

July 2021

SANTA BARBARA  
RENTAL PROPERTY

# news

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## Honor Our Veterans



Independence Day 2021

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## President's Message



Betty L. Jeppesen Esq. • Attorney at Law and Real Estate Broker

Happy Summer to you all. As this goes to press, the \$64,000 question is whether the California's SB91/Eviction Moratorium will end on June 30<sup>th</sup> or will be extended. Several housing industry organizations have been lobbying for its sunset on June 30<sup>th</sup>. This will mark over a year since the rental property industry has been forced to continue to supply housing without compensation.

With the arrival of the various rental assistance programs that SBRPA has provided information and courses for, there seems no need to continue the moratorium. At the very least, if the moratorium is continued, it should be for those persons who need the assistance such as a program for means testing and/or perhaps even an evaluation about whether the tenant or the landlord is the one more in need of the assistance.

On May 10<sup>th</sup>, the Governor announced his May Revise to the California State Budget. Fortunately, he proposed additional assistance as part of his California Comeback Plan. Under this plan, the state of California would offer the largest renter assistance package of any state in America, with billions of dollars to help low-income Californians pay back 100% of their back rent, their rent for months to come, and overdue water and other utility bills. The proposal was heard by the budget subcommittees and full budget committees where it passed. It is anticipated to be signed by the Governor on July 1, 2021. Additional information on the state's rent assistance and to apply, please visit <https://www.bcsh.ca.gov/covidrelief/>

Much of the legislation opposed by SBRPA was successfully defeated. Examples include AB 1188 (Wicks) which would have mandated a

rent registry for all of California, AB 854 (Lee), the Ellis Act/Withdrawal of Accommodations, AB 1000 (Ward), the Fair employment and housing protections: background check service providers, AB 1199 (Gipson) Homes for families and corporate monopoly transparency excise tax and AB 1241 (Jones Sawyer) Rental housing unlawful housing practices: applications: criminal records. For more information about the content of these Bills, please Google the Bill number. Several other Bills are set for hearing in late June and we will report on them as the results come in.

See article on page 11 from Executive Director Laura Bode on the new California CPI and Santa Barbara County Rent Cap numbers.

### Welcome New SBRPA Members:

**Beverly Clinehens,  
Susan McMillan,  
Lisa James, Aaron Gilles,  
Alicia Limón,  
& Peter San Nicolas**



**4th of July**  
INDEPENDENCE DAY





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6509 Pardall Rd., Isla Vista

2015 Castillo St., Santa Barbara

160 Camino De Vida, Santa Barbara

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# SBRPA Calendar

## WORKSHOP: VETERANS EXPERIENCING HOMELESSNESS

Tuesday, July 13, 2021 • 12:00 noon - 3:00 PM

The Housing Authority of the City of Santa Barbara presents a workshop for local landlords and Property Management Groups, outlining ways to assist our Veterans experiencing homelessness.

*THEY SERVED FOR YOU. NOW DO YOUR PART!*  
See page 29 for more information.

## In 2021 NAA Upcoming Events



### GART & Legal Symposium

July 21-23, 2021 Atlanta, GA

The 2021 Government Affairs Roundtable and Legal Symposium (GART), is NAA's event that connects and educates government affairs professionals and volunteers while discussing pressing rental housing industry issues happening all over the country. Attendees will learn about the ever-evolving world of rental housing law and regulation.

For more information and registration, go to:  
<https://www.naahq.org/2021-gart>.



### Apartmentalize 2021

August 31 - September 2, 2021 Chicago, IL

The Apartmentalize schedule is designed to maximize your connections with other attendees and exhibitors. With interactive sponsored activities, the NAA Exposition and structured networking sessions, Apartmentalize provides countless opportunities to meet and exchange ideas with the best in the industry.

<https://www.naahq.org/2021-apartmentalize>

2021 JULY						
SUN	MON	TUE	WED	THU	FRI	SAT
				1	2 Office closed	3
	5	6	7	8	9 Office closed	10
11	12	13 Vets Workshop	14	15	16 Office closed	17
18	19	20	21	22	23	24
			NAA GART Symposium			
25	26	27	28	29	30 Office closed	31

## 2021 Annual Charity Golf Tournament

Friday, October 29, 2021 • Glen Annie Golf Club  
Registration 9:30 AM • Shotgun 11:00AM  
2021's YardiStick Putting Contest 9:30-10:45AM

Our golf tournament is back, and our friends at YARDI will be the Title Sponsor again. Welcome Beachside Partners, our latest sponsor!



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The office will be closed on Fridays for the summer (though August). Other days are by appointment only.



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## New California 2021 CPI Rate



Laura Bode, Executive Director

### NEW SANTA BARBARA COUNTY RENT CAP OF 9%

Effective August 1, 2021

**5 + 4% CPI => 9% 2021 RENT CAP**

Recently, I've received a lot of questions from owners and renters about new 2021 because some local owners are writing new leases using the CPI which the BLS recently released. However, technically the BLS CPI is not the correct CPI to use — except for the 4 major metropolitan regions (LA, Riverside, San Diego, SF.) According to California Civil Code, all other regions outside these 4 metropolitan areas are to use the DIR "All California" CPI.

The rule in California since January 1, 2020 is that non-exempt residential landlords may increase rents over any twelve month period by no more than five percent plus the applicable consumer price index, but never to exceed ten percent. The applicable consumer price index looks at price increases on an April-to-April calendar year basis.

The April-to-April increase in prices from 2019 to 2020 was one percent. Therefore, the maximum amount that we can raise rents on tenants of non-exempt residential units is presently six percent, which is five percent plus one percent and does not exceed ten percent.

As part of SB 91, which was a COVID related law passed in late 2020 impacting residential housing in California, the legislature included a technical fix to clarify that the April-to-April numbers would take effect on August 1 of the following year and be used for the following twelve months. The reason for this is because April inflation numbers are not reported until late June. Therefore, if landlords get those numbers in late June then they can use the numbers by serving notices of rent increase by July 1 to take effect on August 1. Without this legislative fix, last year it was confusing from April to late June to know how much rent could be raised because the inflation numbers were unavailable and the law was unclear on what to do in that circumstance". (California West Property Management, see column 2).

### CPI CALCULATION

The California Department of Industrial Relations just released APRIL CPI OF 294.274.

The new April 2021 CPI is-  $(294.274 - 283) / 283 = 3.98\%$ .

Per 1947.12.B II (iii), CPI is rounded to nearest 1/10 of 1%, thus CPI = 4%

**2021 Santa Barbara County Rent Cap = 5 + 4%  
CPI => 9% 2021 RENT CAP**

### Maximum rent raises on non-exempt rental housing will likely increase starting August 1.

(California West Property Management)

The rule in California since January 1, 2020 is that non-exempt residential landlords may increase rents over any twelve month period by no more than five percent plus the applicable consumer price index, but never to exceed ten percent. The applicable consumer price index looks at price increases on an April-to-April calendar year basis. The April-to-April increase in prices from 2019 to 2020 was one percent. Therefore, the maximum amount that we can raise rents on tenants of non-exempt residential units is presently six percent, which is five percent plus one percent and does not exceed ten percent.

As part of SB 91, which was a Covid related law passed in late 2020 impacting residential housing in California, the legislature included a technical fix to clarify that the April-to-April numbers would take effect on August 1 of the following year and be used for the following twelve months. The reason for this is because April inflation numbers are not reported until late June. Therefore, if landlords get those numbers in late June then they can use the numbers by serving notices of rent increase by July 1 to take effect on August 1. Without this legislative fix, last year it was confusing from April to late June to know how much rent could be raised because the inflation numbers were unavailable and the law was unclear on what to do in that circumstance. By sometime in late June we will know how much we can increase rents and that will be the rule for the following twelve months, from August 1, 2021 through July 31, 2022.

For all California CPI, go to: <https://www.dir.ca.gov/apr/CPI/PresentCCPI.PDF>



## 2021 CPI INCREASE & RENT CAP continued

1947.12 (g)(2)

*"Percentage change in the cost of living" means the percentage change from April 1 of the prior year to April 1 of the current year in the regional Consumer Price Index for the region where the residential real property is located, as published by the United States Bureau of Labor Statistics. If a regional index is not available, the California Consumer Price Index for All Urban Consumers for all items, as determined by the Department of Industrial Relations, shall apply. (Below is the entire definition of the CPI.)*

Technically, it is NOT correct to use the Bureau of Labor & Statistics (BLS) CPI, as the BLS does not have a regional index for Santa Barbara County. SB County must use the Department of Industrial Relations (DIR)'s ALL URBAN CONSUMERS CPI.

Currently, the latest posted CPI by DIR is for February 2021. If April 2021 CPI is not available, the California Code stipulates you are allowed to use March 2021. (See Code below.) However, DIR has not yet published the March 2021 CPI either.

I have spoken directly with the State of California's DIR. They will contact me mid-June when they release the April 2021 CPI figures, as they are no longer posting the numbers on the internet. I will then calculate the annual percentage change in CPI and distribute the information to you and our members. It will be an increase. I anticipate it changing from the current 1% CPI to closer to 4%. Resulting in a potential rent cap of closer to 9%!

For more details, refer to:

1. The Section of the applicable California Code:  
[https://leginfo.ca.gov/faces/codes\\_displaySection.xhtml?sectionNum=1947.12.&lawCode=CIV](https://leginfo.ca.gov/faces/codes_displaySection.xhtml?sectionNum=1947.12.&lawCode=CIV)

2. The DIR's CPI page:  
<https://www.dir.ca.gov/oprl/CPI/PresentCCPI.PDF>

As for the issue of whether a unit is exempt from this law, that basically comes down to if it is a single family home or condo and thus exempt from rent cap. The exact details of the statute are more complicated so please contact your attorney for advice. Hope this helps?

Best,

*Laura*



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*(Heading of Division 3 amended by Stats. 1988  
Ch. 160, Sec. 14.)*

**PART 4. OBLIGATIONS ARISING FROM  
PARTICULAR TRANSACTIONS [1738- 3273.16]**  
*(Part 4 enacted 1872.)*

**TITLE 5. HIRING [1925 - 1997.270]**  
*(Title 5 enacted 1872.)*

**CHAPTER 2. Hiring of Real Property [1940 - 1954.06]**  
*(Chapter 2 enacted 1872.)*

**1947.12.**

[https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?sectionNum=1947.12.&lawCode=CIV](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=1947.12.&lawCode=CIV)

(g) For the purposes of this section, the following definitions shall apply:

(1) "Consumer Price Index for All Urban Consumers for All Items" means the following:

(A) The Consumer Price Index for All Urban Consumers for All Items (CPI-U) for the metropolitan area in which the property is located, as published by the United States Bureau of Labor Statistics, which are as follows:

- (i) The CPI-U for the Los Angeles-Long Beach-Anaheim metropolitan area covering the Counties of Los Angeles and Orange.
- (ii) The CPI-U for the Riverside-San Bernardo-Ontario metropolitan area covering the Counties of Riverside and San Bernardino.
- (iii) The CPI-U for the San Diego-Carlsbad metropolitan area covering the County of San Diego.
- (iv) The CPI-U for the San Francisco-Oakland-Hayward metropolitan area covering the Counties of Alameda, Contra Costa, Marin, San Francisco, and San Mateo.
- (v) Any successor metropolitan area index to any of the indexes listed in clauses (i) to (iv), inclusive.

(B) If the United States Bureau of Labor Statistics does not publish a CPI-U for the metropolitan area in which the property is located, the California Consumer Price Index for All Urban Consumers for All Items as published by the **Department of Industrial Relations**.

(C) On or after January 1, 2021, if the United States Bureau of Labor Statistics publishes a CPI-U index for one or more metropolitan areas not listed in subparagraph (A), that CPI-U index shall apply in those areas with respect to rent increases that take effect on or after August 1 of the calendar year in which the 12-month change in that CPI-U, as described in subparagraph (B) of paragraph (3), is first published.

(2) "Owner" and "residential real property" shall have the same meaning as those terms are defined in Section 1954.51.

(3) (A) "Percentage change in the cost of living" means the percentage change, computed pursuant to subparagraph (B), in the applicable, as determined pursuant to paragraph (1), Consumer Price Index for All Urban Consumers for All Items.

(B) (i) For rent increases that take effect before August 1 of any calendar year, the following shall apply:

(I) The percentage change shall be the percentage change in the amount published for April of the immediately preceding calendar year and April of the year before that.

(II) If there is not an amount published in April for the applicable geographic area, the percentage change shall be the percentage change in the amount published for March of the immediately preceding calendar year and March of the year before that.

(ii) For rent increases that take effect on or after August 1 of any calendar year, the following shall apply:

(I) The percentage change shall be the percentage change in the amount published for April of that calendar year and April of the immediately preceding calendar year.

(II) If there is not an amount published in April for the applicable geographic area, the percentage change shall be the percentage change in the amount published for March of that calendar year and March of the immediately preceding calendar year.

(iii) The percentage change shall be rounded to the nearest one-tenth of 1 percent.





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# CalRHA Legislative Update



Kate Bell, KateBellStrategies.com

June 2021



Assemblymember  
Buffy Wicks

## LEGISLATIVE UPDATE

CalRHA was the remaining opposition to AB 1188 (Wicks), the rent registry bill and, fortunately, AB 1188 was held on the Assembly Suspense file on May 20th. This was a huge victory for the industry.

Our highest priority oppose bills were held in the Assembly, including:

- **AB 854 (Lee)** - Ellis Act/Withdrawal of Accommodations - DEAD
- **AB 1000 (Ward)** - Fair employment and housing protections: background check service providers: housing status - DEAD
- **AB 1188 (Wicks)** - Rent Registry - DEAD
- **AB 1199 (Gipson)** - Homes for Families and Corporate Monopoly Transparency Excise Tax -DEAD
- **AB 1241 (Jones Sawyer)** - Rental housing unlawful housing practices: applications: criminal records - DEAD

On June 3rd, the Senate and Assembly finished their work on bills that were introduced in their own houses. The remaining priority bills that CalRHA is opposing and supporting, along with their status, are below:



Assemblymember  
Richard Bloom

**AB 721 (Bloom)**  
Covenants and Restrictions - OPPOSE - In Assembly

**AB 838 (Weiner)**  
Enforcement of Housing Complaints - OPPOSE - Set for a hearing in Senate Housing on June 17th



Assemblymember  
Jesse Gabriel

**AB 978 (Quirk-Silva)**  
Rent Caps on Mobile Home Parks - OPPOSE  
In Senate Judiciary

**AB 1487 (Gabriel)**  
Legal Services for Eviction - OPPOSE - In Senate



Senator  
Scott Weiner

**SB 10 (Weiner)**  
Housing Density - SUPPORT  
- In Assembly

**SB 219 (McGuire)**  
Property Tax Cancellation - SUPPORT - Set for hearing in Assembly Revenue & Taxation on June 21st



Senator  
Josh Becker

**SB 531 (Wieckowski)**  
Consumer Debt - OPPOSE  
- Set for a hearing in Assembly Banking on June 14th

**SB 778 (Becker)**  
ADU Construction - SUPPORT - In Assembly Housing and Community Development Committee

Finally, CalRHA has sponsored a balcony repair fix to ensure that inspectors can also perform the repairs for balconies. That fix is included in SB 607 and has been passed to the Assembly on a unanimous vote.





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## RENT ASSISTANCE UPDATE



California Governor  
Gavin Newsom

On May 10th, the Governor announced his May Revise to the California State Budget. Fortunately, he proposed additional rent assistance as part of his California Comeback Plan. Under Governor Newsom's California Comeback Plan, the state would also offer

the largest renter assistance package of any state in America, with billions of dollars to help low-income Californians pay back 100 percent of their back-rent, their rent for the months to come, and overdue water and utility bills. This proposal was strongly supported by CalRHA. It was heard by the budget subcommittees and full budget committees, where it passed. We anticipate it will be signed by the Governor by July 1st. CalRHA continues to work with the Housing Agency and Department to ensure that they are hearing updates from the industry on the statewide and local rent relief programs. We have successfully raised areas for improvement, as well as had the Agency look into issues that some of our members are experiencing. For additional information on the state's rent assistance and to apply, please visit <https://www.bcsd.ca.gov/covidrelief/>

## EVICTION MORATORIUM UPDATE

California's SB 91 eviction moratorium is set to expire on June 30th and CalRHA has been advocating on behalf of the industry for the moratorium to not be extended further.



CalRHA Leadership met with the Business Consumer Services and Housing Agency and the Director of the Housing and Community Development Department on May 12th. We are also engaged with key staff in the Governor's Office and legislative leadership on the issue. This will all be negotiated over the next several weeks and we will keep you updated on the progress and outcome.

### CREDIT REPORTS

Learn about the importance of getting Credit reports for prospective tenants and renters.

Go to [www.sbrpa.org](http://www.sbrpa.org) and use the Credit Reports dropdown menu



### CREDIT REPORTS

Visit the SBRPA website to learn about Credit reports: from how to become authorized to perform credit reports, to ordering TrendSource inspections, to using on-line screening tools, obtaining credit report documents and forms, and finally, how to interpret credit reports.



### SBRPA LEGAL FORMS

Our library of documents includes:

1. Move-In documents
2. Rental Agreement Addendums
3. Move-Out documents
4. Notices
5. Miscellaneous Documents
6. Local Forms & Documents
7. TRA (Tenant Relief Act) Forms
8. Credit Report Forms & Documents



For more info: <https://www.sbrpa.org/legal-forms>



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# Yardi, Title Sponsor: 2021 Charity Golf Tournament

Friday, October 29, 2021 • Glen Annie Golf Club



to benefit Santa Barbara's Transition House

## Feed the Hungry Mob \$2,000

- Logo on box lunches
- Meet & Greet the hungry golfers!
- Golf foursome & Dinner for four
- Skirted table

## Mulligan Package & Drink Cart \$2,000

- Registration signage and tee sign
- One Foursome package
- Four banquet dinners

## Attended Tee Box Package \$1,250

- Attended Tee Box -- Meet & Greet all the golfers!
- One Foursome package
- Four banquet dinners
- Recognition in promotional materials

## Closest to Pin \$500

- Signage
- Present award at dinner ceremony

## Attended Tee Box \$750 each

- One golfer, one banquet dinner
- Skirted table -- Meet & Greet all the Golfers!
- Recognition in promotional materials

## Tee Sign \$200 each

- Unattended tee box
- Recognition in promotional materials & at event

## Gold Package \$2,500

- 1 Foursome, 4 banquet dinners with reserved seating and signage.

## Silver Package \$1,250

- 1 Foursome w/golf packages, 4 banquet dinners with reserved table.

## Individual Golfer \$180



Danielle Holzer

Registration 9:30 AM • Shotgun 11:00 AM  
2021's YardiStick Putting Contest 9:30-10:45AM

For sponsorship opportunities or for golf registration contact Danielle Holzer: 805-331-3963  
or [danielleHolzer@dmhproperties.net](mailto:danielleHolzer@dmhproperties.net)





# Transition House

THE WAY HOME



Our 2021 Charity Golf Tournament benefits Santa Barbara's Transition House, which is dedicated to the solution of family homelessness in the Santa Barbara community. Families with children are offered life tools and residential services designed to alleviate poverty and restore self-sufficiency and dignity. Transition House takes a holistic approach to ending the cycle of poverty and homelessness for Santa Barbara families.

We work with parents on improving money management skills, education, and employment opportunities. Families are given referrals to access additional social services including medical care, clinical counseling, recovery services, quality licensed childcare and public benefits. We offer education and enrichment programs for children, and work with the school district to make sure that school-aged kids have tutoring help, supplies and transportation to get to school.

Families that participate fully in Transition House's array of services are able to return successfully to stable, permanent housing. For more information go to [www.transitionhouse.com](http://www.transitionhouse.com)



All images from TransitionHouse.com



As always, we have the best Sponsors for this year's event. Come for a chance to win the Ping Driver in the *Yardi Putting Contest*. Quench your thirst at one of the many refreshment stations: *Battaglia's Biergarten*, *American Riviera's Marvelous Margaritas*, or *Meridian's Oasis Water Hole*.

Don't forget to stop by the ever popular *Rollin' Radius Cigar Cart*. Say hello to *WDC Kitchen & Bath Center*, this year's *Golf Cart Sponsor*, and welcome to our *Beachside Partners* our newest sponsor.



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Starting at  
**\$2** per unit per month\*

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Property accounting	✓	✓
Vacancy & prospect tracking	✓	✓
ILS posting	✓	✓
Online applications	✓	✓
Online payments	✓	✓
Online maintenance	✓	✓
Email & text communications	✓	✓
Walk-in payments with PayNearMe	✓	✓
Vendor payments	✓	✓
Owner payments & reports	✓	✓
Live chat support	✓	✓
Renters insurance*	✓	✓
Resident screening*	✓	✓
Corporate websites*	✓	✓
<b>Property websites*</b>		✓
Online lease execution*		✓
Customer relationship management		✓
Job cost tracking		✓
Rent deferment		✓
Rent control		✓
Invoice approval & processing		✓
Corporate accounting		✓
Customizable financial statements		✓
Menu-level security		✓

“Yardi Breeze is easy to use. Tenant tracking, maintenance requests and online support ... I love everything about it!”

Danielle Drozdek  
RE Homes, Inc.

\*Minimums apply. †Additional fees apply.

Get a free, personalized demo to see why thousands of companies choose Yardi Breeze



## SBRPA's Business Partners



July's Featured Partner: Central Coast Community Energy (3CE)



### Introducing SBRPA Business Partners.

This is a special member group created for our Vendors and Suppliers. When you join you get a free listing in the Business Partner Directory on the SBRPA website along with your own page, where there will be a Company Description, logo and contact information, as well as a link to your own website.

Our business partners will also get a feature article in our monthly magazine. See page 24 for an application.

### BENEFITS OF 3CE

#### Central Coast Community Energy – Embracing Clean Energy and Local Control to Power Economic and Environmental Benefits

Cities and counties along the Central Coast have joined Central Coast Community Energy (CCCE) (<https://3cenergy.org/>) to gain more control over their electricity needs and embrace the benefits of clean and renewable energy. Currently, CCCE serves 31 communities in Santa Cruz, San Benito, Monterey, San Luis Obispo and Santa Barbara counties. This October, CCCE service will begin for all eligible electricity customers in Carpinteria, Goleta and Unincorporated Southern Santa Barbara County.

#### LOCAL CONTROL → CLEAN ENERGY → ECONOMIC & ENVIRONMENTAL BENEFITS

##### Local Control

Participating communities now have a choice and a voice when it comes to electricity service. CCCE is governed by Policy and Operations Boards comprised of elected officials and city & county administrators representing Central Coast Community Energy's entire service area.

Customers can participate in CCCE's public process by attending board meetings and by engaging with the Community Advisory Council, who are volunteers representing our community and business sectors.

##### Clean Energy

By supporting electricity generated exclusively from clean and renewable sources, CCCE is accelerating progress towards local and statewide emissions goals while supporting the growth of new renewable energy resources. CCCE has set a course to meet 60% of its energy supply from new clean and renewable resources by 2025 and 100% by 2030.

##### Economic Benefits

In addition to keeping electricity rates affordable for all customers, CCCE contributes to local economic development through Energy Program funding and contracting with local businesses. As a public agency, CCCE dedicates 4% of annual revenue for community reinvestment through Energy Programs.

##### Environmental Benefits

By committing to clean and renewable energy, Central Coast Community Energy is reducing greenhouse gas emissions, creating new renewable energy resources, and assisting communities with the transition from fossil fuels to clean-energy solutions through Energy Programs.

##### ENERGY PROGRAMS

###### Resources for Your Home or Business

Through financial resources, technical support and education, CCCE Energy Programs (<https://3cenergy.org/energy-programs/>) assist the Central Coast Community with the switch from fossil fuels to clean-energy solutions by focusing on these areas: transportation, building, agriculture and energy resiliency.



Currently, CCCE customers can access rebates and incentives for: the purchase or lease of new or used electric vehicles (EV), fleet EVs, EV charging stations for home or office, new all-electric housing projects for affordable and market-rate developments, electric agricultural equipment, backup power supply for critical infrastructure, and more. To date, in partnership with regional and statewide organizations CCCE has made more than \$43 million available to customers.

### Reducing Greenhouse Gas Emissions

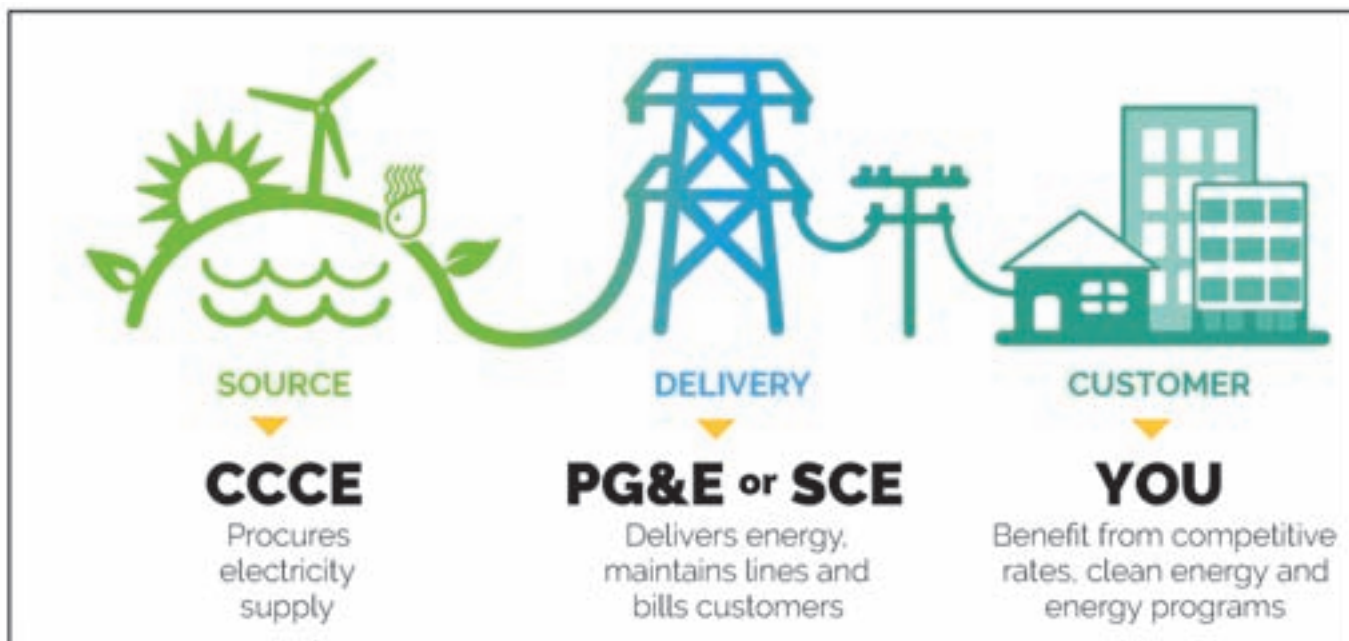
By meeting customer electricity demand with 100% clean and renewable energy by 2030 as well as focusing on electrification and fuel switching for vehicles, buildings, and agriculture, CCCE will provide the greatest impact on GHG reduction.

### Responding to Community Needs

CCCE is engaged with all members of our diverse Central Coast community to synchronize program investment with community needs and priorities. Being responsive allows CCCE to drive greater value for the region. As the need for backup power during prolonged power shutoffs becomes more urgent, CCCE is committed to building a greater level of energy resilience for the Central Coast.

Learn more at [3Cenergy.org](https://3Cenergy.org) and on social media, including Facebook, Instagram and Twitter @3Cenergy.

Central Coast Community Energy encourages all community members to join the **CCCE e-newsletter** and board meeting notification list by signing up on our website (<https://3cenergy.org/energy-programs/>).







## California Department of Public Health publishes New Mold Booklet

The California Dept of Public Health (CDPH) has produced a Mold Booklet entitled *Information on Dampness and Mold for Renters in California*.

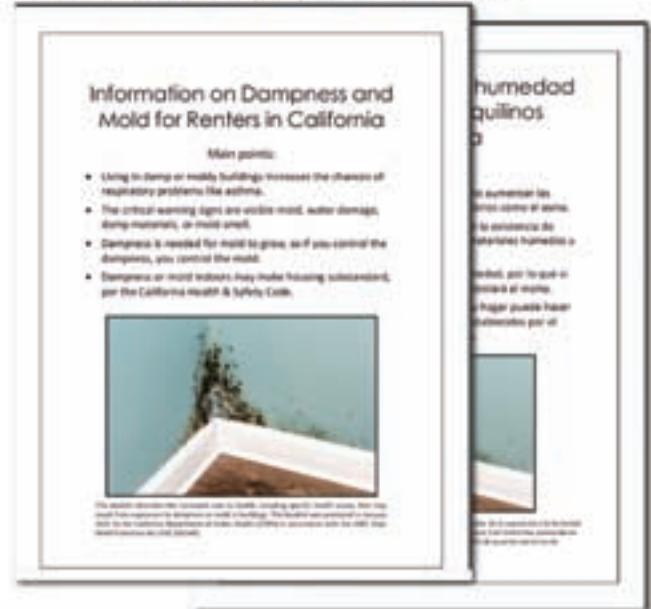
The booklet, in both English and Spanish versions, describes the increased risks to health, including specific health issues, that may result from exposures to dampness or mold in buildings.

Starting January 1, 2022, this booklet must be provided by residential property owners to all prospective tenants, in accordance with the 2001 Toxic Mold Protection Act (HSC §26148).

Both the English and Spanish versions of the booklet are available on our website in the Move-In section of Legal Forms:

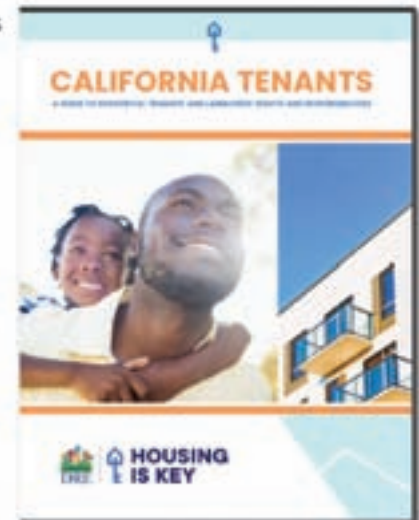
<https://www.sbrpa.org/legal-forms>

The Mold Booklet can also be found, along with other documents and resource links on the Indoor Air Quality Section of the CDPH website. [www.cdph.ca.gov/IAQ/Mold](http://www.cdph.ca.gov/IAQ/Mold)



## Also available on our website, (TRA-006) the 2021 update of Guide to Residential Tenants' and Landlords' Rights and Responsibilities

*California Tenants – A Guide to Residential Tenants' and Landlords' Rights and Responsibilities* was written initially by the Department of Consumer Affairs' Legal Affairs Division and substantially revised by the Department of Real Estate's Legal Section in 2020. The Department of Real Estate's Communications and Publications Section was responsible for publishing the booklet. The opinions expressed in this booklet are those of the authors and should not be construed as representing the opinions or policy of any official or agency of the State of California. To ensure the document is useful for the vast majority of readers, the authors have endeavored to balance the competing objectives of providing accurate, current, and complete information of the law without overwhelming readers with nuanced detail and legalese. As a result, not every subject is addressed with the same level of detail. This booklet is intended for informational purposes only and is not legal advice. To the extent that readers have questions or need further guidance, readers should consult an attorney, legal aid society, landlord association, or tenant advocacy group for advice in particular cases, and should also read the relevant statutes and court decisions when relying on cited material.







## SBRPA Business Partners



When you consider the benefits of membership, you'll realize why so many vendors agree — success depends on reaching the decision makers in the rental housing industry. You can't afford NOT to join.

## Your Annual Dues Entitle You To:

- Free listing in the PSC directory of the SBRPA.
- Free referrals to members.
- One free listing in the annual SourceBook.
- Opportunity to submit educational articles for publication in the SBRPA Magazine.
- An introduction of your company reps & display materials at membership meetings.
- The opportunity to display your brochures/business cards in the lobby of SBRPA and to have your information included in all new member kits.
- Early bird notification of special events (trade shows, SourceBook, etc.)
- Networking with property management companies at SBRPA meetings.



## Sign Us Up Now!

Annual Membership: \$395.00

Company: \_\_\_\_\_

Contact: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: ( ) \_\_\_\_\_ email: \_\_\_\_\_ cell: \_\_\_\_\_

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Card#: \_\_\_\_\_

Name on Card: \_\_\_\_\_

### Mail This Form To:

Santa Barbara Rental Property Association  
123 W. Padre St.  
Santa Barbara, CA 93105





*The National Apartment Association is a non-profit trade association in the United States of apartment communities, owners and suppliers. These member companies are also part of NAA with their membership at the local level.*

## Meetings & Events

Upcoming events for 2021 include:

- Government Affairs Roundtable and Legal Symposium, 7/21-7/23/2021, Atlanta GA
- NAAEI Affiliate Education Conference, 8/2-8/4/2021, online
- AEX Live, 8/4-8/6/2021, online
- Apartmentalize, 8/31-9/2/2021, Chicago, IL
- Assembly of Delegates, 11/2-11/4/2021, Cincinnati, OH
- NAA Digital, 12/7-12/9/2021, online.

Registration for events available at the NAA website [www.naahq.org](http://www.naahq.org)

## Coronavirus Resources & Guidance

NAA has released guidance for the rental housing industry in regard to the potential threat of the coronavirus.

### Operational Best Practices

Guidance on how to keep safe while keeping your business running during these challenging times. There are articles and webinars including advice on:

- Operations
- Resident Engagement
- Rent Collection
- Off-Campus Student Housing
- Resident Exposure
- Teleworking
- Free Form for Rent Relief Requests
- Other Resources.

For more info: <https://www.naahq.org/coronavirus-guidance>

### Advocacy, Regulatory & Legal

Information on the federal, state and local laws and regulations in response to COVID-19.

- Advocacy
- Federal Resources
- State and Local Resources

For more info: <https://www.naahq.org/coronavirus-guidance/covid-19-legal-regulatory>



## COVID-19 Rental Housing Support Initiative

Industry organizations came together to build a series of solutions in key support areas to help our industry survive and thrive through the pandemic and beyond.

The initiative, sponsored by Yardi, identified several Support Areas and plan to release resources as they become available in early 2021.

**Education to Legislature.** It is essential for the viability of the rental housing industry that legislators understand how their decisions affect the industry itself. This resource library provides data in the form of videos and other formats for our country's decision-makers to quickly digest the importance of more support for rental assistance and foregoing any extension of the eviction moratorium.

**Liability.** During and after the pandemic, property owners and operators must keep up with new guidelines and ongoing legislation. The resource library will help them manage the biggest challenges being faced right now including business continuity, maintenance, and reopening.

**Mental Health.** A focus on mental health is as vital as physical health, especially in times of crises. The resource library provides constituents with information and tools to address challenges around isolation, resiliency, anxiety, and financial stress.

**Industry Facts.** The pandemic has created a time of deep uncertainty and counterfactual narratives, and the industry has stepped up to correct the record. It is essential that our members, supporters and partners get that word out. These social media tools are intended for industry stakeholders to be able to easily and efficiently push key stories, facts and figures to their core audiences. These tools provide realities that debunk common myths and amplify the positive and inventive ways everyday rental housing industry workers, owners and operators are working to keep families in their homes. These tools also demonstrate how the industry has adapted to current realities.

For more info: <https://www.naahq.org/covid-19-rental-housing-support-initiative>



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## County of Santa Barbara Homelessness Among Veterans

Article courtesy of the County of Santa Barbara

**100-day Challenge Made Significant Progress to Reduce Homelessness Among Veterans.** *Team Joined Governor Newsom's Initiative to Address Homelessness in California.*

The Santa Maria/Santa Barbara County Continuum of Care and local stakeholders launched a 100-Day Challenge to reduce homelessness among Veterans in the county. On any given night in the county, more than 150 Veterans are experiencing homelessness.

The Santa Barbara County team established a goal to connect half of this population, or 75 Veterans, to safe and stable housing, as well as supportive services. Consideration was given to servicing the scope of needs, some of whom have families. At Day 100, the team made significant progress toward its goals: 46 Veterans were connected to safe and stable housing and supportive services, and the team continues to work toward its initial goals.

"The 100-Day Challenge was a fantastic opportunity for a group of cross-sector stakeholders to re-examine their models and implementation processes of housing veterans experiencing homelessness," said Kathy Simas, retired Santa Barbara Foundation North County Director. "Our key take-aways include better practices for information-sharing among organizations and improving their cohesiveness, plus we identified strategies that require additional attention. The ultimate result is that in a short period of time 46 Veterans were housed, and we have a commitment to continue collaborating to provide safe and stable housing and support for more Veterans to live a happy and healthy life."

Since 2012, Rapid Results Institute<sup>1</sup> has helped more than 60 U.S. cities and three states launch 100-Day Challenges to accelerate progress toward ending Veteran and chronic homelessness. The Institute's work harnesses the knowledge and skills of front-line staff supporting homeless individuals and brings them together on cross-agency teams. These teams then set out to design new systems that increase efficiency, enhance resource utilization, and make data driven decisions - ultimately with the vision of ending homelessness in the United States.

Homelessness is a complex social problem that affects 1.5 million people each year in the United



Image Santa Via Valley Star

States, including almost 48,000 Veterans who represent about 8.5 percent of homeless people and 11 percent of all homeless adults. Between January 2009 and January 2015, the total number of Veterans experiencing homelessness dropped by 35 percent or 25,642 people.

Stakeholders on the team include:

- County of Santa Barbara Housing and Community Development
- County of Santa Barbara Veteran Services Office
- ECHO Group/Band of Brothers
- Housing Authority of the City of Santa Barbara
- Housing Authority of the County of Santa Barbara
- Good Samaritan Shelter
- U.S. Department of Veterans Affairs, HUD VASH
- New Beginnings Counseling Center
- Public Defender
- The Salvation Army
- Santa Barbara Foundation
- Stand Down Homeless Veterans Assistance Project
- United Way Home For Good
- Veteran Enterprise Services (VES) Consulting Group
- Veterans Treatment Court
- Landlords who have housed formerly homeless Veterans in Santa Barbara County
- Local Veterans with lived-experience of homelessness.

<sup>1</sup>For more information see: <https://www.rapidresults.org/veteran-chronic-homelessness>

For more information please contact Emily Allen:  
[eallen@co.santa-barbara.ca.us](mailto:eallen@co.santa-barbara.ca.us)





# Attention Landlords!

HAVE PROPERTY TO RENT AND WANT TO HELP A VETERAN?

## Housing Authority of the County of Santa Barbara

- Screen and select your own tenants
- Security Deposit is not limited by HA
- Determine your own rules and regulations pertaining to the rental property
- Less risk should tenant experience loss of income, HA rent portion increases
- For more information: 805-737-6188

## Housing Authority of the City of Santa Barbara

- \$500 signing bonus for new landlords
- Section 8 damage protection and reimbursement up to \$2,000
- Referral bonus of up to \$100 for referring new landlords
- Less risk should tenant experience loss of income, HA rent portion increases
- For more information: 805-897-1049

## Partners in Housing Solutions

- One time \$750 bonus for first placement and \$500 for each subsequent placement
- Monthly case management with tenants for 6 months
- Risk Reduction Fund for the first year of tenancy, \$2500-\$3,000
- Security Deposit assistance, with possibility of double deposit
- For more information: 805-698-4482

## Lease Up Santa Barbara

- Provides professional landlord and property management support to help fill vacancies with qualified individuals
- Dedicated Housing Specialist for each property
- Assist with navigating housing subsidies available in the county and the program
- Each potential tenant has a homeless services case manager
- For more information: 805-452-7100

## Good Samaritan

- Supportive Services for Veteran Families provides temporary financial assistance and services to help with housing stability
- Provides public benefits assistance and case management
- For more information: 805-202-3056

## New Beginnings

- Supportive Services for Veteran Families provides temporary financial assistance and services to help with housing stability
- Provides public benefits assistance and case management
- For more information: 805-963-7777 x107

Join us in our effort to end homelessness for veterans and other individuals in Santa Barbara County





# WORKSHOP: VETERANS EXPERIENCING HOMELESSNESS

Tuesday, July 13, 2021 • 12:00 noon - 3:00 PM

No Fee to Participate, but you must register in advance

You can register from the SBRPA website:

[www.sbrpa.org/events/workshop-veterans-experiencing-homelessness](http://www.sbrpa.org/events/workshop-veterans-experiencing-homelessness)

The Housing Authority of the City of Santa Barbara, the Housing Authority of the County of Santa Barbara, and the County of Santa Barbara are giving a workshop for local landlords and Property Management Groups, outlining ways to assist our Veterans experiencing homelessness.

Please join us to learn more about resources available to landlords interested in housing Veterans. The workshop will be led by Jerry Morales (Housing Authority of the City of Santa Barbara), and Emily Allen and Lucille Boss from the County of Santa Barbara.



Jerry Morales



Emily Allen



Lucille Boss

Topics will include:

- New housing available to Veterans
- Success of recent 100-Day Challenge to Address Homelessness among Veterans (see article, page xx)
- Benefits of participating in an affordable housing program such as Housing Choice Voucher (see articles under Section 8 Header at [www.sbrpa.org](http://www.sbrpa.org))
- Incentives available to new and ongoing landlords (see page xx)
- How to connect with available programs and services.



Johnson Court, New Housing available to Veterans



100 Day Challenge helps 46 Homeless Vets (left image Santa Ynez Valley News; right Lompoc Record)



**THEY SERVED FOR YOU. NOW DO YOUR PART!**

For more information contact: Jerry Morales: [jmorales@hacsb.org](mailto:jmorales@hacsb.org) or Emily Allen: [eallen@co.santa-barbara.ca.us](mailto:eallen@co.santa-barbara.ca.us)





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## MEDIATION AND ARBITRATION

### (Why and How)

Alternate Dispute Resolution is a phrase that you hear more and more. If you read the pre-printed contracts presented to you, you will often see inclusion of mediation and arbitration clauses as an "alternative" to litigation; at least as we generally understand it. Litigation in our courts has become very expensive and time-consuming. Unfortunately, mediation and arbitration are also becoming more costly. However, and depending on your own particular circumstances (a way of saying you need legal counsel to evaluate any recommendation regarding use of the provisions we are covering in this article), alternate dispute resolution may be a good choice for you.

It is hard to dispute the position that early mediation before litigation (arbitration or court) is a good idea. What you need to know is that getting a qualified mediator and timely scheduling a mediation session can be a challenge. Fees for mediators run between \$300 and \$500 per hour. Mediation will typically run three hours to a whole day depending on the number and complexity of issues. In complex mediations involving construction defect or disclosure issues, mediations can cover several days. Going to mediation does not require counsel to attend, but if it is going to be productive and cover the issues (legal and factual), then counsel needs to be engaged. The attorney's time for preparation and attendance at mediation can add \$3,500 or more to the cost. In short, mediation is going to cost each side an estimated \$5,000 for a day of mediation. The value to you: an open exchange of issues, evaluations, and recommendation from a mediator that may avoid tens of thousands of dollars in litigation and arbitration costs.

In the sample mediation provision below, costs are typically shared and the time to complete the mediation is limited. Failure to comply with mediation can result in loss of entitlement to attorney fees and costs even if you should prevail.

The sample mediation provision below is a contractual provision that is elective. You are not required to put into your standard contract a mediation or even an arbitration provision. However, specialized contracts for service and even statutory claims (such as a Santa Barbara View Ordinance Dispute) have mediation requirements

that must be complied with and are not voluntary. The View Ordinance does not provide for sharing of expenses for mediation. However, hiring an experience mediator at a shared cost might be worth the expenditure and should be considered in that situation.

Before deciding on whether to include a mediation provision or to reject mediation if offered, you will need to contact counsel to advise you. Here are some sample provisions.

## SAMPLE MEDIATION PROVISION

### A. ALTERNATE DISPUTE RESOLUTION

Section A.01: Mediation: The Parties agree to mediate any dispute or claim arising between them out of this Agreement, or any resulting transaction, before resorting to arbitration or court action. Mediation fees, if any, shall be divided equally between the Parties involved. If, for any dispute or claim to which this paragraph applies, any Party commences an action without first attempting to resolve the matter through mediation, or refuses to mediate after a request has been made, then that Party shall not be entitled to recover attorney's fees, even if they would otherwise be available to that Party in any such action. Demand for mediation shall be made in writing and shall be completed within sixty (60) days of demand or this provision is waived. In any arbitration or court action following such a demand for mediation, the arbitrator and/or court shall determine if the failure to mediate was the fault of a Party, in which case the failure to mediate shall constitute a refusal under this subsection.

## SAMPLE ARBITRATION PROVISION

Arbitration is an elective option, and can be either binding or non-binding. If you are going to the expense of arbitration, most would prefer to make it binding. Costs for arbitration can be as much as 50% less than litigation in court before a judge or jury. Arbitration is usually handled by a judge whose decision is normally not appealable. In the sample below, arbitration is made binding and non-appealable and jury is waived.

Certain disputes, including certain landlord-tenant issues, cannot be limited to arbitration only. Jury

*Continued on page 33*



# CELMAYSTER LISTINGS UPDATE

from Santa Barbara's native expert

JUST LISTED



## 1224 Castillo St, Santa Barbara

*Fully approved short-term rental property*

Newly constructed, boutique, short-term rental property in central downtown Santa Barbara location. **List Price: \$3,600,000**



## Christos Celmayster

*Partner*

805.898.4388

[christos@hayescommercial.com](mailto:christos@hayescommercial.com)

CRE # 01342996

## CALL TODAY!

- Get a **FREE** analysis of your property
- Discuss real estate investments in today's market

JUST SOLD



## 1232 Laguna St, Santa Barbara

*4BD/3BA owner's unit + duplex, ADU opportunity*

Christos represented the seller in the sale of this prime-located, turnkey triplex on the Upper Eastside.

## CELMAYSTER APARTMENT SALES IN 2021

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trials are rights that are protected by statute, waivable only in limited circumstances. Before you consider putting an arbitration provision in your contracts, confirm with counsel how to limit the provision so as not to run afoul of statutory prohibitions.

Arbitration clauses typically limit parties to those directly involved in the contract, but some, such as in the case of a standard California Association of Realtors' purchase agreement, give an option to brokers to participate in both mediation and arbitration, but they are not bound to do so. When evaluating whether to have an arbitration clause in this contract, you should discuss with counsel how other potential parties to a controversy might affect your choice in whether to agree to arbitration or not.

The following sample provision covers some of these points:

**Section A.02: Arbitration of Disputes:** The Parties agree that any dispute or claim in law or equity arising between them out of this Agreement, or any resulting transaction, which is not settled through mediation, shall be decided by neutral, binding arbitration. The arbitrator shall be a retired judge or justice, or an attorney with at least ten (10) years of residential real estate law experience, unless the Parties mutually agree to a different arbitrator, who shall render an award in accordance with substantive California law and the expressed intentions of the Parties where stated in this Agreement. The arbitrator appointed shall have the power to award damages, issue a declaration of rights, and award equitable relief, and make such other orders in equity as may be required to effect full relief to the Parties for matters arising out of this Agreement. The Parties shall have the right to discovery in accordance with California Code of Civil Procedure section 1283.05. In all other respects, the arbitration shall be conducted in accordance with Title 9 of Part III of the California Code of Civil Procedure. Judgment upon the award of the arbitrator(s) may be entered in any court having jurisdiction. The prevailing Party in any arbitration proceeding shall have the right to recover from the non-prevailing costs of arbitration and mediation, if any. Any arbitration award may be entered as a judgment in the Superior Court by either Party.

NOTICE: BY INITIALING IN THE SPACE BELOW YOU ARE AGREEING TO HAVE ANY DISPUTE ARISING OUT OF THE MATTERS INCLUDED IN THE "ARBITRATION OF DISPUTES" PROVISION DECIDED BY NEUTRAL BINDING ARBITRATION AS PROVIDED BY CALIFORNIA LAW AND YOU ARE GIVING UP ANY RIGHTS YOU MIGHT POSSESS TO HAVE THE DISPUTE LITIGATED IN A COURT OR JURY TRIAL. BY INITIALING IN THE SPACE BELOW, YOU ARE GIVING UP YOUR JUDICIAL RIGHTS TO DISCOVERY AND APPEAL, UNLESS THOSE RIGHTS ARE SPECIFICALLY INCLUDED IN THE "ARBITRATION OF DISPUTES" PROVISION.

Mediation and arbitration are clearly viable options to consider as alternatives to our court system. In most instances the processes save time and money. The high rate of success in using a trained mediator confirms that mediation is a good place to start if the issues of fact and law are properly prepared and presented. The alternative is to go to court and/or arbitration and make the presentation later, after greater expense is incurred.

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 Happenings



Terry A. Bartlett – Reetz, Fox & Bartlett LLP

## City of Santa Barbara Hires New Planning and Land-Use Director



The Santa Barbara City Council approved the hire of Elias Isaacson for Planning and Land-Use Director. Isaacson previously led the Planning and Land-Use Department for the cities of Santa Fe and Espanola in New Mexico. He is credited with streamlining internal procedures and will

be responsible for planning and development services, building and safety, and housing and human services in Santa Barbara. The Community Development Department now has a staff of 77 employees and an annual budget of \$16 million.

## Homelessness Needs a New Solution

With issues of homelessness still looming, Santa Barbara, along with many other local authorities, have been hearing pleas to defund the police and spend more money on social services.

Santa Barbara County employs 758 people in Social Services with a budget of \$191 million and 411 people in the drug, alcohol, and mental health department with a budget of \$148 million. Together, these total 1169 employees and \$339 million per year. The sheriff's department, in comparison, has 755 employees and a budget of \$176 million per year.

The issue of homelessness still remains and has not changed.

## California Private School Tuition Lower than Public School Student Costs

In California, the majority of private schools provide education at a cost that is significantly less than what taxpayers pay to the public-school education system. In 2019-2020, the State was spending approximately \$21,000 per student in the public school system. If we add in the additional state and federal funding to public schools through Governor Newsom's "Comeback Plan," taxpayers will be

paying closer to \$25,000 per student. In contrast, private school tuition costs in California average approximately \$13,000 per student.

Over the last six years, enrollment in the public schools has seen a steady decline, while charter school enrollment has grown. This discrepancy in public and private schools also increased this year when private school reopened and public schools remained closed to in-person learning. Many California families moved their children to private schools during the pandemic if they had the resources to do so.

## Introducing Santa Barbara City Council Candidate: Barrett Reed



Santa Barbara native Barrett Reed is seeking a seat in District 4 (Riviera, Upper East, and San Roque) of the City Council. Reed has been a member of the Planning Commission since 2019 and is the co-founder of Miramar Group, an investment company prioritizing the renovation of declining buildings

on the Central Coast.

Reed is focused on protecting single-family neighborhoods from crime and overdevelopment. Given the State's increasing demands for more housing, Reed hopes to maintain Santa Barbara's local control.

He is challenging incumbent Kristen Sneddon.

## A Warm Welcome Back – But Newsom Keeps State of Emergency in Place

California's highly anticipated reopening occurred on June 15, 2021. This day marked a milestone for the businesses within Santa Barbara, especially those that relied on tourism. As of June 15, 2021, the State lifted capacity restrictions and eliminated mask requirements for fully vaccinated people in most settings.



This reopening helps our local business owners rebound after the government mandated closures. During the week of the reopening, Santa Barbara Airport almost broke the record for passenger counts.

However, when the state reopened, Governor Newsom was expected to give up his emergency powers to govern under a public health emergency. Unfortunately, Newsom decided to keep the state of emergency order in place beyond June 15, maintaining his ability to impose restrictions on people at any time.

### **Fraudulent Unemployment Claims Cost the U.S. \$400 billion**

Prior to the pandemic, unemployment claims were relatively sparse. Once the pandemic began, states were not prepared for the surge in unemployment claims. The U.S. was more focused on getting money out quickly than checking to make sure the claims were legitimate.

### **New Aerospace Developments to Boost Central Coast and Vandenberg**

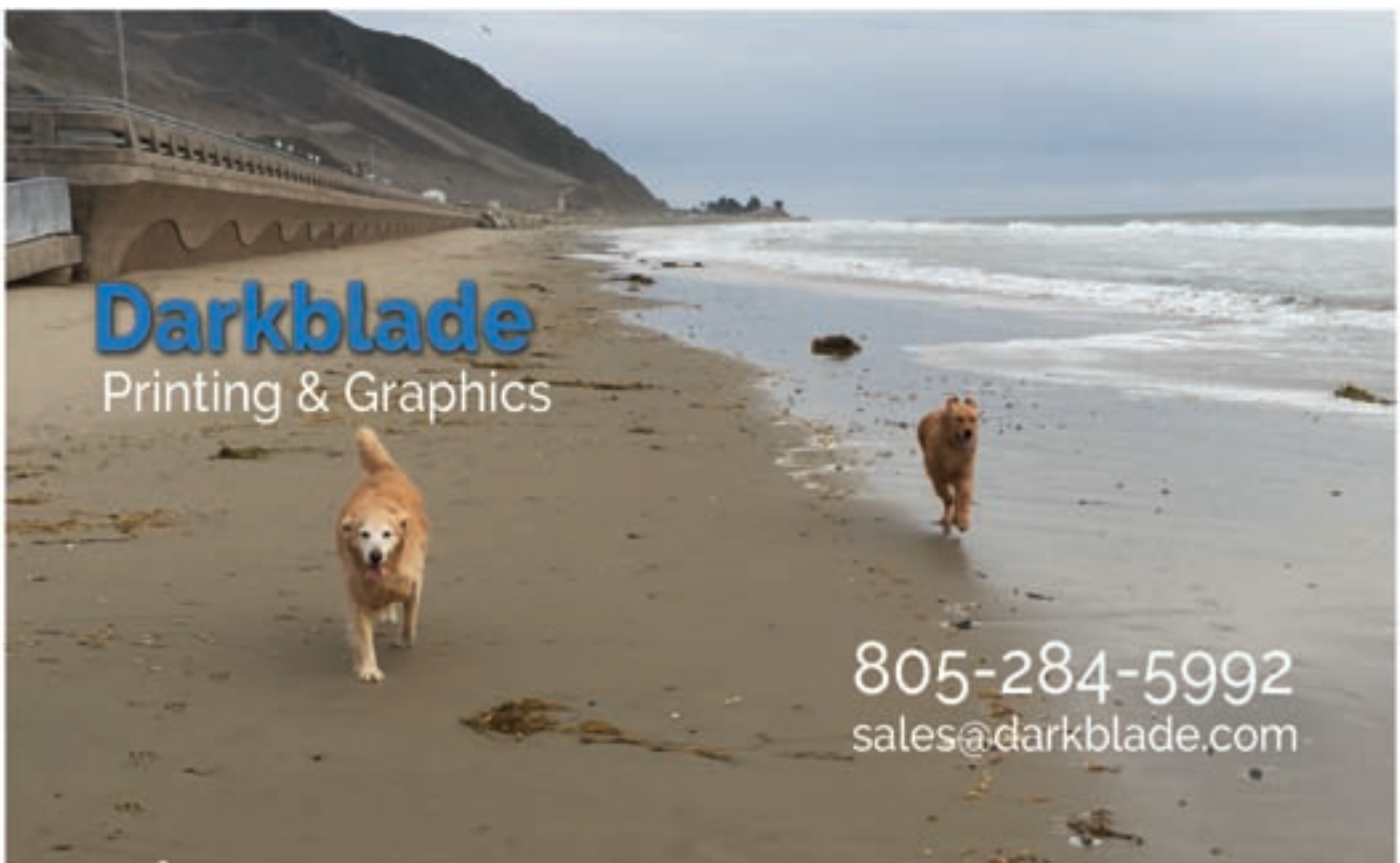
California recently invested in the aerospace industry by awarding aerospace firm Relatively

Space the third largest California Competes tax credit of \$30 million. The regional effort to enhance commercial space activity could greatly benefit the Central Coast. The industry's growth is expected to result in the creation of sustainable jobs and the development of more modern infrastructure, including roads, utilities, and access to the internet.

### **Voter Fraud Claim at UC Santa Barbara**

In the November 2020 election, approximately 3,000 mail-in ballots were cast by UCSB students allegedly residing in a precinct that includes UCSB dorms. The problem is that many UCSB dorms were locked down through most of 2020.

Once these voting irregularities were discovered, a complaint was made and it entered into what seems like a black hole of the local government. The complaint was made to the Santa Barbara District Attorney's office. The District Attorney's office directed the complainant to the Santa Barbara County Sheriff's office, who then turned the case over to the UCSB Police Department. UCSB Police sent the complaint back to the District Attorney's office stating that Santa Barbara County elections were not their jurisdiction. When the claimant spoke to the District Attorney's office, there was no record yet of the case.





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