

Aug-Sep 2022

SANTA BARBARA  
RENTAL PROPERTY

# news

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Leases

New Laws

Maintenance

VAWA

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Tenant Screening

Path of an Eviction

Just Cause

Abandonment

Disability Requests

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# President's Message



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

First and foremost, the moratorium on evictions FOR NON-PAYMENT OF RENT for those tenants who applied for rental assistance by March 31, 2022 did NOT get extended. Yay!

Finally, we may be making a tiny progress back to the way things were before the pandemic.

Courts are scheduling Unlawful Detainer Trials within 21 days of the request for them.

What is still troublesome are the myriad of tiny rules that must be followed in order to get to trial.

Some of the things to watch out for are: 1. If the tenant(s) has lived in your property more than 12 consecutive months, remember to not only serve a 3-day pay or quit or 3-day conform or quit but serve a SECOND Notice to Quit if the violation was not cured during the 3 Court days following service. 2. Make sure that you and your attorney are using the very latest Court forms. The forms are changing so rapidly. For example, the new UD-101 form, the dreaded Plaintiff's Mandatory Cover Sheet and Supplemental Allegations form was revised again in July. If you use the old version on ANY of the forms, you will be set back at least a couple of days because the Clerk's office is short-staffed and pleadings are taking longer to be processed. Go on line or urge your attorney to go on-line and check to see if a new form has come into being since the last time he or she filed an Unlawful Detainer Complaint. 3. If you are a corporation or if your attorney is signing the verification (which is not recommended and is only allowed if YOU are out of the county) then you must use a different form for the Verification. This form is hard to find. It is located under the local Court forms and is SC-1007. 4. If you use the Sheriff's Civil Bureau to serve your documents you have to take the documents to their office personally. They do not accept anything by email. They require their own forms filled out FOR EACH PERSON OR ENTITY TO BE SERVED. You cannot have just one of their forms for all of the tenants in each unit. You have to make the copies. It seems every time I go there, they require a different amount of copies to serve. So, call ahead and check the number of copies you have to make for them or you will be making multiple trips to their office.

Jim Cole and I taught a class on forms on August 9, 2022 which is as up-to-date as we could possibly make it. It was recorded and is available on the SBRPA website if you would like to watch it. We had

134 signups and 70 of those stayed an extra half hour beyond the course for the question/answer session.

Regarding new laws, our intrepid editor Sharon Lum has provided you herein with 4 letters we received from Lobbyist Kate Bell regarding upcoming legislation. Please see pages 11-15.

CalRHA, the California Rental Housing Association, to which I am your representative meets virtually every Friday when the Legislature is in session to discuss the Bills that need to be opposed and how to do so as well as the few that we can support. Two of the Bills for which CalRHA sent letters (and you will see the SBRPA logo in the letterhead) have to do with laws concerning Los Angeles (SB 679 (Kamlager Dove - Los Angeles Regional Housing Finance Act) and San Diego (SB 1105 (Hueso) - San Diego Regional Equitable and Environmentally Friendly Affordable Housing Finance Agency) but if we do not oppose these in other parts of the state, they are likely to migrate to our area.

The other two letters concern respectively, SB 1026 (Wieckowski) - Residential Energy Efficiency Disclosure Statement and AB 2383 (Jones-Sawyer) Tenant Applications - Criminal Record. The good news is that AB 2383 regarding landlords' right to check criminal records was, after opposition SOLELY by CalRHA (with our support of the opposition), HELD and is thus dead for the year. This is a HUGE win for landlords as you would otherwise not be allowed to check criminal records for prospective tenants. We heard from members up North where this is already in effect in some cities that criminals tend to migrate where landlords cannot check their records turning the areas into blighted neighborhoods and increasing crime thus causing housing values to drop.



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President's Message from page 5

SB 1026 was likewise HELD which is another HUGE win for our industry. This Bill would have had you disclose to your tenants the energy efficiency of your units: the energy efficiency of your refrigerator, stove, washer, drier, lightbulbs, etc. Not only would it have required more staff to comply with the disclosure rules of this legislation but the energy efficiency/usage of prior tenants is not indicative of the energy usage or efficiency of a prospective tenant so providing the data may unnecessarily dissuade a tenant from appropriate housing. Finally, preventing a rental agreement until the requirements of this bill were met would actually be counter to the state's goals of ensuring and easing access to housing.

Legislation which is coming out of suspense are: AB 1738 (Boerner Horvath) – EV Building standards, SB 1482 (Allen) EV Building standards. No, this is not a misprint. Both concern EV. Be on the lookout for more legislation requiring you to provide electric vehicle charging stations for your tenants' electric cars whether your grid (which may be 50 years' old and did not contemplate charging cars) can support the usage. When we ask you to write letters, please be ready to do so stating that if YOU are obligated to provide a new grid, the government should pay for the expense or at the very least give you tax credits for the potentially large cash investment to upgrade your systems.

The other Bills coming out of suspense are those we can support. We will keep you updated as things progress.

Thank you for your membership. We appreciate your support.

Betty L. Jeppesen

President

NOTE: See CalRHA letters to our elected officials for AB2383, SB679, SB1026, and SB1105 on pages 11-15. – Editor

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# SBRPA Calendar



## Programs & Events



### IRO Summit

September 9th, Friday • 8:00 AM–8:00 PM

The IRO (Independent Rental Owners) Summit is a can't miss opportunity for property owners and real estate property managers. Jointly sponsored by Yardi Breeze and NAA, sessions will review and discuss challenges impacting IROs in the post-pandemic era. Stream sessions any time from 8:00 AM to 8:00 PM EDT on the day of the event.

See page 27 for details

### SBRPA Certificate Course: Property Management Essentials

September 13th, Tue., 12:00 noon–3:00 PM

This course is a MUST for property managers, leasing agents, supervisors, and rental owners! It will cover issues from pre-tenancy, to tenancy, to termination of tenancy, through post-tenancy. Taught by Tracey Merrell, Managing Attorney of Education for Kimball, Tiery & St. John, the class will be held at the Veteran's Memorial Building in Santa Barbara, and you may also attend via Zoom.

See page 23 for details

SEPTEMBER 2022						
SUN	MON	TUE	WED	THU	FRI	SAT
				1	2	3
4	5  LABOR DAY	6	7	8	9 IRO Summit 8AM-8PM	10
11	12	13 Prop Mgmt Essentials 12PM-3PM	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

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## SBRPA's Annual Charity Golf Tournament

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See page 31 for details

### Welcome New Members

Allison Tuma, Lisa Brown,  
Carrie Hernandez, Kevin Pisacich,  
Phillip Korte, Peter Peredeá,  
Lily Yepez, Lydia Perez, Jose Limon,  
Elliott MacDougall, Fred Rassuli,  
Maria Pantoja, Amanda Blackmore,  
Joan McClaren, Rachelle Steiger,  
Alexandra Kalas, Beth Amine,  
Daniel Renner, Shannon Johnson,  
Ernesto Paredes, Seth Ludwick,  
Kevin Cyr, Janet Steen & Harriet Madsen

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# CalRHA Legislative Updates



Kate Bell, KateBellStrategies.com

This month, the President's Message covers the Legislative News that normally appears in this column. Following are the letters sent to legislators on the most important bills for the rental housing community.

## AB-2383 Tenant Applications – Criminal Record: OPPOSE



July 6, 2022

The Honorable Anthony Portantino  
Chair, Senate Appropriations Committee  
State Capitol, Room 412  
Sacramento, CA 95814

RE: AB 2383 (Jones-Sawyer) Tenant Applications – Criminal Record: OPPOSE

Dear Anthony Portantino,

On behalf of the California Rental Housing Association (CalRHA), I write to express our strong opposition to Assembly Bill 2383 authored by Assemblymember Jones-Sawyer, which will prohibit an owner of rental housing units from inquiring or requiring that an applicant disclose a criminal record during the application phase of renting housing.

AB 2383 will make it increasingly more difficult for rental housing providers to properly evaluate applicants for rental housing. This bill will prohibit rental property owners from asking applicants whether they have a criminal history on the initial application. Only after an applicant has qualified on the basis their credit, would a rental housing provider be allowed to conduct a criminal background check. After the background check has been conducted, if information that would necessitate the disqualification of an applicant is discovered, the housing provider would be required to provide the applicant, within five days of receiving the background check, a written statement of possible disqualification, and then an applicant would be given three days to refute that finding.

This is an ill-conceived plan because if passed it will undo the decades of hard work that have gone into providing safe housing for millions of Californians. It will harm communities, reduce property values and diminish the quality of life for renters across the state. Rental housing providers take great pride in providing housing and we take special attention when we review potential residents. Our applications are designed to obtain useful information that is compliant with Fair Housing laws and guidelines, such as those prescribed by DFEH for [Fair Housing and Criminal History](#).

These criteria are equally applied to each application and are designed to ensure successful tenancy. Removing our ability to ask an applicant about their criminal conviction record up front diminishes our ability to properly vet our applicants. This will ultimately threaten the quality of life and safety of other residents in our communities.

AB 2383 also removes assurances for existing residents that the backgrounds of their neighbors have been properly vetted. Also, consider the hundreds of thousands of renters who have agreed to having their records scanned as a part of the application process because they knew their record was clean. Many residents take comfort knowing that their new neighbors, and future neighbors, are held to the same expectation that they were. They should have the right to expect the same level of assessment from their neighbors.

This bill also threatens the safety of our employees. If a housing provider must ask for details pertaining to criminal records that come up in the secondary search, applicants may feel intimidated, challenged, or defensive. This could lead to contentious interactions that may threaten our employee's safety.

CalRHA appreciates that our state's leaders are continuing to make housing a priority. As such, we encourage the Legislature to propose and consider policies that not only incentivize the creation of new housing, but also improve the quality of life for both those who live-in and those who maintain housing within our communities. The impact of reducing the standards required to live in a multi-

family environment will diminish the quality of life currently enjoyed by millions of people. For these reasons we oppose AB 2383 and respectfully request your NO vote in the Senate Appropriations Committee.

The California Rental Housing Association represents 22,000+ members who provide over 575,000+ rental units, made up of small, medium and large rental housing owners throughout the State of California. Please contact us if you have any questions.

Sincerely,

Christine LaMarca, President

# SB-679 LA Regional Housing Finance Act: OPPOSE



July 15, 2022

The Honorable Chris Holden  
Chair, Assembly Appropriations Committee  
1021 O Street, Suite 8220  
Sacramento, CA 95814

RE: SB 679 (Kamlager Dove) - Los Angeles Regional Housing Finance Act - OPPOSE

Dear Assemblymember Holden,

The organizations listed above oppose SB 679, which would create the Los Angeles County Affordable Housing Solutions Agency for the purpose of preserving and potentially increasing the supply of affordable housing in Los Angeles County and by providing for resources for renter eviction protections, affordable housing preservation, and new affordable housing production. While we encourage the creation of more housing, particularly affordable housing, doing so at the cost of increasing regulations and property taxes in Los Angeles County hurts existing housing providers. SB 679 could impose new regulations and property taxes on L.A. County owners, many of whom have been negatively impacted by Covid-19 and to the resulting financial challenges of providing housing without any rental income or rental assistance for the past 18 months.

The organizations above remain committed to addressing the state's housing crisis and providing quality housing to California's tenants. We believe that policies that have a positive impact on increasing the supply of housing should be prioritized and we must advance balanced measures that do not adversely impact our rental housing providers. We are committed to working with State Legislators to come up with effective solutions, but we believe that this bill will make it even

more difficult for rental housing providers that are already financially overburdened to continue doing business in the state. For these reasons and those stated above, we must respectfully oppose SB 679, and respectfully request your Honorable vote in the Appropriations Committee.

The California Rental Housing Association represents 22,000+ members totaling more than 575,000+ units, made up primarily of small and medium rental housing providers throughout the State of California. Please contact us if you have any questions.

Sincerely,

Christine Suzanne LaFrance, President

CC: Senator Kamlager-Dove, Author  
Members, Assembly Appropriations Committee  
Committee Counsel  
Congressional Assembly Republican Caucus  
Office of the Governor

# SB-1026 Residential Energy Efficiency Disclosure Statement: OPPOSE



July 15, 2022

The Honorable Chris Holden  
Chair, Assembly Appropriations Committee  
1021 O Street, Suite 8220  
Sacramento, CA 95814

**RE: SB 1026 (Więckowski) - Residential Energy Efficiency Disclosure Statement - OPPOSE**

Dear Assemblymember Holden,

The California Rental Housing Association (CalRHA) and organizations listed above oppose SB 1026, which would mandate an energy efficiency disclosure by property owners to prospective tenants prior to entering into rental agreements. Mandating this administrative burden across the board will further exacerbate the housing crisis in California.

Many of our members who have residential properties with 15 units or less do not necessarily employ onsite professional managers or staff required to comply with the requirements of the bill. Furthermore, energy efficiency/usage of prior tenants is not indicative of the energy usage or efficiency of a prospective tenant so providing the data may unnecessarily dissuade a tenant from appropriate housing. Finally, preventing a rental agreement until the requirements of this bill are met is actually counter to the state's goals of ensuring and easing access to housing.

Our organization supports the goals of creating more efficient buildings because it is not only good for the environment, but also impacts the operating costs for members and their residents. We would like to see more legislation that is focused on incentivizing (through tax credits, additional financial incentives) in

exchange for energy-efficient upgrades.

The California Rental Housing Association represents 22,000+ members totaling more than 575,000+ units, made up primarily of small and medium rental housing owners throughout the State of California. We must respectfully urge your NO vote when SB 1026 is heard in committee.

Sincerely,

  
Christine Kevane LaMarca, President

CC: Senator Bob Wieckowski, Author  
Members, Assembly Appropriations Committee  
Consultant, Assembly Appropriations Committee  
Consultant, Senate Republican Caucus  
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# SB-1105 SD Equitable & Environmentally Friendly Affordable Housing Finance Agency: OPPOSE



July 15, 2022

The Honorable Chris Holden  
Chair, Assembly Appropriations Committee  
1021 O Street, Suite 8220  
Sacramento, CA 95814

RE: SB 1105 (Hueso) - San Diego Regional Equitable and Environmentally Friendly Affordable Housing Finance Agency - OPPOSE

Dear Assemblymember Holden,

The organizations listed above, must respectfully oppose SB 1105, which would establish the San Diego Regional Equitable and Environmentally Friendly Housing Agency (SD REEFHA or Agency) throughout San Diego; and identifies the powers of the Agency, eligible revenue sources, eligible expenditures, anti-displacement protections, geographic equity requirements, and expenditure requirements. This unelected Agency Board will have unfettered bonding and taxing authority. While we encourage the creation of more housing, particularly affordable housing, doing so at the cost of increasing regulations and property taxes in San Diego County hurts existing housing providers. SB 1105 could impose new regulations and property taxes on San Diego property owners, many of whom have been negatively impacted by Covid-19 and the resulting financial challenges of providing housing without any rental income or rental assistance for the past several years.

The organizations above remain committed to addressing the state's housing crisis and providing quality housing to California's tenants. We believe that policies that have a positive impact on increasing the supply of housing should be prioritized and we must advance balanced measures

that do not adversely impact our rental housing providers. We are committed to working with the Legislature to find solutions that are both effective and fiscally responsible. We believe it will be more difficult for rental housing providers that are already financially overburdened to continue doing business in the state. For these reasons and those stated above, we must respectfully oppose SB 1105, and respectfully request your NO vote in committee.

The California Rental Housing Association represents 25,000+ members totaling more than 575,000+ units, made up primarily of small and medium rental housing owners throughout the State of California. Please contact us if you have any questions.

Sincerely,

Christine Stevens-Alford, President

CC: Senator Dan Claitor, Author  
Members, Assembly Appropriations Development Committee  
Assembly Appropriations Committee, Consultant  
Assembly Republican Caucus Committee Consultant,  
Office of the Governor



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### REQUIRE 3 MONTHS OF BANK STATEMENTS!

Here's the screening tip of the week shared by a successful Wisconsin landlord:

*"Once I settle on a candidate to rent one of my properties, I require 3 months of bank statements. I've found it to be one of the best predictors of successfully paying rent."*

One other landlord who also requires bank statements agreed. His comments were:

*"By doing so, I get current rent verification, job verification, income verification, car payments, credit cards...Basically verification for the application is all in the bank statements."*

Of course, one of the best predictors of future performance is past performance. Always run a credit and eviction report on all applicants.

### DO YOU ACCEPT FISH TANKS IN YOUR RENTALS?

One landlord offers the following advice:



*"Our lease says that any 'liquid containing device' that has over 5 gallons of liquid requires insurance paid by the tenant to cover any damage, and we must be named as an 'additional insured' on that policy. In addition, we add the deductible amount to the deposit required. This covers fish tanks, water beds, and so on."*

### SHOWER DOOR OR CURTAINS?

What do most landlords prefer to use in bathrooms: shower doors OR curtains? What say you?

One landlord gave a non-traditional response. He suggested installing a curved shower rod that adds more height and room. And the landlord went on to suggest TWO curtains to prevent water run off. The curtains can be side by side and the tenant enters in middle.

NOTE: While doors keep the floor drier, several landlords have removed them after facing lawsuits when tenants are injured by broken glass doors.

### LANDLORD DISCOVERS RENTER KEEPING A BEEHIVE INSIDE THE RENTAL



Have you ever had a resident keep an indoor BEEHIVE in their rental home? One landlord recently discovered a resident keeping one hanging on a wall. Along with being totally shocked, the landlord was not sure what to do or say. The landlord asked for Help on how to respond. Several landlords offered their advice on how they would respond:

- ROTFLMAO! Apparently, indoor beehives are a thing. See [honeybeehobbyist.com/indoor-bee-keeping](https://honeybeehobbyist.com/indoor-bee-keeping). Simply issue a notice for unapproved pets or animals and give her a deadline to remove them.
- Talk to her first and ask her to remove the bees to the outside, they do not belong inside except in a hive. Check with your local ordinances and see if this is even allowed in your town. Bees cannot be inside. And this is not a pet. This will cause problems inside the property and damages.
- I never heard of an indoor beehive until this post, and I would have been just as shocked. What to do about it depends on what your rental agreement says about animals. Does it prohibit animals all together? Does it prohibit wild or farm animals? If it does, refer to those lease clauses when you send her a notice to cure the violation or leave (send it today!). Be sure to abide by whatever timing and other requirements are in place for such notices. These are state-specific, and sometimes local. If you have a relatively weak rental agreement that does not include unauthorized animals/wild animals . . . fix your lease.

### HOW DO YOU ASK A GREAT RESIDENT TO LEAVE?

A landlord had a great 9-year resident that kept the home EXTREMELY clean inside and out (practically rent-ready). The resident was always on time with rent (even through 2020 during the height of Covid-19). And they took care of minor repairs, furnace filters were changed regularly, the yard was in tip-top shape with mulch. However, home prices have also escalated so much that landlord now wants to sell the home and cash out. This would likely be a retail sale to a first time buyer but it's tough to sell a home with resident in place to a owner-occupant buyer. So landlord is looking for ideas on how to accomplish a smooth

transfer (on asking resident to move), without it getting nasty. The landlord would like to keep the transfer as friendly as possible.

A fellow landlord suggested the following wording to include in a letter to the resident:

*Dear Resident:*

*It seems all good things must come to an end. We have decided that it is time to sell the property and move on. You have been a truly exemplary resident but we do need to sell.*

*Let's discuss what will work for both of us. What sort of terms will work for you? We want to make this as easy as we can for you. Would a 60-days notice to vacate work? That, and we would provide you with a letter of reference for your search, and answer any questions from any prospective landlords.*

*Sincerely,  
Property Manager*

Other landlords suggested additional ideas, including one landlord who offered to rent a moving truck for the resident.

*It sounds like they can't qualify for a traditional mortgage. But, based on their history with you, would they possibly qualify for seller financing from you?*

*The monthly payments could spread out your tax liability (check with your CPA).*

## **FIVE YEARS OR MORE!**

As part of your screening criteria one landlord wondered on our landlord forum last week if his requirement of prospective residents to provide a minimum of FIVE years of rental and employment history on their application was enough. A fellow landlord responded with his similar criteria:

*"They (the applicants) have to fill out the application with 5 years rental history that HAS TO MATCH their credit report's 'Last Prior Address' going back years on the report. If there is an extra listing on the credit report not listed on the application, I'm going to call the owner/manager and confirm details."*

The discussion went on to discuss other factors to consider regarding rental and employment history. For example, asking employers about the prospect of future employment. However, a couple of landlords warned that some references may not be forthcoming with information.

I would still encourage landlords to be diligent in seeking as much information as possible before

fully approving an applicant. Because oftentimes 90% of your future renter headaches are directly related to the renters you allow into your property. To see the complete discussion <https://www.mrlandlord.com/landlordforum/display.php?id=14657787#14657787>

## **AVOID ARGUMENTS, ESPECIALLY AT EVICTION**

I believe most of you know not to get into an argument with your resident, especially during already high-anxiety moments like an eviction. However, as a reminder, I will still share a recent discussion on our Q&A Forum about a landlord that was killed following an eviction and a heated discussion with the renter. As one landlord in the discussion advised, *"If you find yourself in a situation with an irate tenant, the best thing to do is leave and solve it later. Not worth your life."*

## **READ LEASE AT SIGNING?**

A landlord is concerned about new renters keeping bad habits from previous rentals. So he believes, as many landlords do, that everything must be spelled out in the lease.



The question then becomes if whether or not the landlord should read the complete lease to the resident prior to move in (at the new resident orientation). That question was asked last week on our Q&A Forum. And the response by others landlords was divided.

Here's one viewpoint:

*"EVERY proper job does an orientation and basic training. Why not a landlord before giving residents control over my \$100,000 investment? NEVER ASSUME!!!"*

*When I started doing a "Lease Signing Ceremony" approach, my resident problems dropped to almost zero! People started doing good resident things! Like not parking on the grass, taking out their trash, not calling me for a clogged toilet! Key clauses in my lease are in bold and many require an initial. Every page gets initialed by all adults.*

*I have the property inspection report filled out BEFORE they arrive. We do NOT do a walk through at that time because they start to nitpick and drag out the appointment. I do remind them the lease says they have 7 days to report anything we might have missed.*

*I used to meet at the house but had some people who could not stand very long so I started bringing a card table and chairs. That was cumbersome and looked amateurish. I found it best to meet at McDonalds. I*

*I could bribe the kids with some fries and send them to the playground or buy the adults a cup of coffee and look like a great guy.*

*I hired a person to sign the leases and she was too shy to do "Public speaking" so I made my Talking Lease (23 minute audio) to walk them through the lease. Again, this solved a million problems!*

*With the pandemic we had to adapt. I went to DocuSign. We send the lease and a link to the recording (with a few who were tech challenged I talked them through the lease over the phone). I call them after they sign and hit a few highlights to reinforce the training.*

*They deliver the monies to our Walk In Deposit Only Account #1111 at any Home Federal Bank branch. They write their name on the receipt and text us a photo to prove they paid. If folks are concerned about being scammed, I tell them to call the bank before putting in any money and ask if this is a legitimate account.*

*For out-of-towners we do a credit card with Square. Once paid and signed, we change the door lockbox to a special code with their new keys, and take 100+ move in photos dated from that day.*

*This has been working well and people seem to appreciate the "online renting" approach. We still have to talk with them by phone to nail down which house, timing, adding amenities like washer/dryer option, shed option, etc., and talking about PayDay-Plan before sending the DocuSign. Many renters comment on how quick and easy it was. Works for me! Rented 3 last week from my desk."*

*- BRAD, Indiana Landlord*

There were a few landlords in the discussion who had the opposite viewpoint. For example, one landlord commented:

*"I used to read it all with them. They'd smile, nod, sign it, then do exactly the opposite.*

*So I went to just going over the highlights. They'd smile, nod, sign it, then do exactly the opposite. So, I started emailing it over to them early to read. I wouldn't see them, but my guess is they'd smile, nod, sign it, then do exactly the opposite. So I asked myself: 'What was the common problem here?' It hit me like a ton of bricks.*

**BAD. TENANTS. DON'T. CARE.** *I can't make them care. A zebra cannot change his stripes. A leopard cannot change his spots. Lead the horse to water. Insert more cliches. Solution: Find good tenants.*

*Now I use PDFFiller and Buildium. The lease is emailed over to them to read and sign as soon as we approve their application and get the holding fee. I do not spend even 1 second of my time going over it*

*unless they ask a specific question, in which case I refer them to the appropriate paragraph and will provide clarification.*

*Now I save myself time, hassle, damage, and frustrations. With a good screening process, I will find good tenants who won't need mommy to read their lease to them. They will read it themselves and abide by it because it is in their nature to fulfill their obligations."*

*- Sid, Missouri Landlord*

## MARKETING IDEA - MERCHANT DISCOUNTS

A rental owner recently shared an idea that can provide landlords with an additional marketing selling point to help fill a future vacancy and/or an idea that may help with resident retention.

*"I make a deal with a local independent mechanic/garage. I tell the mechanic that I have several customers (renters) and they all have one or more vehicles that need maintenance and repairs on a regular basis. If he (the mechanic) will give my renters a deal, I will steer these renters to his shop. So maybe he gives them 15 percent off on repairs. He gets a few new customers that puts hundreds of dollars each in his pocket.*

*I get happy renters when I tell them I've made a deal with a repair place and they will get a discount if they take their work there. (Because they are my renters).*

*You could do this with other services or suppliers your renters use as well (at most anything or any place where you can negotiate a discount)."*

*- Richard, Michigan Landlord*

## ETF AS A BACKSTOP

For landlords who include an Early Termination Fee (or ETF) in your lease, and for those who are considering adding this clause, please read the following advice recently shared:

*"If you write your ETF into your lease, be sure to include language that if the landlord successfully evicts the resident for a breach of lease (for unpaid rent, or other violation) or the resident abandons the property, the ETF is due just as if they'd have tried to do it the right way and buy out of the lease early. Makes sense: they have opted to terminate the lease early, but they just didn't do it the right way by paying.*

*. . . You bill the deposit for the ETF first, before all other charges like unpaid rent, late fees, and damages. . . Then you can still COLLECT the judgment amount you won for the unpaid rent and damages. . . (Editor's note: At a minimum be sure to report any debt owed to all major credit bureaus). For the full discussion go to: <https://www.mrlandlord.com/landlordforum/display.php?id=14659997#14660006>*

### ETF—Early Termination Fee

A fee charged to a consumer who exits a contract dearly, meant to help the business recoup costs.



# Business Partner Directory

Welcome to **SBRPA's Business Partner Directory**, our Vendors & Supplier listing. This is a special member group created for our Vendors and Suppliers. You get a free listing in the Business Partner Directory on our website, and your page will include a description of your business, your logo and contact information, as well as a link to your own website, LinkedIn/Facebook URLs and Twitter/Instagram handles. To join, please fill out an online application (<https://www.sbrpa.org/membership-information>) or call the office to have one emailed to you. For more information about our Business Partners, contact: Lori Zahn Chair, SBRPA Business Partnerships, Cell 805.451.2712



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## Coastal Housing Partnership Rental Listing Site

P.O. BOX 50807, Santa Barbara, CA 93150 • 805.450.5698

Coastal Housing Partnership hosts a Rental Listing Site for Landlords/Property Managers. This site is FREE for local landlords to post their residential rental listings in Santa Barbara County and Ventura Counties. Feature your property to over 45,000 local employees and 60+ companies. List your property with confidence on the rental listing site that boasts a dynamic tenant pool. The site can be accessed only by the employees of our member companies. Go to <https://rentals.coastalhousing.org/> for more info and to register for the site.

**Michele Herrera**  
Loan Advisor, NMLS #321843  
805.680.0066



## Michele Herrera, RPM Mortgage

319 East Carrillo St., Santa Barbara, CA 93101 • 805.680.0066

Michele Herrera has been helping the Santa Barbara community with their mortgage lending needs throughout California for over 28 years. Because Michele began her long career as a loan processor, she is intimately familiar with all the details of the home financing process. With decades of practical experience under her belt, and knowledge of the best lending options available, Michele's clients have the advantage they need to successfully close their loan. RPM gets you Home On Time® whether you're buying or refinancing. For more info <https://www.rpm-mtg.com/lo/mherrera/>



### **Sol Wave Water**

636 Santa Barbara St., Santa Barbara, CA 93101 • 805.845.5443

Welcome to Sol Wave Water. With over 28 years, personally, of experience in all facets of the "water world" we know our industry and the local water. Our mission is to provide you with the best solutions to your water issue, dingy laundry, frizzy hair, spotty glasses and dishes, longevity for your water using appliances and ease of mind. We offer a full line of equipment for sale as well as rentals, 5-gallon bottle delivery, water vending machines, and demo units. If you have a system already, we offer service and maintenance plans including the delivery of salt and potassium if you need. Locally owned and operated, Sol Wave Water, delivers to your home or office. Now offering bottled water in Santa Barbara, Montecito, Santa Ynez Valley and Ventura County! For more info <https://www.solwavewater.com/>



### **WDC Kitchen & Bath Center**

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WDC Kitchen & Bath is a family owned company right in your backyard. Originally founded as Warehouse Discount Center in 1982, WDC has grown to become not only the largest independently owned specialty retailer of its type on the West Coast, but one of the largest in the nation! Currently operating five interactive showrooms in Southern California, and an extensive e-commerce website with an impressive ready-to-ship inventory, WDC is poised and ready to make your dream remodel come true. For nearly four decades, WDC has earned its place as a staple for home improvement professionals and customers alike by focusing on expert service, unbeatable value, and a commitment to supporting the So Cal community we call home. Come and be part of the WDC Family today! For more info <https://www.wdcappliances.com/stores/5/santa-barbara-appliances-plumbing-housewares>



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# PROPERTY MANAGEMENT ESSENTIALS

\*Contact [Admin@sbrpa.org](mailto:Admin@sbrpa.org) for Zoom link information.

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12:00 noon - 3:00 PM

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## Get Answers to your Questions about New Laws!

This course is a MUST for managers, leasing agents, supervisors, and rental owners! We will cover issues from pre-tenancy, to tenancy, to termination of tenancy, through post-tenancy.

### Pre-tenancy

- Screening
- Source of income
- Approval/denial
- Leases

### Tenancy

- Communication
- Enforcement
- Disability requests
- VAWA (Violence Against Women Act)
- Unit entry
- Maintenance

### Termination of tenancy

- Notices
- Just cause
- Path of an eviction

### Post tenancy

- Abandonment
- Pre-move out inspections



Tracey Merrell, Managing Attorney of Education for Kimball, Tiery & St. John will be teaching this course. She began her career representing banks in post foreclosure evictions and is experienced in all aspects of litigation, from the development of case strategy, through discovery, depositions, motion practice, and trials.

Member: \$99  
NonMember: \$175

Register at <https://www.sbrpa.org/events/property-management-laws>



# 3C-REN Multifamily Home Energy Savings

## *Enhanced rebates for eligible multifamily buildings*

The Multifamily Home Energy Savings program serves owners of properties with 5 or more units in San Luis Obispo, Santa Barbara, and Ventura Counties. Participants can receive up to \$750 per apartment in rebates, plus additional rebates for advanced high-performing technologies to reduce your operating and maintenance costs, while improving the comfort and safety of your residents.

We provide no-cost energy consulting to help you meet your energy and cost saving goals. Owners and property managers can receive rebates for upgrades such as:



**Central and in-unit  
domestic hot water  
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**Lighting and  
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**Heating and  
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**Wall, window, and  
roof insulation**



## How to Participate

1. Fill out an interest form online at [www.3c-ren.org/mfr-interest](http://www.3c-ren.org/mfr-interest).
2. A technical assistant will reach out to learn more about your goals and needs.
3. You and your technical assistant will work together to select an eligible scope of work.
4. Reserve your rebates!
5. A contractor of your choice installs approved property enhancement measures.
6. Claim and deposit rebates as you and your tenants enjoy reduced bills and greater comfort!

### Questions?

Reach out anytime at 805-724-0709 or email us at [multifamily@3C-REN.org](mailto:multifamily@3C-REN.org).





## Program Benefits

- 1. Customized care** – Your technical assistant will work with you to identify all eligible rebates to maximize your incentive payment.
- 2. Short-and long-term savings** – Energy efficient upgrades reduce operating and maintenance costs throughout your property.
- 3. Technical assistance** – Participants can receive an energy bill assessment, equipment recommendations, project development and support with building contracts.
- 4. Tenant comfort** – Energy upgrades can enhance heating and cooling and improve air quality to make homes safer, more comfortable and affordable for tenants.



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**About 3C-REN:** 3C-REN (The Tri-County Regional Energy Network) is a partnership between San Luis Obispo, Santa Barbara and Ventura Counties. 3C-REN takes a holistic approach to improve energy efficiency and develop the workforce in the tri-county region. These efforts reduce energy use, strengthen local job markets and support climate goals.

**To learn more about 3C-REN's Multifamily Home Energy Savings Program, go to: [3c-ren.org/multifamily](https://3c-ren.org/multifamily)**

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from Santa Barbara's native expert

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## 111 N La Cumbre Rd, Santa Barbara

*17-unit apartment in Upper State area*

# IRO Summit



National Apartment Association

The IRO Summit 2022 is a can't miss opportunity for independent rental owners and real estate property managers. Sessions will review and discuss challenges impacting IROs. Stream sessions any time from 8:00 AM to 8:00 PM EDT on September 8, 2022.

- **Free registration:** There's no cost to attend!
- **Education:** Explore solutions to problems that keep IROs up at night
- **Exclusive updates:** Get the latest legislative and economic info on issues impacting the industry
- **Networking:** Connect with other IROs and summit speakers via live chat from 12:00 PM to 4:00 PM EDT
- **Fun:** Win prizes and giveaways, including gift boxes for the first 150 registrants

The summit is jointly sponsored by Yardi Breeze and NAA. It will feature speakers from NAA, Yardi and the IRO community plus bonus sessions on tech and wellness.

After a special introduction by IRO Committee Chair Matthew Haines, participants will be able to stream educational sessions.

## The Housing Advocacy Landscape

*Nicole Upano*

*AVP, Housing Policy & Regulatory Affairs, NAA*

Join in to discuss the latest legislative and regulatory developments and how the industry should operationalize these evolving requirements.

## You Bet Your Assets! ESA Processing & More

*Victoria Cowart*

*Director, Education & Outreach, PetScreening*

Service or support. HUD or DOJ. FHA or ADA. Do you know the differences? In this session, we'll discuss what you need to know now about assistance animals and accommodation requests — from the 101 basics to the 2020 HUD Assistance Animal Notice. Both on-site teams and regional management will appreciate the content that we'll cover on one of the hottest HUD complaint topics.



## Market Trends & Forecasts Impacting IROs

*Jeff Adler*

*Vice President, Yardi Matrix*

The rental market is experiencing record growth. However, with a looming recession, there could come headwinds. This session will cover an update on the economy, with a focus on the labor market and inflation. Then we'll dive into key rental trends and forecasts to help you make educated decisions. This program will also touch on the single family rental sector, which has gained significant momentum since the pandemic.

## ILS IRL (Internet Listing Services In Real Life)

*Megan Orser*

*CEO, Smart Apartment Solutions & Smart Moves LLC*

The Internet Listing Service game is fierce in real life, and it's only getting trickier to manage, especially for Independent Rental Owners wearing multiple hats. With over 95% of apartment searchers turning to Google, Bing and YouTube to start their search, your online curb appeal is more important than ever. This session is great for those looking for time-saving tips to keep their property top of mind of your future renters!

## From Move-In To Move-Out: Best Practices For Risk Management

*Trip Stanford & Kent Simpson*

*Industry Principals, Yardi*

Risk management matters through every step of the rental process: from the moment a potential renter applies to even after the lease is terminated. Join this session to learn how technology helps you approach risk management with tools that save time and effort while addressing property



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~ Bob Hart, Santa Barbara Association of Realtors

For 35 years, Coastal Housing Partnership has helped local employers attract, hire and retain valued employees by providing a suite of housing benefits. More than 60 local employers are members of Coastal Housing Partnership and employ over 45,000 local workers.

NAA from page 27

damage, debt-related issues, occupancy, reputation management and more.

(This discussion in conversation with *Cheri Quattlebaum, Senior Manager, ResidentShield*)

You can register for the summit on the NAA website [www.naaq.org](http://www.naaq.org) or at [https://info.yardi-breeze.com/iros Summit?utm\\_source=naa](https://info.yardi-breeze.com/iros Summit?utm_source=naa)

### What Keeps You Up At Night?

*Jason Korb, Owner, Capstone Communities LLC*  
*Rob Chiang, CEO, RC Real Estate Services Inc.*

Our IRO panel discusses the professional stressors independent rental owners face that make it hard to sleep, as well as the strategies they use to reduce the tossing and turning.

(This discussion in conversation with *Chris Ulep, Vice President, Yardi Breeze*)

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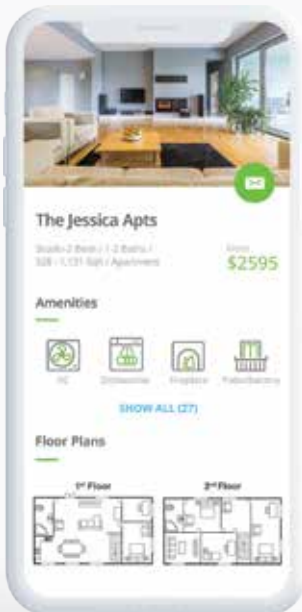
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Walk-in payments with PayNearMe	✓	✓
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Owner payments & reports	✓	✓
Live chat support	✓	✓
Renters insurance†	✓	✓
Resident screening†	✓	✓
Corporate websites†	✓	✓
<b>Property websites†</b>		✓
<b>Online lease execution†</b>		✓
<b>Customer relationship management</b>		✓
<b>Job cost tracking</b>		✓
<b>Rent deferment</b>		✓
<b>Rent control</b>		✓
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- Meet & Greet the hungry golfers!
- Golf foursome & Dinner for four
- Skirted table

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

- Registration signage and tee sign
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### Attended Tee Box Package \$1,250

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

### Attended Tee Box \$750 each

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- Skirted table – Meet & Greet the Golfers!
- Recognition in promotional materials

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- Signage
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# Santa Barbara Happenings



Terry A. Bartlett – Reetz, Fox & Bartlett LLP

## **Santa Barbara City Council at Impasse Over State Street's Future**

The City Council has tabled most of the decisions regarding outdoor dining on State Street for future discussion, except for mandating that new facilities must be portable.

Santa Barbara closed over nine blocks of State Street after the beginning of the COVID-19 pandemic in 2020. Despite the allowance of indoor dining by state authorities, restaurants still want to keep their outdoor dining operations.

Other business organizations that use State Street, especially former prime storefront businesses now hidden from view by the parklets, are pushing for their removal. The city has been trying to balance the interests of restaurants, retail business owners, public safety, and parade groups.

Former State Street parades have been moved to other locations.

## **Santa Barbara City Council Rejects Proposed Moratorium on New Hotels**

Investors are able to purchase property and develop hotels in the City of Santa Barbara after the City council voted against a proposed moratorium. There are currently 750 hotel rooms in the application process.

Mayor Randy Rowse, Councilwoman Alejandra Gutierrez and Councilman Mike Jordan voted against the moratorium, which needed six of the seven votes to pass.

Opponents of the measure said a hotel moratorium would not impact the new housing opportunities. Proponents of the measure claimed that new housing should be a priority.

The hotel industry has been a boom in recent years as billionaire Bill Foley purchased the Hotel Californian for \$130 million and other hotels in the area have been swept up by eager buyers.

## **San Francisco Bay Area Housing Prices Drop Precipitously. Will the Same Happen here?**

Housing prices in the San Francisco Bay Area dropped 7% from May to June 2022, a staggering number. This is the largest drop on record since

they started to be kept in 1990. A myriad of reasons including economic uncertainty, rising interest rates, crime, over-regulation, and a demographic shift as former residents leave.

Alameda County saw the largest monthly median price drop of 8% to \$1.42 million followed by San Francisco County with a 6% decline to \$1.9 million. The declining market is a result of population loss as San Francisco suffered a 6.3% population loss between July 2020 and July 2021.

## **La Cumbre Plaza Pitched as Massive New Housing Development**

As every city in California is required to do, the city of Santa Barbara needs to meet its state mandated Regional Needs Housing Allocation of 8,001 new units by 2031. The first draft of the Housing Element was presented in July to the City Council, which included using La Cumbre Plaza as a 1900-unit housing space.

Santa Barbara is currently on track to fulfill its housing requirement in the above average income section but has lagged behind in affordable housing needed to meet the Housing Element requirements.

Councilmembers pointed out that redeveloping La Cumbre Plaza would require multiple complex ownership structures. Others suggested going forward with the plan but having 15% of the units developed for affordable housing. City Councilmembers and residents have been split on ways to make housing more affordable, but agree long term action is needed.

The draft of the Housing Element will undergo revisions from the state before it comes back to Santa Barbara and final draft hearings held early next year.

Others note that the housing issue can be helped by streamlining the housing approval process as one developer recently chose to build a 30-room hotel on Garden Street instead of housing because the approval process was simpler and less expensive.

## **June Election Results Certified by Santa Barbara County Supervisors**

The June 7 election was certified by the County Supervisors as the County had a nearly 40% turnout rate. 95% of the 93,276 ballots were cast by mail or ballot drop box.

*Continued on page 35*



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## Santa Barbara Happenings *from page 33*

Most of the winners were incumbents, including Fifth District Supervisor Steve Lavagnino, Sheriff-Coroner Bill Brown, and County Superintendent of Schools Susan Salcido.

On the state level, Santa Barbara County voters chose Mike Stoker and Gregg Hart as the two candidates to advance to November. In the national arena, voters chose Salud Carbajal and Brad Allen as the two candidates to advance to November's general election.

Local ballot initiatives in South County this fall include Carpinteria asking voters to change zoning for specific parcels of city-owned property and Goleta is asking for a 1% sales tax increase.

### **Goleta Approves Housing Element for State Review**

The Goleta City Council approved the 2023-31 draft of its state-mandated Housing Element, a required part of each city's General plan. Changes involved short-term vacation rentals, replacing units lost to redevelopment, and Housing Needs Allocation issues. This is the first update for Goleta since 2014.

The draft of the Housing Element has dominated the Goleta Planning Commission and City Council meetings over the last year, with input coming from workshops and a 600-person community survey. The community expressed concerns over housing prices and rents, short-term vacation rentals, water supply for developments, and UCSB's impact on housing in the area.

Changes in the bill are centered around new state laws and compliance with the state's Regional Housing Needs Allocation, which requires 1,006 low income housing units, 370 moderate income units, and 461 units for the above average income bracket. Short-term vacation rents now have a monitoring program with annual review and reporting to the City Council.

Potential future changes involve reducing parking requirements for studios and one-bedroom apartments as developers have requested.

The California Department of Housing and Community Development has 90 days to review the document, followed by public hearings in Goleta before the document is sent back to the Department of Housing and Community Development.

*Editor's Note: More apartments with less parking is a problem that needs attention.*

### **Warning: A Summer of Rolling Blackouts Could Be Coming**

The North American Electric Reliability Corporation has released a damning report for 2022 and

beyond. Much of the existing power grid in many states is nearly at full capacity and capacity will be exceeded this summer. Increasing drought and lack of hydroelectric power are immediate problems, but government officials have known about the electrical grid's fragility for years and done nothing to actually help it.

Utility companies are expected to begin rolling blackouts in afflicted states to keep the grid from collapsing completely.

### **PG&E Has Time to Apply for Funds to Keep SLO Nuclear Power Plant Open**

The federal government has given PG&E more time to apply for federal funding to keep the Diablo Canyon Nuclear Power Plant running. PG&E noted that they are still considering whether they will apply but the funds would help save costs for customers and help the reliability of the grid.

The Department of Energy recently extended the deadline for the Civil Nuclear Credit program, which is a multibillion-dollar fund trying to keep struggling power plants working. State funding could potentially help as well as Governor Newsom signed an energy bill with \$75 million going to the state's Department of Water Resources.

The writing has been on the wall for the Diablo Canyon plant since at least 2018 as it was expected to close after its licenses expire in 2024 and 2025. Despite this pleasing anti-nuclear groups, a recognition that we can't get enough power with solar and wind has resulted in calls for the plant to stay open. PG&E declined to provide a cost estimate. Diablo will continue to meet electrical needs until its closure.

### **Local Company Reaches \$1 Billion Valuation**

Invoca, a local software marketing company, has raised \$83 million in its latest finance round, which pushed its market cap into the vaunted \$1 billion range. Invoca's revenue surged to \$100 million, over double from 2018.

The company uses artificial intelligence and voice recognition to analyses sales and marketing calls. Founders Colin Kelley, Jason Speviak, and Robert Duva created the company after their experiences at a communications firm in 2008. CEO Gregg Johnson joined in 2017.

Invoca is the latest company from the Santa Barbara area to reach the \$1 billion status, following others like AppFolio, Procure, Apeel, and Evidation.

Johnson said he hopes to hire at least 50 more employees in the coming months, given market conditions.



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SOLD 2/22	Santa Barbara	8 Apartment Units	\$ 5,950,000 (Buyer/Seller)
SOLD 2/22	Santa Barbara	5 Apartment Units	\$ 3,950,000 (Buyer/Seller)
SOLD 12/21	Santa Barbara	2 Development Lots	\$ 2,600,000 (Buyer/Seller)
SOLD 12/21	Isla Vista	Development Lot	\$ 750,000 (Buyer/Seller)
SOLD 11/21	Santa Barbara	Retreat Compound	\$ 7,500,000 (Buyer/Seller)
SOLD 8/21	Isla Vista	2 Apartment Units	\$ 1,585,000 (Buyer/Seller)
SOLD 7/21	Goleta	2 Commercial Spaces	\$ 1,168,000 (Buyer/Seller)
SOLD 9/20	Isla Vista	4 Apartment Units	\$ 2,950,000 (Seller)
SOLD 8/20	Santa Barbara	2-Unit Vacation Rental	\$ 1,925,000 (Seller)
SOLD 5/20	Santa Barbara	3 Apartment Units	\$ 1,325,000 (Seller)
SOLD 3/20	Goleta	4 Apartment Units	\$ 1,650,000 (Buyer/Seller)
SOLD 3/20	Goleta	4 Apartment Units	\$ 1,550,000 (Seller)
SOLD 1/20	Isla Vista	2 Apartment Units	\$ 1,630,000 (Seller)
SOLD 1/20	Goleta	4 Apartment Units	\$ 1,637,000 (Seller)

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