Lic. & Bonded
- In house maintenance lowers expenses
- Budgeting for large capital expenses

SCREEN PROSPECTIVE TENANTS

- Credit and background check
- Employment verification
- Past landlord verification
- Prior eviction check and
- Face to face interview with all applicants

LIABILITY

- We confirm you have adequate insurance
- Current lawyer endorsed leases
- Mold, and lead disclosures used
- Conduct any necessary evictions

OUR RESULTS

- Annual portfolio occupancy rate consistently over 98%
- Consistently lowest maintenance expenses in the industry
- High client retention rate

Call **805-705-4744** for a free consultation.

1811 State Street, Santa Barbara CA. 93101

805-705-4744

www.SandpiperPropertyManagement.com

Governor Newsom Announces Legislative Proposals to Confront the Housing Cost Crisis

An unprecedented \$750 million in support would help cities plan and zone for new housing

Legislative proposal lays out plan to update and modernize cities' housing goals to better reflect regional workforce and transportation needs

Governor Newsom: "Our state's affordability crisis is undermining the California Dream and the foundations of our economic well-being"



SACRAMENTO – Governor Gavin Newsom today announced a major legislative proposal as part of his \$1.75 billion package to confront the housing cost crisis. The new proposal sets higher short-term goals for housing that cities and counties must meet, and provides \$750 million in support and incentives to help jurisdictions plan and zone for these higher, ambitious housing targets.

The proposal would also update and modernize the state's long-term housing goals, known as Regional Housing Needs Allocations (RHNA), to better reflect regional housing and transportation needs.

This proposal is one part of Governor Newsom's ambitious \$1.75 billion housing package for 2019, which includes \$1 billion in tax credits and loans to spur low, mixed and middle-income housing production through separate legislative and budget proposals.

"Our state's affordability crisis is undermining the California Dream and the foundations of our economic well-being," said Governor Newsom. "Families should be able to live near where they work. They shouldn't live in constant fear of eviction or spend their whole paycheck to keep a roof overhead. That's increasingly the case throughout California."

In January, Governor Newsom unveiled his \$1.75 billion budget proposal to spur housing in California and called on the Legislature to provide relief and stabilization for renters. He signed an executive order to build affordable housing on excess state lands and announced first-of-its-

kind legal action against a city, Huntington Beach, for standing in the way of affordable housing production and refusing to meet regional housing needs. In his State of the State address, he offered state assistance to the 47 California cities out of compliance with state housing requirements and invited city leaders to meetings with state housing officials in Long Beach and Sacramento.

As part of the plan to address the housing cost crisis, the Governor proposes:

Accelerating and Incentivizing Housing Goals

Through these proposals, the California Department of Housing and Community Development (HCD) will establish new, higher short-term statewide housing goals for jurisdictions. HCD will adjust statewide targets for 2020 and 2021 and jurisdictions will be incentivized to accelerate their three-year RHNA goals to reach those benchmarks within two years. HCD will distribute increased targets to jurisdictions based on factors such as jobs, households, and affordability.

Jump-Starting Housing Production

The trailer bills provide \$750 million in one-time funding to help jump-start housing production. \$250 million will go to cities for planning towards their new, higher short-term housing goals. \$500 million will go to cities as incentives as they meet certain milestones of planning and zoning for more housing.

Local governments will receive \$250 million in grants to support technical assistance and staffing to adjust plans to reach the higher RHNA goals – half directly to cities, and half through regions.

Regions will create action plans to identify process improvements, barriers to production, and other activities needed to increase production. Cities will receive \$125 million to begin work on improving their processes. Another \$125 million will be distributed to regions to plan and award to cities in accordance with regional plans. If a jurisdiction is in a region or county that has not submitted a plan, they can submit their own for HCD approval. HCD will identify a methodology to distribute incentive rewards to these unique jurisdictions.

An additional \$500 million will be made available to cities in incentive grants. Beginning in 2021, incentive grants for general purposes will become available for jurisdictions that have made progress in implementing their plans and meeting increased production goals. Regions will develop the reward methodology, in furtherance of their regional housing plan goals, and with HCD approval.

Steps Towards Long-Term Housing Reform

To make meaningful reforms to the housing crisis in California, all stakeholders must work collaboratively to develop sustainable, long-term solutions. California must take a more comprehensive approach to planning for housing and transportation. This new proposal will ensure that by December 31, 2022, HCD, in collaboration with the Office of Planning and Research (OPR), will engage stakeholders and propose an improved RHNA process and methodology. Working with the California State Transportation Agency and OPR, HCD will engage stakeholders and propose opportunities to link transportation and other non-housing funds with housing goals by the end of 2022. Beginning July 1, 2023, SB 1 Local Streets and Roads funds may be withheld from any jurisdiction that does not have a compliant housing element and has not zoned and entitled for its updated annual housing goals.



Expanding Middle Class Housing Opportunities

A separate trailer bill will propose the creation of a major, new investment in spurring new middle-class housing production. This will happen by providing funding to support the development of affordable housing critical to spurring affordable communities. The Governor's proposal would allocate \$500 million for the expansion of the State Housing Tax Credit Program. These funds would pair with the existing underutilized 4 percent affordable housing federal tax credit program -- targeted at new construction projects. Up to \$200 million of this new allocation may allowably fund the creation of a new program targeting development of moderate-income housing -- for households of up to 120 percent of AMI -- a population not typically served by the state's housing programs.

The final \$500 million of the Governor's housing package does not require a budget trailer bill. It is included in the proposed budget, and proposes a \$500 million General Fund one-time allocation to expand CalHFA's Mixed-Income Loan Program. This investment would jumpstart the estimated \$43 million in annual funding dedicated to this program, and would pair with the proposed tax credit program described above.

*Governor Gavin Newsom
State Capitol Building*

**WELCOME
NEW MEMBERS**

*Andrew Petlow, Chris Kamen,
Cindi Rhodes, and
Robert Briggs*





North County **FAIRHOUSING** **SEMINAR**

Review of Laws & Best Practices for Fair Housing Compliance and Success



The North County Seminar will be co-sponsored by the Legal Aid Foundation of Santa Barbara County and SBRPA, with Guest Lecturer Chandra Carr of the Legal Aid Foundation of Santa Barbara County.



LEARN & REVIEW

- Protected Classes
- History of Fair Housing: How we got here
- Fair Housing Laws: Federal, State and Local
- Best Practices for Compliance: Advertising; Leasing; House Rules; Maintenance
- Most Common reasonable accommodations and modifications for disabilities
- General Q&A with an Attorney

"The information provided at this seminar does not, and is not intended to, constitute legal advice; instead, all information, content, and materials are for general informational purposes only."

NORTH COUNTY: Tuesday, April 30, 2019 ~ 10:00AM-12:00PM
Solvang City Hall, 1644 Oak St., Solvang, CA 93463



Street parking available, or you can use the Oak Street parking lot at 1616 Oak Street.

Please RSVP to programs@sbrpa.org





TOWN HALL MEETING



MEMBER LUNCH & BRIEFING: SBRPA, SBAOR & CAA TOWN HALL

Noon, Thursday April 11, 2019

Light lunch will be provided for our members



NEW LOCAL SANTA BARBARA ORDINANCES

What are the 2 new ordinances?

Will we also have "Just Cause" - and should we care?

Preparing for Tuesday April 16, City Council Hearing



NEW CALIFORNIA STATE BILLS

A report from your Board members who will have just returned from lobbying in Sacramento.

What are the odds the 4 new tenant protection bills will pass?

SPACE LIMITED SO RSVP ASAP. YOU MUST RSVP TO ATTEND: grc@sbrpa.org

SBAOR • 1415 Chapala St, Santa Barbara

Some parking available in lot and on street.

Also, use Victoria Parking Lot, 26W E Anapamu Street



Photo kety.com

Call to Action!

SB City Council Meeting

Tuesday, April 16, 2019 • 2:00 PM



Photo kety.com

On 3/21/19 Mayor Cathy Murillo indicated her plans to vote on new Tenant Protection Ordinances and propose Just Cause at the April Meeting. Please attend and voice your concerns.



the Agreement



Review of Fair Housing Laws & Best Practices for Fair Housing Compliance and Success

Santa Barbara FAIRHOUSING Seminar

Denise Cato
CEO, Fair Housing Council of Orange County

Learn & review

- Protected Classes: All 17+ of them!
- History of Fair Housing: How we got here
- Fair Housing Laws: Federal, State & Local
- Best Practices for Compliance: Advertising; Leasing; House Rules; Maintenance
- Most Common reasonable accommodations and modifications for disabilities
- Hot Topics and Trends: ESAs, Marijuana, Hoarding, Illegal Immigrants, Sexual Harassment & More!
- Q&A with an Attorney



Monday, April 29, 2019 ~ 9:00AM-12:00PM

Santa Barbara Association of Realtors 1415 Chapala St., S.B., CA 93101

SBRPA Member: \$75 • Non-members: \$125

Please mail with payment to: SBRPA, 123 W. Padre St., #D, Santa Barbara, CA 93105. Call (805) 687-7007 or email programs@sbrpa.org with any questions.

Name _____ Phone _____ Billing zip _____

Email address _____

Mastercard Visa Card # _____

Expiration Date _____ Security Code _____



Danielle Holzer

FULL SERVICE MANAGEMENT
ONE TIME LEASING
PROPERTY MAINTENANCE

DMH PROPERTIES
PROPERTY MANAGEMENT COMPANY

*Serving Santa Barbara,
Santa Ynez, & the North County*

📞 805-331-3963
☎ 805-962-3707

DANIELLEHOLZER@DMHPROPERTIES.NET

DMHPROPERTIES.NET

336 NORTH CALLE CESAR CHAVEZ SANTA BARBARA, CA 93103



DRE Lic. # 01369548



BEAU BRUNNER PAINTING
LIC. # 929377

Beau Anthony Brunner
OWNER
7464 Evergreen Dr.
Goleta, CA 93117

CELL: (805) 218-5251

FAX: (805) 685-0776

EMAIL: beaubrunnerpainting@gmail.com



Frederick Lang
Real Estate Appraiser
License #AG003428

(805) 886-4146

Since 1964



LIC.#005132

406 W. Figueroa St
SB, CA 93101

963-3117

689-8397

MENDEZ
BUILDING SERVICES INC.

- Water Damage Specialists
- Carpet Steam Cleaning
- General Building Maintenance
- Wood Floor Refinishing & Repair

Rafael Mendez • www.mendezservices.com



THE LAW OFFICES OF
BETTY L. JEPPESEN

1528 STATE ST. • SB, CA 93101
(805) 450-1789

JEPPESENLAWS@GMAIL.COM

Don's

HEATING & AIR CONDITIONING, INC.



Where your comfort is our business!

- Installation, Maintenance, & Repair
- Residential & Commercial Systems
- Serving southern Santa Barbara County

Family Owned and Operated for 35 years

Call now to schedule maintenance on your existing system, or ask us for a free estimate on a new HVAC installation.

3463 State Street, Suite 477, Santa Barbara, CA 93105

email: donsheatingsb@gmail.com

office: 805.683.2233

Fire Water Mold Asbestos Lead Build-Back

For Expert Fire, Water, and
Mold Damage Restoration.
Asbestos & Lead Removal.

Rapid Cost Effective
Build-Back. Call
Pearl Bay /
Rainbow



(805) 966-1480
PearlBayCorp.com



License # 923073

HERMOSA PAINTING

Bob Ulmer

cell: 805.636.1087

bob@hermosapainting.com

1224 Bath St. #A Santa Barbara, CA 93101

If you Manage It... We're Unmatched in



- Reliability
- Satisfaction
- Customer Service

If you're a property manager, contact MasterCare® for a customized Property Services Cleaning Quote. Let's get you started by using one of our four Special Value Offers* to give your clientele measurable value.

Offer #1: Schedule 1 Cleaning, get a 2nd for 20% Off

Offer #2: Schedule 2 Cleanings, get a 3rd for 30% Off

Offer #3: Schedule 3 Cleanings, get a 4th for 40% Off

Offer #4: Schedule 4 Cleanings, get a 5th for 50% Off

*Note: Scheduled cleanings must be of equal value



www.mastercarehomecleaning.com

We're Unmatched!

- We've Never Missed an Appointment!
- Your Satisfaction is Guaranteed!
- Staff of 27 Fully Trained Cleaning Techs
- Licensed, Bonded and Insured to \$2M
- Green Cleaning Products and Techniques
- We offer Carpet and Window Cleaning too!

(805) 683-1915

WINN REALTY

Be on the Winn-ing Team



ELAINE FOLSOM

Broker/Owner

4047 Via Zorro

Santa Barbara, CA 93110

805-570-9488 C

805-967-6946 F

E-mail: WinnRealty@gmail.com

Website: WinnRealtySantaBarbara.com

DRE LIC# 01421429



EMERGENCY SERVICES • WATER DAMAGE MITIGATION • MOLD REMEDIATION • BOARD-UP & TARPING
FIRE & SMOKE DAMAGE • CONTENTS RESTORATION • COMPLETE RECONSTRUCTION
CATASTROPHE RESPONSE • AN MUCH MORE



WATER DAMAGE RESTORATION



FIRE DAMAGE RESTORATION



MOLD REMEDIATION



PROPERTY RECONSTRUCTION



INFECTION PREVENTION



CONTENTS CLEANING

Restoring lives... One Property at a Time.

ASR Property Restoration is your local industry expert for 24/7 emergency services that includes: mitigation, restoration, deferred maintenance, construction, water damage, mold, smoke, fire, odor, sewer and bio-hazards.

EMERGENCY RESPONSE LINE



877-988-1040

24 HOURS A DAY, 365 DAYS A YEAR



DKI



FIRE



WATER



SEWER



MOLD

CARPETS
VINYL

DRAPES
BLINDS

JODY'S WINDOWS AND FLOORS

(805) 637-6343

JODYSWINDOWSANDFLOORS@GMAIL.COM

CONTRACTOR'S LICENSE #854700 • FAX (805) 564-2959

A refreshingly **simple** way to
manage your properties



"You can't go wrong with
Yardi Breeze. It will make
your life so much easier!"

- Joni, GF Property Management Group

 **YARDI® breeze**

Property management software for smaller portfolios

See for yourself at YardiBreeze.com | 888.571.5344



Single Family | Multifamily | Commercial





Christos Celmayster
Partner
805.898.4388
 christos@hayescommercial.com
 BRE# 01342996

***Santa Barbara's native
 multifamily expert.***

**Call for a FREE ANALYSIS
 of your property!**

JUST LISTED



1224 San Andres St, Santa Barbara

- Remodeled triplex
- 2BD/2BA, 2BD/1BA, and a 1BD/1BA
- Great parking and upside in rents

JUST LISTED



4903 Nautilus St, Oxnard

- Six-unit apartment in Oxnard Shores
- Just two blocks from the beach
- Immaculate grounds, upside in rents

JUST LISTED



2661-2667 Harbor Blvd, Ventura

- Ventura Keys fourplex with oversized units
- Upside in rents
- Great parking and well maintained

RECENTLY SOLD



86 S Bryn Mawr St, Ventura

- Represented seller
- 10 units in excellent central location



712 W Anapamu St, Santa Barbara

- Represented seller
- Eight units near the Mesa and the beach



**SINCE 2016 CHRISTOS
 HAS SOLD 154 UNITS
 VALUED AT \$48 MILLION**



HayesCommercial.com
 222 E. Carrillo St, Suite 101, Santa Barbara, California

Sacramento Report



Steve Carlson



Jonathan Arambel

ROGERS, SHEFFIELD & CAMPBELL, LLP



ANNOUNCEMENT

Grokenberger & Smith, P.C. has merged with Rogers, Sheffield & Campbell, LLP.

Since 1973, Rogers, Sheffield & Campbell, LLP, has provided sophisticated legal advice to Central Coast businesses and individuals. Learn more by visiting rogerssheffield.com

- | | | |
|-----------------|-------------------------|-------------------|
| Real Estate | Civil Litigation | Condominium & HOA |
| Estate Planning | Landlord-Tenant | Family & Divorce |
| Business & Tax | Probate, Wills & Trusts | |
| Construction | Wine & Agricultural | |

SBRPA Members can call with questions regarding areas of practice, and are billed at a "Preferred Client" rate if they decide to retain the firm for Landlord-Tenant matters.

152 E. Carrillo Street, Santa Barbara, CA 93101 rogerssheffield.com
t 805.965.7746 f 805.845.2356 e david@rogerssheffield.com



Raymond Arthur Appleton

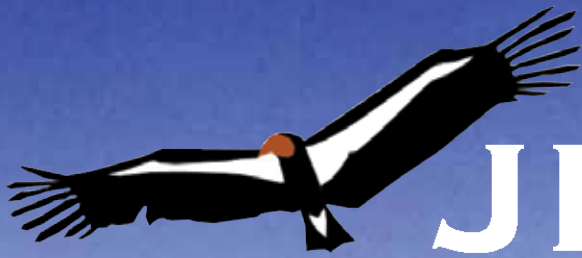
Land Use Planner & Permit Agent

CELL: (805) 895-1414

133 E. De La Guerra St., #259 • Santa Barbara, CA 93101
Email: permitplanners@earthlink.net
www.PeritPlanners.net

garden design

HENRY 805 682-1778
THE ROMANTIC GARDEN CO. COM



JPIA

JOHN E. PEAKES INSURANCE AGENCY INC.

- We offer blanket policies for multiple properties
- Office Locations in Ventura, Lancaster and Monterey
- Carriers offered: Mercury, Philadelphia, Travelers, CSE Insurance, Nationwide, Oregon Mutual and many more.
- Coverage provided for all Commercial Properties, Multi-Family Dwelling and Single Family
- Proud Member of the *Santa Barbara Rental Property Association*

Family Owned And Operated Since 1969

1445 Donlon St., Ste 6, Ventura, CA 93003

PH: 805-650-0199 | License # 0619917

www.peakesinsurance.com

The Attorney's Corner

David M. Grokenberger, Esq. • Rogers, Sheffield & Campbell, LLP



TERMINATING A TENANCY UNDER CODE OF CIVIL PROCEDURE 1161(4)

As cities and urban areas continues to grow, the demand for rental housing close to population and economic centers increases. With only so much desirable space available, these areas are becoming denser and more crowded, despite efforts of local governments to control population density through zoning regulation. Ambitious renters may seek to sublet their units to individuals willing to sacrifice traditional living arrangements in exchange for a location closer to town. Furthermore, with more occupants in a given neighborhood, and in closer quarters, the potential for noise, disruption and illegal activity increases.

A powerful tool for a landlord seeking to deal with tenants subletting, engaging in unlawful activity, or creating a disturbance is the unlawful detainer under California Code of Civil Procedure ("CCP") section 1161(4). CCP 1161(4) states that a person is guilty of unlawful detainer (and can be evicted) as follows:

Any tenant, subtenant, or executor or administrator of his or her estate heretofore qualified and now acting, or hereafter to be qualified and act, **assigning or subletting** or committing waste upon the demised premises, contrary to the conditions or covenants of his or her lease, or **maintaining, committing, or permitting the maintenance or commission of a nuisance upon the demised premises** or **using the premises for an unlawful purpose**, thereby terminates the lease, and the landlord, or his or her successor in estate, shall upon service of three days' notice to quit upon the person or persons in possession, be entitled to restitution of possession of the demised premises under this chapter. For purposes of this subdivision, a person who commits or maintains a public nuisance as described in Section 3482.8 of the Civil Code, or who commits an offense described in subdivision (c) of Section 3485 of the Civil Code, or subdivision (c) of Section 3486 of the Civil Code, or uses the premises to further the purpose of that offense shall be deemed to have committed a nuisance upon the premises.

As can be seen, CCP 1161(4) can also be used to evict a tenant who is causing a nuisance, participating in illegal activities at the property or assigning/subleasing without permission. CCP 1161(4) is an expeditious process as it allows the landlord to evict a tenant without providing the tenant an opportunity to "cure." In contrast, CCP 1161(2) provides that the tenant must *either* pay the rent or move within 3 days. Similarly, CCP 1161(3) states that the tenant must *either* cure their rental agreement violation or move within 3 days.

NUISANCE GROUNDS

Because CCP 1161(4) is a relatively "harsh" grounds for unlawful detainer, courts will analyze the landlord's claim of nuisance to a relatively high level, asking whether the landlord's issue really constitutes a nuisance to support an eviction under CCP 1161(4). So, what constitutes a nuisance to support an unlawful detainer under California Code of Civil Procedure 1161(4)?

The Civil Code defines a nuisance as "[a]nything which is injurious to health, including, but not limited to, the illegal sale of controlled substances, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal, or basin, or any public park, square, street, or highway" (Civ. Code, § 3479). CCP 1161(4) also references code sections regarding dogfighting, possession of illegal weapons and ammunition, and use of the premises related to controlled substances, as activities constituting a nuisance on the premises. These types of activities are often criminal acts as well, and thus police reports or other documentation from the criminal justice system could be of assistance to a landlord in prosecuting a case under CCP 1161(4).

Acts that constitute a nuisance do not have to result in physical harm, nor do they need to occur for a certain amount of time. In *Swords to Plow-*

Continued on page 33

New on the Market



 **Battaglia Commercial**
REAL ESTATE

4 Units In Solvang

GRM: 15.92

- (4) 1Bed/1Bath Apartments
- 2 Units Renovated in 2008
- 4+ Off-street Parking Spaces
- Listed at \$915,000

Providing exceptional service and expert representation... it's what I do.



Steven R. Battaglia
805.688.5333 ~ DRE 01318215
srb@BattagliaRE.com ~ www.BattagliaRE.com



MERIDIAN GROUP
Real Estate Management, Inc.



COMMITTED TO EXCELLENCE!

- Full Service Real Estate Management
- Commercial & Multi-Unit Residential
- Over 30 Years of Experience
- 24/7 Maintenance Service
- Online Application & Payment Options

ADDING VALUE TO YOUR INVESTMENT
Since 1999

Locally Owned and Managed by
Robert Kooyman, CPM® & Robert Ramirez
CA DRE License #01272282

5290 Overpass Road, Building "D"
Santa Barbara, CA 93111
P. (805) 692-2500 / F. (805) 692-5020
www.meridiangrouprem.com



Sundance Press

Short Run Publication Printing

Sundance Press is the proud printer of
The Rental Property News Magazine.

Call to see how we can help with printing your
newsletter, ad mailers or other short run publication.

sundancepress.com
520.622.5233

shares v. Smith, the court considered a notice to quit based upon the tenant's threats of physical violence to others (294 F. Supp. 2d 1067, 1074 (2002)). The alleged nuisance had no connection to actual injury, nor was there an indication of the duration of the alleged conduct (*Ibid.*). The court noted that a nuisance is "an invasion that is 'definitely offensive, seriously annoying or intolerable,' . . . the degree of [which] is to be judged by an objective standard . . ." (*Ibid.*). The court referred to a California Supreme Court opinion that "the primary test for determining whether the invasion is unreasonable is whether the gravity of the harm outweighs the social utility of the defendant's conduct" (*Ibid.*). In finding that the allegations could arise to nuisance under CCP 1161(4), the court determined that there need not be actual damage, but conduct which, objectively, could be considered offensive, annoying or intolerable, and that the interference need not have lasted a long time, but instead is unreasonable if the gravity of the harm outweighs the social utility of the conduct (*Ibid.*).

However, because of the relative high level of scrutiny applied by the courts in CCP 1161(4) nuisance cases, it would be safer for a landlord to base his unlawful detainer on more than just a single nuisance occurrence or a relatively minor nuisance issue. Another question for the landlord to ask is whether the nuisance is "curable." If it is, perhaps the landlord should utilize CCP 1161(3) instead, giving the tenant 3 days to cure his violation before commencing the unlawful detainer action.

UNLAWFUL PURPOSE/SUBLETTING

As can be seen by the discussion of nuisance under CCP 1161(4), some illegal activity can constitute a nuisance, and vice-versa. Similarly, some subletting activity (such as short-term renting through Air BnB) is also using the property for an unlawful purpose.

In the City of Santa Barbara, short-term rentals are considered a hotel activity and can only occur in areas zoned for such use. This eliminates essentially every residential area in the city from short-term renting, but the practice is nonetheless widespread. Accordingly, tenants renting out a portion or all of their units through Air BnB and similar services are potentially both subletting and using the premises for illegal activity.

A California court recently had the opportunity to review a trial court's decision regarding the use of CCP 1161(4) to evict a tenant that was renting out a one-bedroom loft in Venice on a short-term basis, and advertising the rental online (*Chen v. Kraft* (2016) 243 Cal.App.4th Supp. 13). The trial court had granted the landlord's motion for summary judgment, meaning that based upon undisputed facts (the location of the apartment in a residential zone, the municipal code prohibition on short-

term renting in residential zones, advertisements of the rental online, deposition testimony from the tenant confirming the short-term renting), the activity constituted use of the premises for an unlawful purpose under CCP 1161(4) as a matter of law (*Id.* at 16). This ruling was made in the face of evidence that the original lease had an addendum permitting short-term renting, and that the tenant had a certificate to collect transient occupancy tax (*Id.* at 17). On appeal, the reviewing court upheld the ruling, finding that the proof of a transient occupancy (short-term renting) practice on a property not zoned for such use constituted an unlawful purpose under CCP 1161(4) (*Id.* at 21). The court found that any addendum purportedly allowing short-term renting was void as contrary to public policy, and did not permit the tenant's actions (*Id.* at 22).

The *Chen* case provides important lessons for landlords: (1) document evidence, if possible, of subletting or short-term rentals such as web advertisements or reviews, (2) become familiar with the municipal codes and county ordinances which define zoning and allowable uses for a property, and (3) do not automatically assume that a written agreement to allow short-term rentals automatically allows a tenant to do so. While the situation in the *Chen* case is not the only way short-term renting can be the basis for eviction under CCP 1161(4), it provides an illustration of a successful case.

As an aside, the legal landscape is changing with regard to marijuana, much as it has with short-term renting. As drug use is generally the type of "unlawful purpose" serving as the basis for an unlawful detainer under CCP 1161(4), it is important to note that California courts have found the code section to refer to unlawful purposes as defined by California laws. This usually occurs when landlords seeking to evict commercial marijuana dispensaries under CCP 1161(4) have been met with opposition from the courts, which state an unlawful purpose does not include a violation of federal, but not state law. While this has occurred in the commercial context, it is nonetheless important to consider as California moves further from the federal statutes covering marijuana, and local governments act to implement California's new standards. Actions that one may think intuitively constitute a "no-brainer" unlawful use could not be so black and white in the near future.

The information contained in this article is not intended as legal advice for any specific situations or individuals, and 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.

Berkshire Hathaway Commercial Division congratulates Ken Switzer for the recent successful representation of 2 Buyers in the purchase of multi-family properties, and on his new multi-family listings



**Chairman's Circle Diamond Award
(Berkshire Hathaway's highest award)**

**Kelly Award winner for complex transactions
25 years local experience, over 600 closings**

JUST SOLD (Buyer) 4 Large Units near County Bowl, Listed at \$1,950,000

JUST SOLD (Buyer) 5-Unit Compound on Lower Riviera, Listed at \$1,495,000

NOW FOR SALE 54 Units in Premiere Central Coast Location \$11,595,000

Located at Paso Robles' "gateway corner" by the entrance to town, in the path of a soaring local tourism and wine industry, and surrounded by new and newer commercial construction. The unit mix is 42 x 2/1, 8 x 1/1, 4 x 3/1, 2.8-acre parcel zoned for Town Center Commercial, and in a newly-designated Opportunity Zone. Annual scheduled income \$1,050,000.

NOW FOR SALE (New!) 3-Unit Compound in Heart of Santa Barbara \$2,300,000

A very rare offering in a prime location just a few blocks from the Theater/Arts District and Cottage Hospital. There are 2 beautifully renovated and charming period duplex-style units, incl. a hard-to-find approved vacation rental, plus a 2nd building with an upstairs unit over a garage.

NOW FOR SALE (New!) 4 Units in Goleta Multi-Family Area \$1,650,000

Located in the heart of Goleta's re-booming technology corridor, this is the first multi-family building on the market on the west end of Goleta in 3 years. Unit mix is 1 x 3/2, 2 x 2/1.5, 1 x 1/1. There is opportunity for much upside in this well-positioned offering.

NOW FOR SALE (New!) Isla Vista Duplex on Large Parcel \$950,000

Side-by-side duplex 2/1 + big studio unit, on a street-to-street extra-wide 7405sf parcel.



**KEN SWITZER
805-680-4622**

**BERKSHIRE HATHAWAY
COMMERCIAL DIVISION**

©2019 Berkshire Hathaway HomeServices California Properties (BHHSCP) is a member of the franchise system of BHH Affiliates LLC. BHH Affiliates LLC and BHHSCP do not guarantee accuracy of all data including measurements, conditions, and features of property. Information is obtained from various sources and will not be verified by broker or MLS. Buyer is advised to independently verify the accuracy of that information.

Santa Barbara Happenings

Terry A. Bartlett • *Reetz, Fox & Bartlett LLP*



Court Rules against the City of Santa Barbara in Lawsuit Regarding Vacation Rental Ban for Coastal Zone

At the end of February, the Superior Court in Ventura County tentatively ruled against the City of Santa Barbara's enforcement of a zoning ordinance which effectively bans vacation rentals in residential zones. The suit was originally brought in November 2016 when a lawsuit was filed by Theo Kracke, owner of Paradise Retreats.

The legal basis asserted by Kracke and accepted by the Superior Court was that the City of Santa Barbara's December 2015 decision to crack down on short-term vacation rentals violated the California Coastal Act. Specifically, that the City's change (i.e. beginning to enforce a decades-old ban) constitutes a development under the Coastal Act and required Coastal Commission review (at least as to the areas in the Coastal Zone). The City of Santa Barbara argued that it was merely enforcing an ordinance that had been in effect for decades, and that the Coastal Commission had no authority to review this action.

For the past two years the City has vigorously fought this battle and has vowed to appeal a negative decision of the Court. The reason for the vigor may have to do with the Coastal Commission's 2018 decision to reject a vacation rental ban that was proposed by the County of Santa Barbara. This decision from the Coastal Commission shows its distaste for ordinances like the City's which impose uniform bans on vacation rentals and make access to temporary housing in the Coastal Zone less affordable.

This distaste from the Coastal Commission combined with the Court's decision shows that there is momentum building against vacation rental bans. However, with the City of Santa Barbara likely appealing the case, the stakes will be raised as any decision from the Appellate Court, if published, will set the law on this issue. Accordingly, property owners with property in the Coastal Zone throughout California should watch the status of this case closely as it may have implications that stretch throughout the state.

Santa Barbara County Reservoirs Finally Filling Up

For the past decade Santa Barbara County has been constantly reminded that it was in a severe drought. This drought was the result of a low snow pack in the mountains and a lack of a consistent steady rain season in Santa Barbara County. To add salt to the wound, last year intense bursts of rainfall caused the deadly Montecito debris flow but did little to alleviate the drought.

Finally, this year a much more steady and consistent rainfall has led to some hope that the drought may be leaving. This is shown by the level of the Santa Barbara County Reservoirs. Lake Cachuma is now 75 percent full, the Gibraltar reservoir is full, and the Jameson Reservoir is more than full.

It is unclear whether and/or when any changes to the local ordinances created because of the drought will be repealed.

Meagan Harmon Appointed to Fill Vacant Santa Barbara City Council Seat

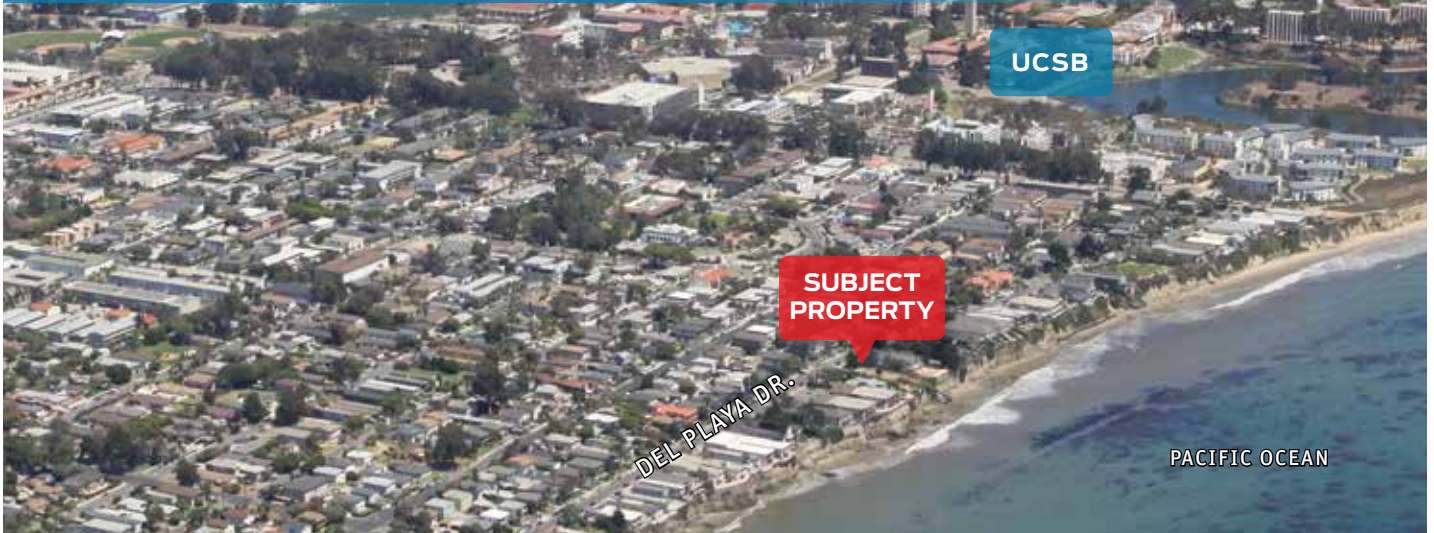
From January to February 2019 the Santa Barbara City Council was once again down to 6 members, the result of former City Council Member Gregg Hart's election to the Santa Barbara County Board of Supervisors. Hart's full-time replacement will be elected at a special election in November 2019.

To fill the vacancy in the interim the City Council sought out applications from members of the public that resided in the district represented by Gregg Hart. This process was completed in mid-February when, after multiple rounds of stalemate, the City Council finally appointed Meagan Harmon.

Harmon grew up in Lompoc and is a practicing attorney at the firm of Morrison & Foerster LLP. Harmon has historically been a democrat; however, she was supported by the less-liberal section of the Council: Jason Dominguez, Kristen Sneddon and Randy Rowse (a Republican). The support Harmon received from this section likely comes from her promise to keep politics out of the Council.

Continued on page 37

3-Unit Apartment Asset For Sale Near UCSB



6625 Del Playa Dr., Isla Vista / Offered at \$4,950,000

Wonderful, updated triplex situated on the ocean side of Del Playa Drive which runs along Isla Vista's bluff top and remains the most sought after street for student housing near UCSB. Isla Vista is a beautiful place to live, work and attend college, making this location highly desirable to potential tenants. In fact, this area of the community commands higher rents and is the first to lease up with leases typically signed nine months prior to expiration for the following academic year. This triplex has (1) 5BR/2BA, (1) 6BR/3BA and (1) 6BR/4BA units, all with multiple refrigerators, dishwashers, granite counters, stainless appliances, common laundry with two washers and dryers and an oversized patio to enjoy the sweeping ocean views. Recent capital improvements include new plumbing and heating plus a 3-year-old roof system. The property has been reconfigured and sits approximately 30' from the cliff.

Contact Steve & Lori for a detailed brochure or for more information.

Steve Golis

BRE 00772218

805.879.9606

sgolis@radiusgroup.com



Lori Zahn

BRE 01914851

805.879.9624

lzahn@radiusgroup.com



The Radius Team. Count On Us. Every Time.

205 E. CARRILLO ST. STE 100 | SANTA BARBARA CA 93101 | 805.965.5500 | RADIUSGROUP.COM

This is important, as the City Council is technically not a partisan office. With that being said, party politics often find their way into local elections and even decision making.

Harmon's commitment to cast aside the political strings and focus on the issues makes her a welcomed addition to the Council for local property owners. With issues such as landlord tenant reform on the Council's radar, it is key that the Council Members not entrench themselves in political ideology. Instead they should focus on the local market realities.

Harmon's appointment only guarantees her a seat on the Council until the special election in November. In this interim period, it is important that property owners pay attention to how she votes on property issues and see whether she keeps her commitment to leave political affiliations at the door. If she keeps her commitment, she may be a good candidate to support in the November election.

End of An Era: Jedlicka's Set to Close its Santa Barbara Doors

After nearly a century of providing western wear to Santa Barbara County, Jedlicka's Saddlery store will be closing its Santa Barbara doors this month. The store's plan is to remain open until the inventory has sold out.

The store's closing is a sign of two converging trends. First, the rise of online shopping and the consequent fall of brick and mortar retail. Second, the urbanization of Santa Barbara County (especially South County where the store is located) and the consequent diminishing of the rancher lifestyle and culture. Santa Barbara has come a long way over the last century, and the closing of the De La Vina Store is a clear indication of that change.

Jedlicka's will continue to operate its Los Olivos location in Northern Santa Barbara County.

Montecito Fire Protection District Considering Power Grid Alternative

The Montecito Fire District has voted to initiate the process of establishing its own micro power grid. In the wake of the Thomas Fire and the ensuing Montecito Debris Flow event, many Montecito residents were left without power.

The microgrid would be aimed at making the power grid more resilient in times of emergency. The microgrid would be connected to the main power grid, but in the event of an emergency

it could be disconnected and run on stored up power and renewable energy sources. Initially, the backup power generated will be prioritized to key infrastructure resources like Montecito Water District and emergency shelters. Eventually the goal is to also connect commercial buildings in Montecito's Upper Village.

The microgrid has received funding of close to \$300,000. While there is no definitive timetable of when it will be completed, the Montecito Fire District seems eager to get the project going.

Santa Barbara Plastic Straw and Cutlery Ban

In October of last year, the Santa Barbara City Council voted to ban plastic straws. The Ban made national news, and many businesses immediately began replacing plastic straws with paper straws.

Although not as widely talked about, the Ban also applies to plastic cutlery. Businesses may only pass out plastic cutlery upon request.

With the Downtown State Street corridor already suffering, does imposing one more restriction on businesses really make sense?

Restrictions and regulations like this may well drive businesses out of the City limits. If you agree, please discuss this with the City Council Member from your district. The Ban is to go into effect July 2019.

Directory of Products & Services

INDEX OF ADVERTISERS

ASR Property Restoration.....	18
Battaglia Commercial Real Estate....	24
Beach House Inn	7
Beau Brunner Painting.....	15
Betty Jeppesen, Esq.....	15
Berkshire Hathaway – Ken Switzer.....	26
Bill Terry Insurance.....	2
Central Coast Paving	4
DMH Properties	15
Don’s Heating & Air Conditioning	16
Frederick Lang R.E. Appraiser.....	15
Hayes Commercial Real Estate	20
Hermosa Painting	17
Jody’s Windows & Floors.....	19
John E. Peakes Insurance Agency ...	22
MasterCare Home Cleaning Services .	17
Mendez Building Services	17
Meridian Group	25
Pearl Bay Corporation	17
Radius Group	28
Raymond Arthur Appleton.....	21
Rogers, Sheffield & Campbell, LLP...	21
Sandpiper Property Management	13
San Roque Realty	10
Sensor Industries	6
Sierra Property Management.....	11
Spectrum Realty.....	10
Sundance Press.....	29
The Laurel Company	29
The Towbes Group	10
Tower Property Management.....	10
Wash Laundry Systems	32
Yardi.....	19

ATTORNEYS AT LAW

Betty L. Jeppesen,
Attorney At Law
jeppesenlaw@gmail.com
(805) 450-1789

Rogers, Sheffield & Campbell, LLP
www.rogerssheffield.com
(805) 963-9721
David @rogerssheffield.com

APPRAISERS

Frederick Lang, R.E. Appraiser
(805) 886-4146

CARPETS/FLOORING

Jody’s Windows & Floors
(805) 637-6343

CLEANING/MAINTENANCE SERVICES

MasterCare Home Cleaning Services
www.MastercareHomeCleaning.com
(805) 683-1915

Mendez Building Services
www.mendezservices.com
(805) 963-3117

COIN-OPERATED LAUNDRY

Wash Laundry Systems
www.washlaundry.com
(800) 421-6897

HEATING/AIR

Don’s Heating & Air Conditioning
donsheatingsb@gmail.com
805-683-2233

HOTEL/MOTEL

Beach House Inn
www.thebeachhouseinn.com
805-966-1126

INSURANCE

Bill Terry Insurance
www.billterryinsuranceagency.com
richard@billterryinsuranceagen-
cy.com
(805) 563-0400

John E. Peakes Insurance Agency Inc.
www.peakesinsurance.com
cpeakes@peakesins.com
(805) 658-2423

PAINTING

Beau Brunner Painting
www.beaubrunnerpainting.com
(805) 218-5251

Hermosa Painting
Bob.ulmer@verizon.net
(805) 952-3418

PAVING

Central Coast Paving
justin@ccpave.com
(805) 636-1200

PRINTING

Sundance Press
(520) 622-5233

PROPERTY MANAGEMENT

DMH Properties
danielleholzer@dmhproperties.net
(805) 962-3707

Meridian Group
www.meridiangroupprem.com
(805) 692-2500

Sandpiper Property Management
www.sandpiperpropertymanage-
ment.com
(805) 705-4744

Sierra Property Management
spm@sierrapropsb.com
(805) 692-1520



Spectrum Realty
www.spectrumrealty.com
andy@spectrumrealty.com
(805) 681-6268

The Laurel Company
www.thelaurelco.com
(805) 963-5945

The Towbes Group
www.towbes.com
(805) 962-2121

Tower Property Management
www.towerpm.com
(805) 740-0023

REAL ESTATE
**Battaglia Commercial
Real Estate**
www.battagliare.com
steve@battagliare.com
(805) 688-5333

**Berkshire Hathaway
Ken Switzer**
www.realestatesb.com
kswitzer@bhhsca.com
(805) 680-4622

Hayes Commercial
www.hayescommercial.com
christos@hayescommercial.com
(805) 563-2111

Radius Group
www.radiusgroup.com
(805) 965-5500

San Roque Real Estate
ed@SanRoqueRealty.com
(805) 687-1551

RESTORATION & REMEDIATION
ASR
www.asr-construction.com
(877) 988-1040

**Pearl Bay Corporation/
Rainbow Intl. of SB**
www.PearlBayCorp.com
Get.Help@PearlBayCorp.com
(805) 966-1480

SOFTWARE
YARDI
www.yardi.com
(805) 699-2040

WATER TECHNOLOGY
Sensor Industries
www.sensor-industries.com
(888) 893-6493



Keep Your Residents Happy with a WASH Laundry Room

WASH laundry rooms offer the ultimate in convenience for your residents, with the latest technology-based amenities and unsurpassed service.

- 24/7 live answers to service calls.
- Electronic card systems for easy payment.
- Quick response to service calls — typically within 12 business hours.
- FIXLAUNDRY mobile app and online service portal.
- ENERGY STAR-rated machines and green practices that focus on conservation.
- Online laundry monitoring to see if machines are available or laundry is done.

The bottom line is that when your laundry room contract comes up for renewal, we want you to switch to WASH. WASH offers superior laundry equipment, and service and support that is unparalleled in the industry.



WASH

800.777.1484 www.washlaundry.com/happy