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SANTA BARBARA RENTAL PROPERTY news



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SBRPA OFFICE

Mon-Fri • 9am-5pm
Closed for lunch 12-1pm
123 West Padre Street, Suite D
Santa Barbara, CA 93105
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October 2019

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CALENDAR

2nd Annual Housing Santa Barbara Day

Saturday, October 19, 2019 10:00AM-2:00PM
De la Guerra Plaza, Santa Barbara

Advocating for Affordable Housing for All. Music, food, activities. Housing Workshops. Affordable Housing Trolley Tours. (see page 15)



SBRPA Annual Charity Golf Tournament

Friday, October 25, 2019
Glen Annie Golf Club 405 Glen Annie Rd., SB, CA
It's here! Our annual Charity Golf Tournament to benefit the Santa Barbara Transition House.



Get your team together & register now!

- Registration (see p.24)
- Sponsorship Opportunities (see p. 25)



Partners In Housing Solutions, Landlords Gathering

Wed., 10/30/2019 1:00PM - 2:00PM
El Paseo Nuevo, Granada Training Rm, 2nd Floor (see p. 9)

New Year, New Laws! 2 sessions

Tue., 11/12/2019 South County, SB Elks Club
Thu., 11/14/2019 North County, SM Radisson
Members only review of New Laws. New 2020 Legal Forms will be provided. Class precedes Property Management Seminar. (see page 12)

Property Management Essentials 2 locations

Tue., 11/12/2019 South County, SB Elks Club
Thu., 11/14/2019 North County, SM Radisson



Come to our 2019 Certificate class and get up to speed on the latest in Property Management rules and regulations. (see page 13)



OCTOBER 2019						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
28	29	1	2	3	4	5 SB Architect's Tour
8	7	9	9	10	11	12
13 Columbus Day 	14 Ofc closed 1PM BODMtg	15	16	17 Taste of Santa Ynez Valley	18	19 2nd Annual Housing SB Day
20	21	22	23	24 Ofc closed	25 Ofc closed SBRPA Golf Tour	26
27	28	29	30 Partners In Housing Landlords Day 			

NAA Assembly of Delegates

November 5-9, 2019 • Greenville, NC



The Assembly of Delegates (AOD) is NAA's largest business meeting of the year, where all NAA and NAAEI Boards, Committees and Task Forces meet, and the new incoming volunteer leadership is installed.

<https://www.naahq.org/assembly-delegates/registration>

Other Santa Barbara County Events

ArchiTect Tour, 10/5/2019

Join us on a self-guided tour of the best architectural projects in Santa Barbara. You will receive a tour brochure and/or app with maps, photos, and info detailing all the projects.

Info: <https://aiasb.com/architectours-2019/>

Taste of Santa Ynez Valley, 10/17-20/2019

The Santa Ynez Valley, home to one of the California Central Coast's renowned wine regions, will host its inaugural four-day food, wine and experiential event. The new signature event will take place in the six Santa Ynez Valley wine country towns of Los Alamos, Santa Ynez, Los Olivos, Solvang, Ballard, and Buellton.

<https://www.visitsyv.com/taste-of-the-santa-inez-valley/>

Happy Halloween

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SBRPA President's Message



James Carrillo • CPM®, SBRPA President

As we enter the fourth quarter of 2019, perhaps it is good to pause and reflect on those things which have occurred this year that will impact our businesses—and in some cases our personal futures—as we move toward 2020. As an association, we take seriously our obligation to guide owners and managers through the processes required to maximize the value of their investment assets. At the same time, much of the work that is done with our membership is on a personal level. That is the nature of our membership and, thankfully, that is the nature of our Executive Director Laura Bode. Laura deals with all of our members as if she were their next-door neighbor. She cares for their well-being. In 2019 this role was a challenge, as this particular neighbor was tasked with delivering some unpleasant news on more than one occasion.

Locally, we now have mandatory one-year leases and just cause (stay tuned). On a state level we will soon have rent caps and just cause as a result of the passage (and eventual signing) of AB 1482. Make no mistake about it. These are monumental shifts in how we do business, and they will be with us for a long time. For investors in the business of “buying and flipping” properties, this is not good news. Their investments likely just went down in value, given the impending rent caps to be imposed in California. For long-term investors, the news is not so bad. Studies have shown that over the long run, real estate continues to appreciate regardless of the ups and downs of the legislative landscape. It just takes time.

As members of the California Rental Housing Association (CalRHA), a ten-association advocacy group consisting of associations from San Diego to Chico, SBRPA benefits from the lobbying efforts of Capitol Advocacy, one of the strongest legislative advocacy groups in Sacramento. I point this out because whether we realize it or not, the effects of AB 1482 actually could have been much worse for our membership. Under the direction of the Board of Directors of CalRHA (our Steve Battaglia is on the Board), Capitol Advocacy worked behind the scenes

with legislators, chiefs of staff and the Governor's office up to the last minute, recommending changes and amendments to the bill to offset the negative consequences for our membership. We realize you may not see this happening, but it is happening nonetheless—and this is one of the most significant benefits you realize as a result of being a member of SBRPA.

Finally, In November, Santa Barbara will be electing two new City Council members. Although four seats are open, two of those seats, District 3 (Oscar Gutierrez) and District 6 (Meagan Harmon), were reappointed to new terms unopposed. Up for grabs are District 1, which covers the Eastside and is currently served by Jason Dominguez, who is running for reelection, and District 2 which covers the Mesa and City College and is currently served by the termed-out Randy Rowse. SBRPA will announce its support for candidates separately from this message, but please remember how important it is for you to exercise your right to vote. Although a smaller, more local election, if you live in District 1 or 2, you will soon have your ballots in hand. Don't let this opportunity pass you by.

As always, if you have any questions or we can be of assistance, please do not hesitate to call our office at 805-687-7007.

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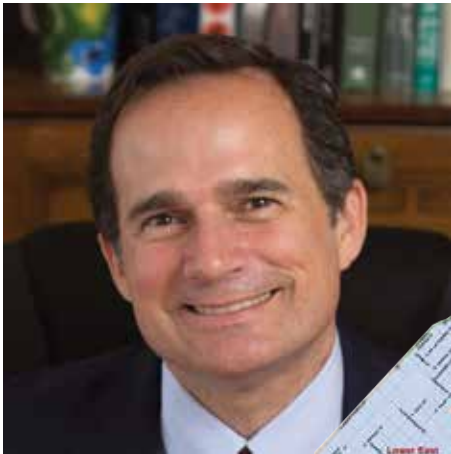
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SANTA BARBARA CITY COUNCIL DISTRICT ★ ELECTIONS

November 5, 2019

The Santa Barbara Rental Property Candidate Political Action Committee

Announces Endorsement of:



JASON DOMINGUEZ

East Side District 1



In my last four years at city hall, I have been a pragmatic leader, who puts the interests of my district and city residents first, not special interests. My job experience as a teacher, non-profit leader, and ten years as a government attorney has taught me the importance of standing up for what is right.

Our city faces many challenges, but I will continue to be an independent voice fighting for common-sense solutions that benefit all residents.

www.jasondominguez.org
Jasondominguez4council@gmail.com
 805-421-0946



BRIAN CAMPBELL

Mesa District 2



From living here for 25 years and talking to many people, I have found that we want the same things: to help the homeless, to protect renters and landlords, to create more housing, and to see more businesses thriving and growing.

My experience in finance and contracts has taught me the importance of being fiscally responsible, asking questions and listening, and making choices and recommendations after considering all the information and the impacts of any decisions made. I want to work together.

I'm just like you. I worry about my children and the future of this beautiful place.

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To best protect our property rights

Donate Money • Volunteer your Time • Tell your Neighbors to GET OUT AND VOTE

October 21, 2019 - Deadline to register to vote for the November 5 election.

November 5, 2019 - Election day!

Paid for by the Santa Barbara Rental Property Association Political Action Committee
 Rob Kooyman, Treasurer, ID 80-2339, 5290 Overpass Rd Bldg D, Santa Barbara, CA 93111





ATTENTION

ALL LANDLORDS

Landlords have partnered with **Partners in Housing Solutions** and rented to hundreds of homeless people, including veterans and veteran families, families with children and individuals.

PHS is a FREE service to Santa Barbara County rental property owners and managers. We have a network of 86 participating landlords in Santa Barbara County.

What we offer our Landlords:

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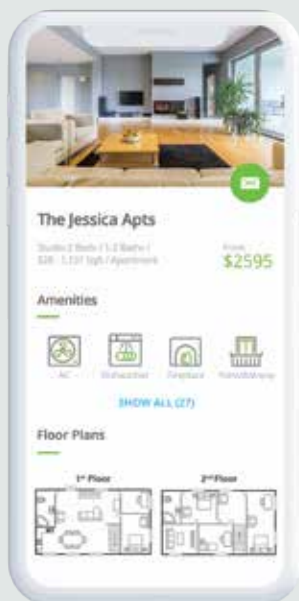
JOIN OUR TEAM OF LANDLORDS



North County: 210 E. Clark Ave, Ste B, Santa Maria, CA 93455
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- Distribute monthly proceeds to owners
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NEW YEAR — NEW LAWS



*Ensure you are in compliance
with new state & local
laws for 2020!*

MEMBERS ONLY. New legal forms for 2020 will be provided at the meeting.

South County:

Tuesday, November 12, 2019
*Elks Lodge Santa Barbara #613
150 N. Kellogg Ave., Santa Barbara, CA*

North County:

Thursday, November 14, 2019
*Radisson Hotel Santa Maria
3455 Skyway Dr., Santa Maria, CA*

REGISTRATION

Mail to: SBRPA, 123 W. Padre St., Ste. D, SB, CA 93105. Questions? Call Grace at 805-687-7007, or email grace@sbrpa.org.

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Exp date (MM/YY) _____ Sec Code _____

Seminar Time: 8:45AM to 10:15AM
(preceding Property Management Seminar)

Seminar Location:

- Santa Barbara, 11/12/2019
 Santa Maria, 11/14/2019

Seminar Cost:

- \$35, Members Only

PROPERTY MANAGEMENT ESSENTIALS



South County:

Tuesday, November 12, 2019

Elks Lodge Santa Barbara #613

150 N. Kellogg Ave., Santa Barbara, CA

North County:

Thursday, November 14, 2019

Radisson Hotel Santa Maria

3455 Skyway Dr., Santa Maria, CA

Member: \$175 • NonMember: \$250
10:30AM—4:00PM • Lunch Included

A SBRPA Certificate Class

Screening Applicants

- Protected Classes
- ADA
- Occupancy Standards
- Rental Criteria

Resident Notices

- Forms of Service
- Methods of Service
- Changes in Tenancy
- Abandoned Unit & Property

The Resident Relationship

- Rent Collection
- Owner's Responsibility



Terminating the Relationship

- Unlawful Detainer
- Effect of Bankruptcy on Lease

Rental Agreements - Rules & Regulations

- Lease Content
- Security Deposits
- Move-in / Move-out
- Retention of Records



Completing the Relationship

- Disposition & Inspections
- Wear and Tear



REGISTRATION

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Method of Payment

Check enclosed (payable to SBRPA)

Credit Card: Visa _____ Mastercard _____ AMX _____

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Card No. _____ Card zip _____

Exp date (MM/YY) _____ Sec Code _____

Seminar Location:

Santa Barbara, 11/12/2019

Santa Maria, 11/14/2019

Lunch Selection:

Tri-tip Sandwich

Chicken Caesar Salad

Seminar Cost:

\$150, Member

\$250, NonMember

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CalRHA
September 2019

Legislative Update

The Legislature adjourned for the year on September 13th, capping off the five-week frenzy of legislative activity known as the "end of session" that runs from when lawmakers return from summer recess until they adjourn. 2019 will unquestionably go down in history as one of the most memorable sessions in California history. Democrats embarked on the year with unprecedented numbers in the Legislature and a progressive in the Governor's office, who wasted no time issuing executive orders to outline his agenda. The Legislature was eager to implement many of Governor Newsom's policy goals, viewing him as more of an ally than his predecessor (Jerry Brown). One of Newsom's first stated policy proposals was statewide rent control. Several bills were introduced in the rent cap/just cause space shortly thereafter, but **AB 1482** by Assemblyman David Chiu (D - San Francisco) was the one that was ultimately passed by the Legislature.



2019 California Legislature (Photo, Politico.com)



Assemblyman David Chiu

For CalRHA, **AB 1482** was the primary focus during the final month of session. Unfortunately, given the Governor's support of the bill and the fact that the California Apartment Association and California Business Roundtable went neutral at the beginning of September, **AB 1482** passed out of the Senate on September 10th on a 25/10 vote, then passed out of the Assembly on 48/26 vote. The Governor is expected to sign the bill soon.

CalRHA was strongly engaged in negotiations and advocacy on **AB 1482** throughout the legislative process, and was instrumental in stopping the original just cause bills in the spring. CalRHA also helped to secure numerous amendments that made the bill less onerous - including exempting "natural persons" (LLCs and trusts); clarifying preemption; increasing the 10-year exemption for new construction to 15-years; and getting relief on the just cause provisions (triggering the just cause requirements on leases of a minimum of 12 months and up to 24 months if a roommate signs onto the lease). CalRHA also secured the amendments exempting owner-occupied duplexes and ADUs.

The key provisions of **AB 1482** are as follows:

- Caps annual rent increases at 5% plus the change in cost of living, as measured by the Consumer Price Index (CPI), for all rent increases occurring on or after March 15, 2019
- If a landlord increases rent by more than this cap between March 15, 2019 and January 1, 2020, the rent on January 1, 2020 must be what the rent was on March 15, 2019, plus 5% plus CPI
- Authorizes landlords who increased rent by less than 5% plus CPI between March 15, 2019 and January 1, 2020 to increase the rent twice within 12 months of March 15, 2019, but not more than what the rent was on March 15, 2019 plus 5% plus CPI
- Beginning January 1, 2020, requires landlords to have just cause in order to evict tenants for tenants who have occupied a unit for at least 12 months, or up to 24 months when an adult tenant adds onto a lease (change in roommates)
- Landlords will still be able to evict for at-fault reasons, e.g. failure to pay rent, breach of lease, criminal activity, creating a nuisance, committing waste, refusal to execute a written extension or lease renewal, refusal to allow owner to enter
- Landlords can also evict for no-fault reasons, e.g. when the owner or their family plans to occupy the property, if they want to remove the property from the rental market, if they intend to substantially remodel the property, if they are ordered to vacate by a government agency or court

CalRHA Legislative Update continued

- Requires landlords to provide relocation assistance via one month's rent or rent waiver for no-fault evictions within 15 calendar days of serving notice, and to notify tenants of the relocation assistance
- Does not amend Costa Hawkins, so local governments cannot apply a local rent cap to units not covered by Costa Hawkins (i.e. single family homes, multi-family units built after 1995)
- Does not contain vacancy decontrol provisions, so units can return to market rent prices when vacated
- Contains a 10-year sunset, so the requirements in the bill will expire in 2030.

The following residential properties are **exempt** from the requirements in **AB 1482**:

- Units subject to existing rent control or just cause eviction requirements - as long as those requirements are **NOT** less restrictive than AB 1482
- Deed-restricted affordable housing and dormitories
- Single-family homes, except for those owned by corporations, REIs or LLCs with at least one corporate member
- Owner-occupied duplexes (this would include ADUs)
- New construction for 15 years (all units for 15 years after receiving their first certificate of occupancy).

Owners of exempt properties must provide tenants with a specific notice regarding the exemption starting July 1, 2020. For tenancies existing before July 1, 2020, this notice may be provided in the rental agreement, but written notice must be provided by August 1, 2020, or as an addendum to the lease or rental agreement. For tenancies starting or renewed on or after July 1, 2020, this notice must be provided as an addendum to the lease or rental agreement, or as a written notice signed by the tenant, with a copy provided to the tenant.



Senator Holly Mitchell

Outside of **AB 1482**, the Legislature also passed **SB 329** by Senator Holly Mitchell, which will require owners of rental properties to accept all federal, state, and local public assistance subsidies. CalRHA advocated for amendments consistent with Senator Mitchell's comments that her goal with the bill is to prevent property owners from advertising that they won't accept Section 8, but that the bill doesn't mandate that the property owner enter into contract with Section 8 applicants and that they would be free to choose a non-section 8 applicant. CalRHA has submitted a letter to the Governor requesting that he veto SB 329 on these grounds.

Not all of the activity at the end of session revolved around vote counts and the passage of bills. While every end-of-session has its fair share of drama, the final night of work this year in the Legislature got bloody - literally.

Just when it seemed like the final hours of session would be anti-climactic, an anti-vaccination protestor threw a cup of blood from the Senate gallery onto the floor, splattering several Senators. Now a crime scene, the Senate floor was evacuated and session was halted for two hours while law enforcement investigated the matter and Senate staff found a new location for the Senate proceedings. Senator Richard Pan - the author of legislation this year that tightens vaccination medical exemption requirements - was the presumed target of the attack. The anti-vaccination protestors descended upon the capitol en masse on Friday, the culmination of several weeks of protests leading up to and after Governor Newsom signed Pan's legislation. The incident put a wrench in the evening and kept the Senate at the Capitol longer, but ultimately Senators concluded their business and adjourned at around 3am on Saturday, September 14.

The Legislature is in recess until the second year of the 2019-20 legislative session, which will kick off in early January. All eyes are now on Gavin Newsom as he decides to sign or veto the bills that were passed by the Legislature. This is Newsom's first year as Governor, so his bill signing and veto "style" remains to be seen. Although he was not shy about his policy objectives this year (he issued multiple executive orders to prove it), he was not overly involved in the legislative process until the end of session. We know where he stands on some of the big issues like Dynamex and rent control, and he is expected to give more bills from his fellow progressives in the Legislature his stamp of approval than Jerry Brown did. Nonetheless, Newsom may throw a curveball or two at lawmakers in the coming weeks. He must act on all legislation by October 13.

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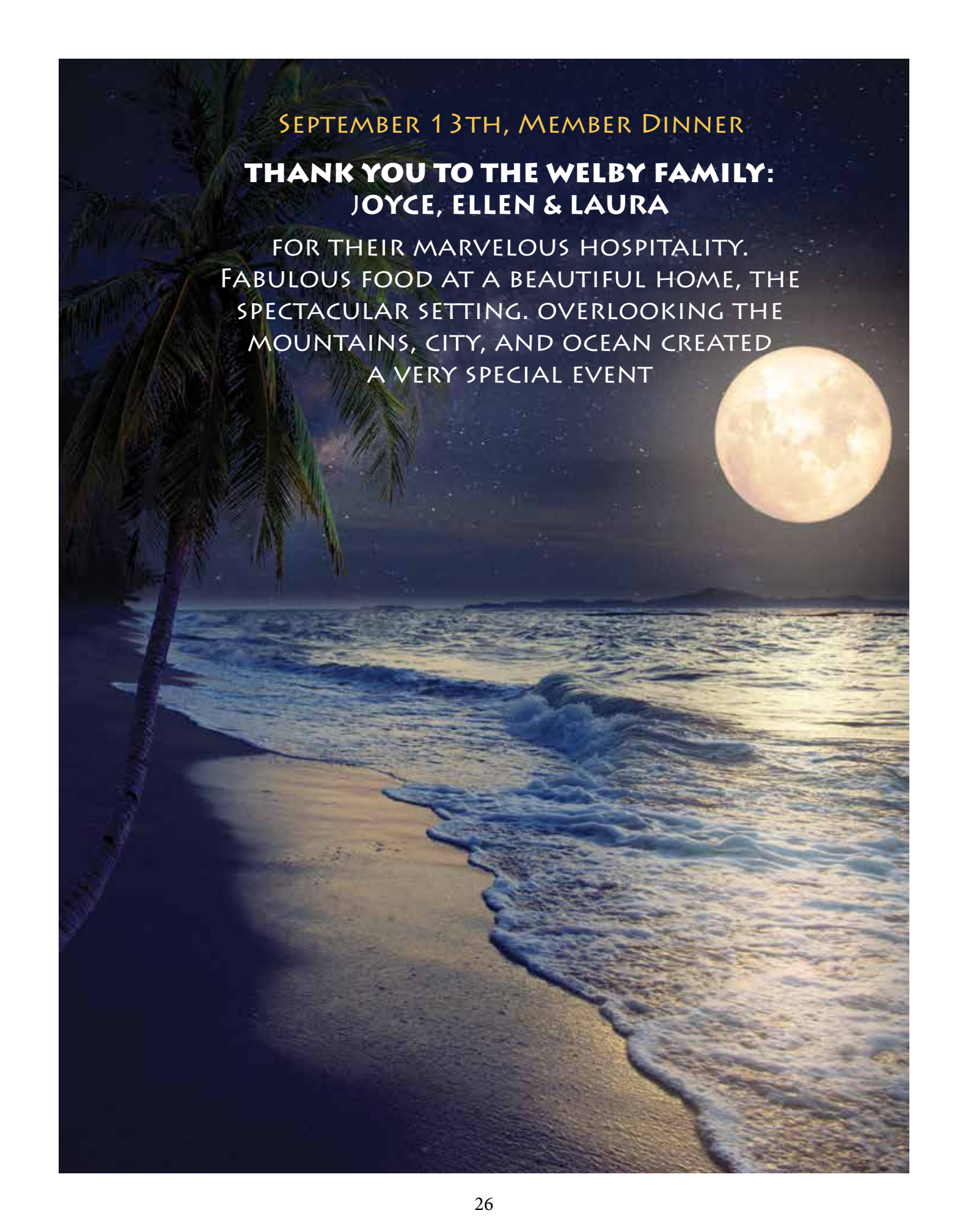
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A tropical beach at night. A large, bright full moon hangs in the dark sky, casting a golden glow over the ocean. Waves with white foam are breaking onto a sandy beach. A palm tree is visible on the left side of the frame, its fronds silhouetted against the night sky. The overall scene is serene and beautiful.

SEPTEMBER 13TH, MEMBER DINNER

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CELEBRATION!

On September 13, 2019, over 70 of our members came together to break bread and meet dynamic members of the community hoping to be elected to office. This was all possible thanks to Board Member Joyce Hulsebos' generosity in making the meals and her sisters Laura and Ellen Welsby's generosity in opening up their lovely San Roque home with sweeping views of the Santa Ynez Mountains, City of Santa Barbara, and the Pacific Ocean.

Jason Dominguez, hoping to be reelected, spoke of various city issues and possible solutions. He also shared that he and his wife are expecting their first child in January. The other two contenders for District 1 include Alejandra Gutierrez and Cruzito Herrera Cruz, neither of whom was able to attend.



Also joining us were District 2 candidates Brian Campbell and Mike Jordan. Mr. Jordan has many years devoted to the city by serving on the city's Planning Commission for about a decade. Brian Campbell, new to politics, is the son-in-law of Renee Grubb of Village Properties. Both are running strong campaigns where one (Jordan) brings with him experience in the City and the other (Campbell) believes that a new perspective is needed that is not political.



Andy Caldwell also joined us, as he is running for congress in 2020. Many already know Mr. Caldwell due to his many opinions expressed on air on The Andy Caldwell Show and editorials in the Santa Barbara News-Press. He is running against Salud Carbajal and, even beyond a radio and news platform that reaches thousands of people each day, he is eager to be heard. Described as a "government watchdog" and business advocate, his decision to be part of the debated politicians has caused quite a stir.



As the full moon rose dramatically in the east, laughs were had, questions were posed, and the most frequently heard conversations amongst the groups were related to AB 1482. We all walked away happy to share in similar frustrations and grateful that potential movers and shakers were there to join us. Many thanks to the Hulsebos family for making this lovely gathering possible.



Michelle Roberson

Please Welcome Grace Doig, SBRPA's new Office Administrator



Grace is a California lover who has brought her background in Real Estate and Marketing from the big city of Chicago to the beautiful beach town of Santa Barbara.

Grace prides herself on putting her clients first and meeting their needs in every possible way. She enjoys getting involved in the community and volunteering her time for the American Heart Association Gala Committee.

Grace is also a licensed REALTOR®.

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Glenn Annie Golf Club • 4:00PM Friday, October 25, 2019



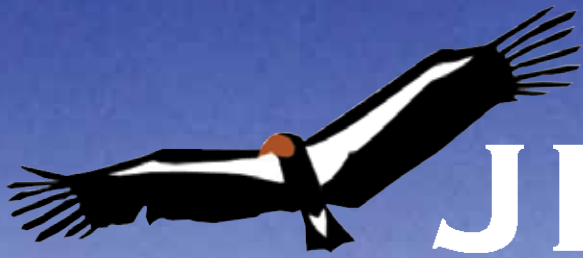
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The Attorney's Corner

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LANDLORD'S DUTY OF CARE TO PROTECT THIRD PARTIES FROM VICIOUS ANIMALS

Nearly every year dog bite cases are reported in the news and in appellate court reports. The duty of the landlord/property owner for tenants can extend to conditions that originate off-site and affect the tenant on site. The best course to take when you learn of a dog with a propensity to bite or chase is to advise your tenants of the condition. It may be that you will need to contact an adjoining property owner or tenant who has a dog that poses a threat. Once aware of a situation, it does not help to just ignore it. The dog is not going to go away by itself.



Under the theory of liability reviewed in *Rowland v. Christian* (1968) 69 Cal.2d 108, a landlord may be held liable for injuries inflicted by a tenant's dog if the landlord has knowledge of the

danger and sufficient control as to make it possible to protect against it. (*Uccello v. Laudenslayer* (1975) 44 Cal.App.3d 504; *Portillo v. Aiassa* (1994) 27 Cal.App.4th 1128 [commercial landlord has duty of reasonable inspection for presence of dangerous dogs; landlord cannot avoid liability by failing to inspect and claiming that he or she had no actual knowledge of dog's dangerous propensities]; *Donchin v. Guerrero* (1995) 34 Cal. App.4th 1832, [landlord may be liable for off-site dog bites caused by tenant's dog, provided that bites result from failure to exercise proper control over tenant's premises; citing *Uccello*].).

The general duty of care owed by a landowner in the management of his or her property can change when the premises are let because the landlord is not in possession, and usually lacks the right to control the tenant and the tenant's use of the property. Consequently, a landlord does not owe a duty of care to protect a third party from his or

her tenant's dog unless the landlord has actual knowledge of the dog's dangerous propensities, and the ability to control or prevent the harm. (*Yuzon v. Collins* (2004) 116 Cal.App.4th 149, 152). In general, courts have imposed a duty to prevent the harm caused by a third party's animal when a defendant possesses the means to control the animal or the relevant property and can take steps to prevent the harm. For example, one court has explained the duty as follows: "[a] duty of care may not be imposed on a landlord without proof that he knew of the dog and its dangerous propensities. Because the harboring of pets is such an important part of our way of life and because the exclusive possession of rented premises normally is vested in the tenant, actual knowledge and not mere constructive knowledge is required. For this reason, "... a landlord is under no duty to inspect the premises for the purpose of discovering the existence of a tenant's dangerous animal; only when the landlord has actual knowledge of the animal, coupled with the right to have it removed from the premises, does a duty of care arise." (*Chee v. Amanda Goldt Property Management* (2006) 143 Cal.App.4th 1360).

In conclusion, if you know of a situation or it is brought to your attention, you need to advise all concerned (tenant, other owner) of the situation and ask for it to be remedied. If the situation is not resolved, then call counsel because if you don't take action, then in today's world of litigation, someone will be calling you.

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) 963-9721 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	5 UNITS	\$1,550,000	(BUYER)
SANTA BARBARA	4 UNITS	\$1,840,000	(BUYER)
ISLA VISTA	RENTAL / DEVELOPMENT	\$1,450,000	(BUYER/SELLER)
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SANTA BARBARA	2 UNITS (3-BR EACH)	\$1,285,000	(SELLER)
SANTA BARBARA	4 UNITS (BEACH)	\$2,800,000	(BUYER/SELLER)
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Santa Barbara Happenings

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California Statewide Rent Control and Just Cause for "Eviction" Law Passed by the Legislature

Less than a year ago, voters rejected a ballot initiative (Prop. 10) that would have increased the ability of local governments to impose rent control regulations (i.e. government control/regulation setting what landlords can be charge for rents). Despite this clear indication by California Voters that increased rent control regulations were disfavored, in September the California legislature passed Assembly Bill 1482 which implements statewide rent control.

The bill will prevent property owners from raising rent more than 5%, plus inflation (typically 2.5%+/-), in one year. Once the bill becomes effective (likely January 1, 2020) it will apply to all cities that do not have rent control laws, and in some cases expand the laws in the cities that do. The bill will require that rent increases after March 15, 2019, which were in excess of the amounts allowed by the bill, be rolled back as of January 1, 2020 to the maximum amount that would have been allowed under the bill.

A silver lining in the bill is that it has several exceptions. Some of the more notable exceptions include exceptions for: (1) buildings that have received certificates of occupancy within the past 15 years; (2) residential real property that is alienable separate from the title to any other dwelling unit where the ownership is not vested in a corporation, or Real Estate Investment Trust and where appropriate notice to the tenant was given; and/or (3) duplexes where the owner lives in one of the units.

Another significant aspect of the bill is the just cause for "eviction" component. (Although incorrect, the term "eviction" is used here to define any lawful termination of tenancy initiated by a Lessor rather than its true meaning to describe an unlawful detainer legal action only resorted to when a Lessee will not pay or leave.) Santa Barbara City property owners may recognize the term "just cause", as the Santa Barbara City Council recently instructed the City Attorney to

draft a local just cause for eviction ordinance. Unfortunately, the bill will not prevent the City from going forward with its ordinance if it is still inclined to do so.

The bill's just cause for eviction component will restrict property owners' ability to evict (i.e. terminate the tenancy of) tenants unless the reason for the eviction (i.e. termination) is specified in the bill. If the property owner evicts a tenant without a reason specified in the bill, then the property owner must pay relocation assistance equal to one month's rent.

What this means for property owners is that gone are the days where rent could be kept at the same rate for years at a time. If residential property owners, to whom this bill applies, do not annually increase rents, they run the risk of being stuck far below what the market will bear with no immediate way to get back to the market rate.

While the bill has not been signed, as of the date this article was sent to publication, Governor Newsom has vowed to sign it into law. If he does, the law will become effective January 1, 2020. The text of the revised bill can be found here: https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB1482

Santa Barbara City Planning Commissioners Reject Proposed Hotel Development

Despite recommended approval from the city planning staff, the Santa Barbara City Planning Commission rejected plans to convert an old parking lot and four units of rental housing into a three-story hotel located on West Montecito Street.

Leading the opposition against the proposed hotel was current city planning commissioner and former Santa Barbara mayor Sheila Lodge. In her statement, she argued that Santa Barbara was in need of permanent housing, not transient occupancy hotel rooms,

Continued on page 35

Belgium to the Baltics this Summer

You're Invited to Come Along

Next July, rental property owners and friends are off on a grand adventure to one of the most beautiful parts of Europe, the Baltics. A land of crumbling castles, enchanting forests and magical medieval towns – a tour to the Baltics proves that fairy tales do come true. From Tallinn's storybook turrets to the colorful onion-shaped domes in St. Petersburg, Europe's northern region is full of history, legend and wonder.

Our 18-day tour will include touring in the gems of Northern Europe including a visit to stunning St. Petersburg and wonderful coastal cities like Tallinn, Estonia; Oslo, Norway; Helsinki, Finland; Stockholm, Sweden and beautiful Copenhagen, Denmark. We have even put in a pre-stay in one of the most beautiful towns in northern Europe, Brugge, Belgium. A 3-night stay in this medieval city includes all touring and puts you right in the heart of the town in the historic quarter.

After three nights in Belgium, we'll enjoy 2-nights in Copenhagen before we board the brand-new Sky Princess, just launched in 2019. This beautiful Royal Class ship will be our home as we explore six ports in the Baltics including a two-night stay in St. Petersburg, Russia with fabulous experiences across the city from legendary Catherine's Palace and the Hermitage to the Peterhof Palace and City Canals. We will visit a total of eight countries across 16 days.



Our July Belgium to the Baltics tour features 3 nights in Belgium, 1 night in Copenhagen and 11 nights on the beautiful Sky Princess with Princess Cruises. All land gratuities, most meals and all hotels and taxes are included in the tour, a nearly all-inclusive experience, all in Stewart Tours Style.

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especially since these occupancy rates are going down.

The rejection likely came as a surprise to the developer, especially since the property's zoning allowed for the construction of housing or hotel units on the lot. The denial and Commissioner Lodge's comments send a clear message that the Planning Commission believes there are sufficient hotel units but insufficient housing.

The developer may now appeal the Planning Commission's decision to the City Council.

Santa Maria City Council Approves Apartment Project and Cites a Need for Additional Housing and Infill

The Santa Maria City Council recently voted 3-2 in favor of changing the land use designation for a 2.1-acre piece of vacant land on South Oakley Road from "General Industrial" to "High Density Residential." Councilmembers Gloria Soto, Michael Moats and Mike Cordero voted for the change, while Mayor Alice Patino and Councilwoman Etta Waterfield voted against the change, which effectively gives the green light to a proposed apartment complex that will have 30 one-story and two-story units.

The approval was narrow, given the apartment complex's proximity to the railroad tracks. Several concerns were raised over the how the proposed complex would impact both the residents and the future of the railroad. Some representatives from the Santa Maria Valley Railroad worried that the noise, vibrations, and odor from the train would cause residential neighbors to complain, leading to forthcoming problems for the railroad and the local economy.

However, the majority of the Santa Maria City Council decided that the potential for new housing outweighed these concerns. As Councilmember Gloria Soto pointed out "right now, as we're ("we" being the City of Santa Maria) looking again at the importance of infill and the lack of housing ... I think it's crucial that we seriously consider the importance of this project rather than letting an opportunity pass us by."

The message from the Council appears to be that Santa Maria needs/wants more housing inside the City. However, this message was only sent by three of the five City Councilmembers. If you are considering developing in Santa Maria, it is worth paying attention to the upcoming elections. The

next district election in Santa Maria is scheduled for November 2020.

New Funk Zone Restaurant with Valet Parking Receives Planning Commission Approval Despite Parking Issues

In the midst of all the vacancies in and around Downtown Santa Barbara, the Funk Zone seems to be a source of revitalization. With the increased popularity has come more parking demands that the City cannot yet meet. Recently, the Santa Barbara Planning Commission approved the conversion of a commercial building into a new restaurant and retail space located at 11 Anacapa Street with a new parking modification.

The proposed space would include a deck for outdoor restaurant seating, accessibility upgrades, a new trash enclosure, and a new parking lot. The Planning commission requires 42 parking spaces for this project, but developer Hannah Beachside LLC asked for a modification, in which 32 parking spaces would be set aside for valet use during restaurant hours, free for all customers.

The Planning Commission saw this free valet service as a solution and unanimously approved this renovation project. Perhaps this is indicative of a larger effort by the City to encourage business development? As has been discussed in previous Happenings articles, the City, and staff in particular, were recently criticized by independent third-party consultant for suffocating development through regulations and red tape.

Hollister Ranch Public Beach Access Bill Approved

Since the California Coastal Commission was established, the 8.5 miles of shoreline in Hollister Ranch has been inaccessible to the public except by boat. Recently, Assemblywoman Monique Limon introduced bill 1680 which would require public access to the beaches currently controlled by the Hollister Ranch Homeowners Association by April 1, 2022.

This bill has raised several questions about if/how private property owners' constitutional rights may be infringed upon by the bill. However, for now it appears that the Hollister Ranch Homeowner's Association would rather work with the State to come up with a plan for access that is acceptable to both sides, than to litigate the matter.



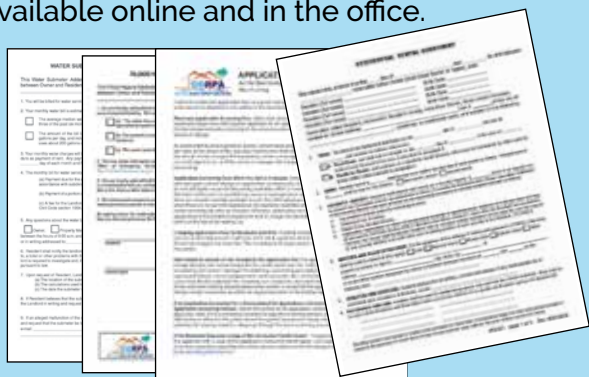
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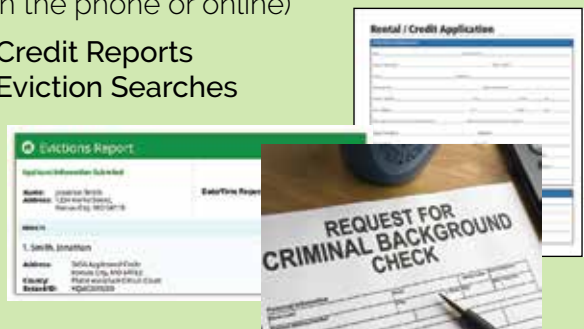
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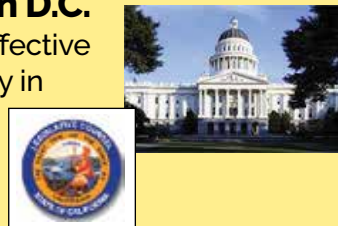
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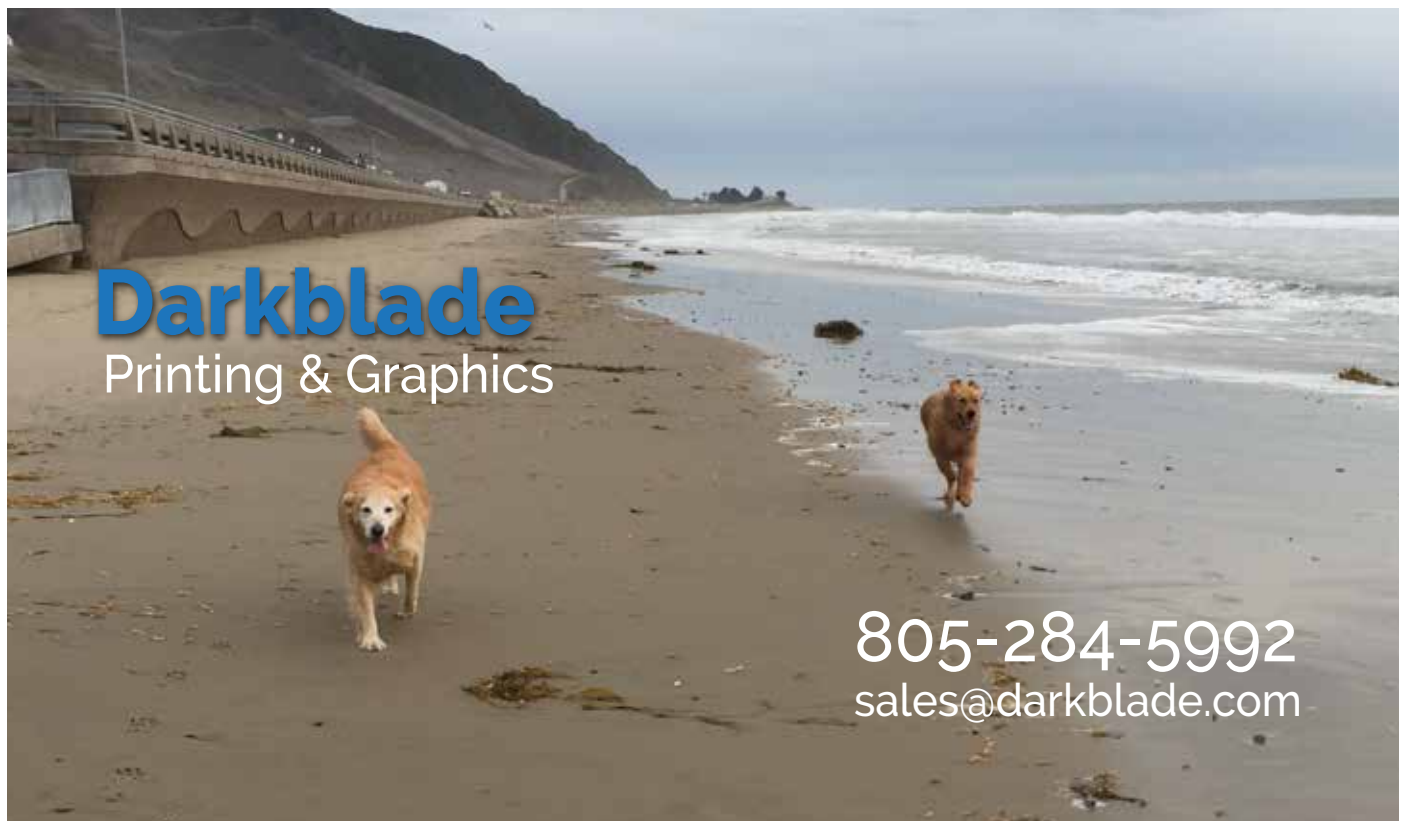
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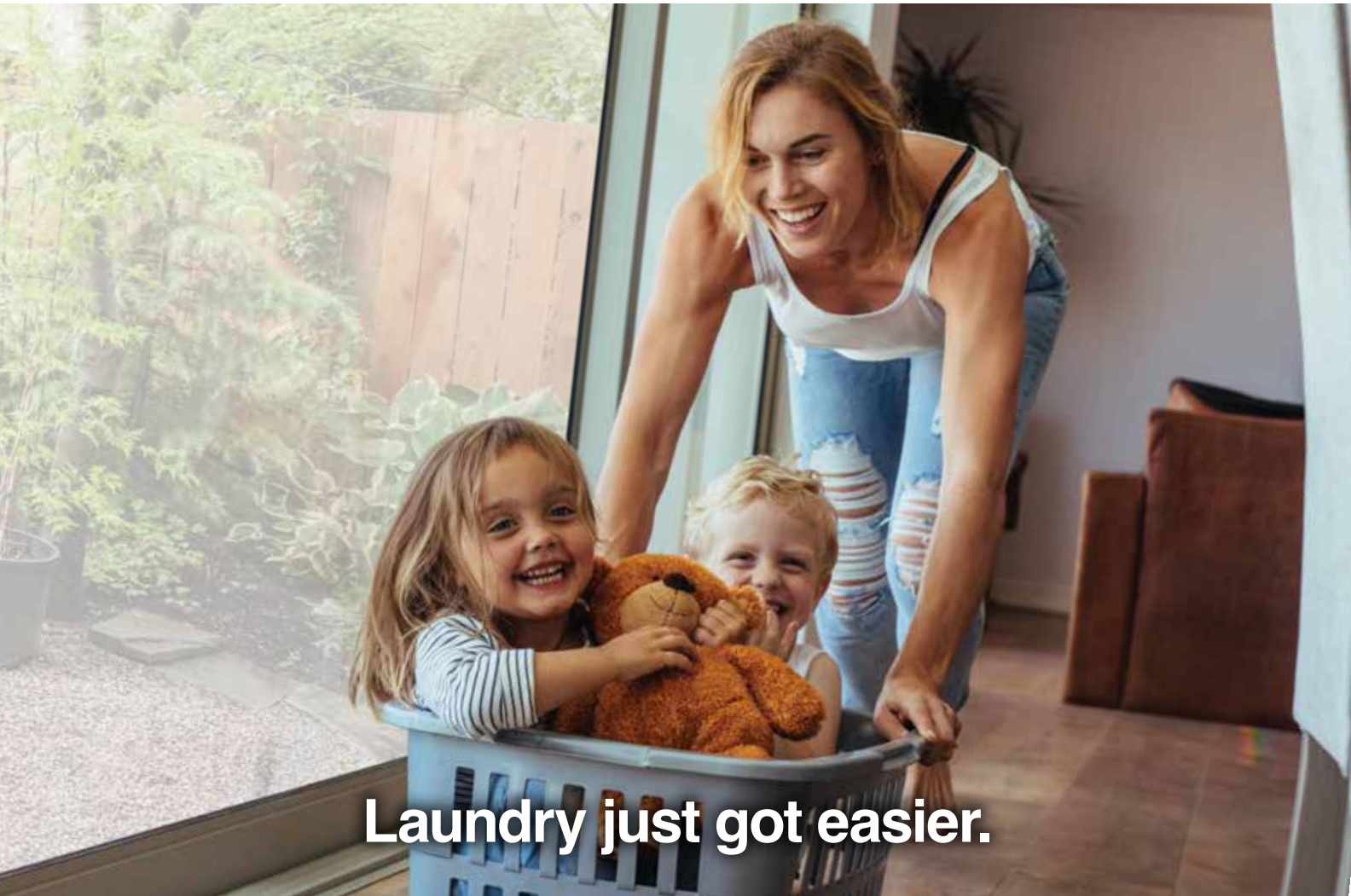
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