

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



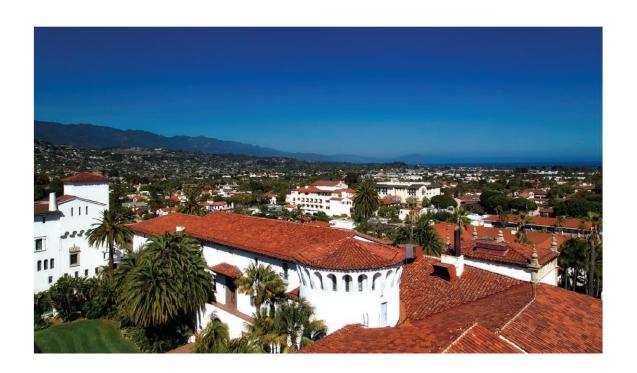
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Open but please call for an appointment

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### President's Message



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

First, the good news: Proposition 33 was voted down by 61% state-wide and by 59% in Santa Barbara County. THANK YOU to all of you who pitched in and made telephone calls; put up yard signs; helped educate the public about what the repeal of Costa-Hawkins would actually mean. It was effective. YOU did it.

Second, we need your help yet again. This past Tuesday, November 12<sup>th</sup>, the City Council had on its agenda as item 18 the Housing Crisis Ad Hoc Committee report and recommendations. However, instead of taking this item up as the last item, the Council took it up unannounced as its 1<sup>st</sup> item. Most of the housing providers were en route and had no chance to speak. Public comment was limited to a total of half an hour with the matter then being continued to December 3<sup>rd</sup>, please arrive early and speak.

The Housing Crisis Ad Hoc Committee Council Agenda Report is included at the back of this magazine (page xx), and I encourage you to read it.

The Ad Hoc Committee was formed on April 19, 2022 and on October 14, 2024, held a community workshop that was attended by some 100 people in person and 64 people by Zoom. The participants recommended that the City Council prioritize its efforts in the following categories arranged in order from most votes to least: 1) increasing truly affordable housing supply (not just a few low cost housing units with the remainder of the development being far above market); 2) education and access to information because it is still almost impossible for the average housing provider to find the information about City ordinances and then interpret them since there are so many variables; 3) incentive programs for housing providers; 4) support for innovation such as co-ops, etc.; and as the very least agreeable 5) regulation and City programs, because there are already so many state rules that adding another layer of local government regulation on top is very detrimental to the continuation of the Mom and Pop housing market as well as the general housing market.

We understand that it will also be recommended by certain City Council members that a 2% rent cap be imposed for rental units within the Santa Barbara City limits. This will cause housing providers to sell. It is not sustainable to have a 2% cap on rents when insurance costs are rising to double and the cost of maintaining rental properties are astro-

nomical. Since the fires and floods, contractors are hard to come by and they don't come cheap.

There is not a fair rate of return for housing providers.

Another nail in the coffin to the housing industry would be the imposition of a Rent Registry. This sort of program was expected by the Santa Barbara City Attorney, when it was first proposed, to cost **1.5 million dollars** to put in place and then cost **5 million dollars per year** to administer. It would allegedly track housing stock, housing vacancies and rents, and evictions. What would it gain? That does not seem to be spelled out anywhere because it would not gain anyone anything. Housing stock would not increase by knowing statistics. And, where is this enormous amount of money supposed to come from? Housing providers cannot afford it. Can the City budget afford it?

Please come out and speak on December 3, 2024 at the City Council meeting beginning at 2:00 p.m. no matter what agenda item this will be assigned so that you will have a chance to make your opinion heard.

The Holidays are coming. Please enjoy your time with the ones you love who are with you and bring to life those who have passed.

Happy Holidays to everyone.

Sincerely,

Betty L. Jeppesen President

P.S. "How To" instructions for the City Council Meeting is included on page 32, and the Housing Crisis Ad Hoc report on page 34.



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BUYERS & SELLERS REPRESENTED THROUGH 6/30/24 77

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### **SBRPA Calendar**



City Council Meeting - Rent Control Comments

Tuesday, December 3, 2024 · 2:00 PM Santa Barbara City Hall

Come make your thoughts known to the SB City Council on Rent Control. "How To" Talking points (page 32) and the Housing Crisis AdHoc Committee Report (page 34) are both available at the back of the magazine. You can find more information on our website, www.sbrpa.org.

### SBRPA Annual Members Meeting



Tuesday, December 10, 2024 12:00 noon-1:30PM zoom Zoom link will be provided to members

The SBRPA Annual Members meeting will include speakers Therese Twomey, Betty Jeppesen, Jim Cole, and NAA's Maria Spencer. They will provide comment on the State of the Union plus recent legislation and new laws going into effect in 2025. We will also, vote on the proposed slate for the Board of Directors 2025-2027. See page 15.



SUN	MON	TUE	WED	THU	FRI	SAT
1	2	Rent Control Mtg 2:00 PM City Hall	4	5	6	7
8	9	SBRPA Annual Mtg - Zoom 12:00 noon	n	12	13	14
15	16	17	18	19	20	21
22	23	24	25 Christmas Day Hanukkah begins	26	27	28
29	30 <b>Q</b>	31	3		R	<b>M</b>

No December events

The landlord for SBRPA's office building requires the outside doors be locked at all times due to security issues. If you want to visit the SBRPA office, please contact us in advance so we can unlock the door for you! We would love to have you visit. Email admin@sbrpa.org or call 805-687-7007

### WELCOME NEW MEMBERS

Eleanor Donohoe, Holly Angel, Stephanie Rachford, and Esther Andrews

Merry Christmas, Happy Hanukkah & Best of the Holiday Season!



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706-708 E Haley St Santa Barbara Premier Mixed-Use Opportunity List Price: \$3,595,000



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### CalRHA Legislative Updates



Kate Bell, KateBellStrategies.com

November 2024

### **Election Update-Rent Control Fails**

In a huge win for the California rental housing providers, Proposition 33 failed and yet again, like its predecessors Propositions 10 and 21. This is the third such failure for proponent, Michael Weinstein of the AIDS Healthcare Foundation, who has both initiated and supported three similar rent control expansion initiatives here in California.

In addition, this year, another measure, Proposition 34, impacts the Proposition 33 proponents by restricting future funding of political activities such as funding rent control ballot initiatives, which if the current vote count "sticks," would be another win for California's housing providers. That margin on Proposition 34, though, has narrowed in recent days to only 50.8% "YES."

Overall, at this time, just 6 of the 10 initiatives are currently passing, including \$10 billion bonds for school construction and climate change, and Proposition 36, which is the tough on crime ballot initiatives that increases charges and sentences for certain drug and theft crimes.

### **Initiative Outcomes**

- <u>Proposition 2</u>: Authorizes Bonds for Public School and Community College Facilities – Yes 58.2% / No 41.8%
- Proposition 3: Constitutional Right to Marriage Yes 62.4% / No 37.6%
- Proposition 4: Authorizes Bonds for Safe Drinking Water, Wildfire Prevention, and Protecting Communities and Natural Lands from Climate Risks-Yes 59.3% / No 40.7%
- Proposition 5: Authorizes Local Bonds for Affordable Housing and Public Infrastructure with 55% Voter Approval-Yes 44.5% / No 55.5%
- <u>Proposition</u> 6: Eliminates Constitutional Provision Allowing Involuntary Servitude for Incarcerated Person-Yes 46.4% / No 53.6%

- Proposition 32: Raises Minimum Wage– Yes 48.9% / No 51.1%
- <u>Proposition 33</u>: Expands Local Governments' Authority to Enact Rent Control on Residential Property-Yes 39.5% / No 60.5%
- <u>Proposition 34</u>: Restricts Spending of Prescription Drug Revenues by Certain Health Care Providers-Yes 50.8% / No 49.2%
- <u>Proposition 35</u>: Provides Permanent Funding for Medi-Cal Health Care Services-Yes 67.6% / No 32.4%
- <u>Proposition 36</u>: Allows Felony Charges and Increases Sentences for Certain Drug and Theft Crimes-Yes 68.8% / No 31.2%

### **Legislative Races**

Votes continue to be counted, but if the results hold, there would be a Republican pick-up in the State Senate, bringing the Democrat / Republican split to 30-10, after Senator Alvarado-Gil changed from Democrat to Republican earlier this year. If results hold in the State Assembly with an increase of



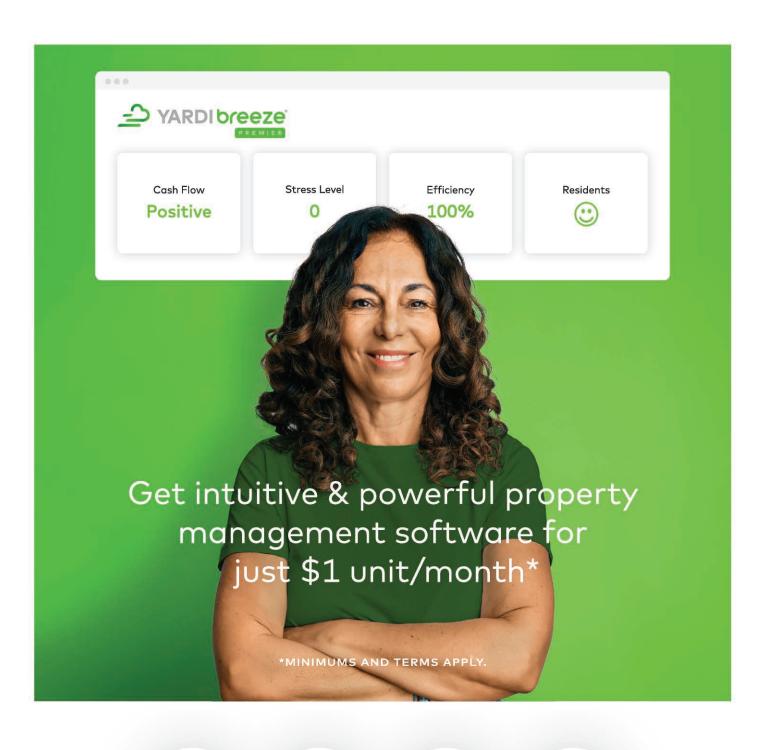
CA Senator Marie Alvarado-Gil

two Republicans, the split in the Assembly would be 60-19.

Republican and former Assembly Member, Vince Fong, is now in the U.S. Congress and Governor Newsom is expected to call a special election to fill this seat, Assembly District 32. Regardless, Democrats still have a solid supermajority in both houses.



U.S. Congressman Vince Fong













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### CalRHA Legislative Updates from page 11

Most incumbents were reelected, and four Assembly Members ran for and were elected to the California Senate. Furthermore, at least three additional Senate districts will be represented by women, up to 21, and 38 of the 80 Assemblymembers will be women. Those numbers could grow to 60 of the 120 seats represented by women, once all ballots are counted.

#### **Close Senate Races**

In Senate District 37, Republican Choi leads with 50.9% of the vote over Democrat incumbent Josh Newman. The split is 224,427 votes to 216,922. This may be a Republican Party pick-up

In Senate District 35, Moderate Democrat Laura Richardson is leading over Democrat Michelle Chambers with 50.5% of the vote



### **Close Assembly Races**

In Assembly District 36, Republican Gonzalez leads Democrat Acuna with 51.3% of the vote. This would be a Republican pick-up, as the seat was held by Democrat Eddie Garcia.

In Assembly District 47, incumbent Republican Wallis is currently leading over Democrat Holstege by 50.7% and less than 3,000 votes.

In Assembly District 58, Republican Castillo leads with 50.2% of the vote. This would be a Republican pick-up, as the seat was held by Democrat Sabrina Cervantes.



Full and up-to-date election results may be found at <a href="https://electionresults.sos.ca.gov">https://electionresults.sos.ca.gov</a>, as well as the close contests at <a href="https://electionresults.sos.ca.gov/returns/close-contests">https://electionresults.sos.ca.gov/returns/close-contests</a>.

### **Legislative Update**

In response to Trump winning the Presidential election, Governor Newsom called a special session to protect California values.

The link to his press release may be found at https://www.gov.ca.gov/2024/11/07/special-session-ca-values/

The plan is for a \$100 to \$150 million appropriation to the Attorney General for potential federal litigation.



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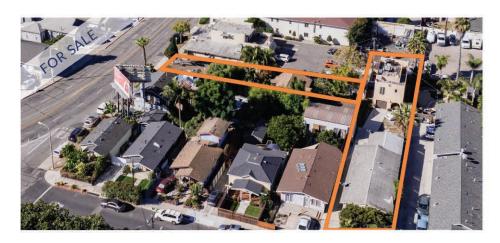


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# **ELECTION RESULTS**

As of 8 a.m., Nov. 6, 2024 with 95% of precincts reporting. Results will be certified by the Secretary of State by December 13, 2024.

### PROPOSITION

Eliminates Costa-Hawkins protections and allows local jurisdictions to expand rent control.

YES

38.4% VOTE

61.6%

NO

### PROPOSITION

Restricts how providers spend prescription funds.

YES

51.5% V O T E

48.5%

### PROPOSITION 36

Increases penalties for repeat theft crimes and certain drug crimes.

YES

70.4% VOTE

29.6%







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PENDING	Isla Vista	5 Apartment Units	\$ 3,950,000
SOLD	Lompoc	Commercial + Vacant Lot	\$ 885,000 (Seller/Buyer)
SOLD	Santa Barbara	6 Apartment Units	\$ 2,575,000 (Buyer)
SOLD	Santa Barbara	10 Apartment Units	\$ 5,020,000 (Buyer)
SOLD	Isla Vista	Investment SFR	\$ 1,350,000 (Seller/Buyer)
SOLD	Santa Barbara	19 Apartment Units	\$ 4,800,000 (Buyer)
SOLD	Santa Barbara	Commercial Condo Suite	\$ 875,000 (Seller)
SOLD	Santa Barbara	8-Key Hospitality	\$ 5,200,000 (Seller)
SOLD	Carpinteria	Mixed-Use / Hospitality	\$ 5,650,000 (Seller)
SOLD	Gaviota	Development Parcel	\$ 4,285,000 (Seller)
SOLD	Isla Vista	Development Lot	\$ 2,500,000 (Seller)
SOLD	Santa Barbara	Commercial Retail	\$ 2,150,000 (Buyer)
SOLD	Santa Ynez	Commercial Vacant Lot	\$ 900,000 (Seller)
SOLD	Santa Barbara	4 Apartment Units (beach)	\$ 8,835,000 (Seller)
SOLD	Santa Barbara	Mixed-Use 2 Spaces + SFR	\$ 4,887,500 (Seller)

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# SBRPA Annual Member Meeting

& Briefing on National, State & Local Legislation

Tuesday, December 10 2024 • 12:00 noon-1:30PM via Zoom

Therese Twomey, Betty Jeppesen, Jim Cole, and NAA speaker Maria Spencer on State of the Union plus recent legislation and new laws going into effect in 2025. Also, election of Board Member Slate 2025-2027





Therese Twomey

Therese Twomey joined High View Strategies with a mission to champion public policies that drive a more prosperous future for all Californians. Drawing from her diverse experience in the Administration, legislature, and influential Third House roles, she brings over 20 years of policy and advocacy expertise to the table.



Jim Cole

Attorney Jim Cole focuses his private client practice on transactional matters and litigation related to business and real property matters. In addition to buy/sell agreements, land purchase agreements, leases and other contract matters, Mr. Cole is instrumental in the formation and maintenance of corporate and LLC entities for his clients.



Betty Jeppesen

Betty Jeppesen is the current SBRPA President. She has 40 years' experience in real estate, landlord tenant litigation, contract, aircraft leasing law and civil litigation. California State Bar License 100947. California Department of Real Estate License 01247995 since 1998. Over 20 years' experience in direct commercial leasing management and contract law.



Maria Spencer

Maria Spencer has been NAA's Director, Federal Legislative Affairs since 2021. At this year's Advocacy and Legal Webinar (ALW) series She gave updates on progress with NAA's "big three" bills that reflect the industry's federal priorities. Maria high- lighted Capitol Hill-related actions impacting the industry rulemaking, and changes in the Appropriations Committee.



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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 County. Feature our 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 employees of our member companies. For more information and to register for our site, go to <a href="https://rentals.coastalhousing.org/">https://rentals.coastalhousing.org/</a>



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National Apartment Association

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In 2021, the National Apartment Leasing Professional credential changed its name to the Certified Apartment Leasing Professional credential. The newly named CALP credential continues to ensure that leasing professionals throughout the industry are fully prepared for success.



CAS allows you to network with your peers from other companies, learn about the benefits and activities your local apartment association offers and engage in apartment association meetings and events. This is an opportunity for suppliers to hear the everyday challenges faced by apartment/manager customers. NAAEI will launch a new supplier-focused program in 2024. Any Questions on the program can be directed to NAAEI at education@naahg.org.



Independent Rental Owner Professional. Whether you are a new or experienced independent rental owner, earning your IROP gives you an "insider's view" of professional property ownership and management practices.



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Earning your Certificate for Apartment Maintenance Technicians (CAMT) validates your knowledge, enhances your reputation and credibility, boosts your confidence and earns you respect.

The CAMT program is accredited by the American National Standards Institute (ANSI), a private non-profit organization that administers and coordinates the U.S. voluntary standardization and conformity assessment system.



Earning your Certified Apartment Portfolio Supervisor (CAPS) takes you to the next level in property management. It fast-tracks your career advancement and your corresponding earning potential.



The Credential for Green Property Management was developed in partnership with the National Affordable Housing Management Association (NAHMA) for those management companies that have opted for OAHP green restructuring, providing a mechanism for meeting their initial and ongoing training commitments.

To learn more about NAA's Education & Career programs, go to naahq.org/education-careers





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### Rental Owner Updates

### RENTAL PROPERTY UPGRADE

More and more landlords who are advertising their vacant rental homes are wondering if they now need to offer a little more (i.e. upgrades or amenities) than they have offered in the past to make the property appealing to prospective renters.

What would you think would be the #1 upgrade you can do to a rental for wow factor or what you think seals the deal for prospective tenants to want to rent from you?

Landlords from across the country responded to this hot topic. Ideas for possible upgrades or amenities included:

- Back splash
- Countertop Dishwasher
- · Storage Shed in the back yard
- Paid lawn care.

These days – fresh paint, new carpets and a dog fenced area. Most would also like lawn care included.

- RB, TN

I could do some dog fences at some of the SFH's. I'm wondering if I should start doing some accent walls with knotty pine. Maybe some small countertop 24" dishwashers in apartments that don't have any dishwasher. Wi-Fi controlled light switches? Just brainstorming here.

-NE, PA

Commercial porcelain flooring where not only a upgrade but will last a very long time along with easy cleaning when move out.

Grade one or grade two locks can be key mastered will outlast cheap grade three dead bolt locks. Using a dead bolt then passage lock where they will never lock themselves out.

I bought ceiling fans at the restore where found it was not worthwhile to spend for new.

Metal switch and receptacle covers that do not get broken.

- Robert, ON Canada

To stand out, I offer privacy fenced back yards, doggy doors, and big storage sheds. It seems like people have a lot of junk and are looking for extra storage.

Scott, IN



Almost every house for rent here looks the same and I swear they copied us!!!!

It's recent: grey-ish walls, Allure/LVT flooring, white or grey cabinets.

We always add ceiling fans (necessary in the south.)

Laundry facilities are huge as we have like ONE laundromat and it's always full and dirty. Maybe we have two now but they are 30 miles apart.

A dishwasher is appreciated but I've never felt it made THE decision. Just a nice bonus.

Honestly when it's clean and fresh, with all appliances in place, what tips the balance is always location. Not something we can fix.

- WMH, NC

Here are my choices, not in any special order:

- 18" built-in smaller automatic dishwasher
- Second window/wall a/c in the master bedroom (other a/c in the living area)
- Access to a laundry room with coin-operated machines.
- Second parking spot or area for scooters and bicycles (Secure).
- Garden area with hose. I provide tools, electric tiller, etc.
- Upgrade from carpet to laminate flooring.
- New Blinds every 5 years as needed.

Finally, a pet (dog) that passed an obedience training course. When I show units and the applicant has a dog, I take them to my tenant, Mariana, a 70 year old lady with a small/medium dog. When I knock on her door the dog will bark for 20 seconds. Then when I open up her door, her dog will jump into my arms and wag it's small tail. This dog is a lover and not a fighter. I then ask my applicant if their dog would love attention or bite my head off... A pass or fail thing.

Robert J, CA
 Continued on page 27

CARPETS VINYL DRAPES BLINDS

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### Mr Landlord from page 25

Weekly rent is especially helpful right now, plus I'm having to do move in money payment plans. Today was \$1300 now and the remaining \$209 over the next 30 days, \$447.50 bi-weekly.

Paint, updated hardware, not expensive. Procleaned and smelling sweet.

MY one thing is to HGTV-ify the home. A package. I don't think any one thing makes it happen. Beautiful ad photos are part of the HGTV package. I am aghast with the photos some LLs and realtors post. I don't have SFH prospects asking about tech.

— Brad, IN

It starts with the curb appeal. First impressions are hard to change.

Paint the door with an accent color. Modern porch light, fancy house numbers, upgrade the 4x4 or metal post to something beefier and modern. Add some fall decorations to make it look festive. Maybe some nice silk flowers or some mums in a pot on the front porch.

Edge of the sidewalks and curbs, power wash the sidewalks, and put a mold killer on the roof if it's green or black. Sparkling clean windows.

Everything here could be done for under \$500.

- Mike A, TX

### A HOME WITH ODORS CAN RUIN ALL YOUR EFFORTS

You may be doing all you can to add amenities or upgrades to make the home more appealing, however, a



home with an odor can make the home a complete turnoff to prospective renters.

Whether it's a lingering pet odor or cigarette smell, you will probably be able to rent your property faster if there are no such odors present in your property. If your rental property has any odor problems, we recommend you use a product called *OdorXit* to eliminate all the odors! The odors this product guarantees to eliminate from rental property include odors from pet and animals, urine and feces, and various household odors. For more info, go to: <a href="https://www.odorxit.com">https://www.odorxit.com</a>.

#### **OZONE GENERATORS**

For major entire house odors, under some circumstances you may want to consider using (with caution) an ozone generator.

Excellent machines. We have two and have used them in extreme situations and they work.

They also kill bugs as not-so-side benefit (and anything alive in the house, thus the reason for not living there or trying to raise plants while using one.

- WMH, NC



I either use a wireless switch which I can turn on/off from outside, or plugged into a basic hardware store timer.

Note you are actually supposed to crack a window in the room the unit is in for more ozone production than you will get in a totally closed up room as the generator needs a small amount of O2 produce that. In a totally closed room a lower percentage of ozone.

Also don't set the unit on the floor as the ozone is heavier than air and again will stop producing as much if the concentration is high. I see that some ozone companies want the unit at least on a table or counter.

- Hollis, MA

Ozone Generators can be a very powerful tool for removing odors in rental situations. I own a commercial cleaning company & rental properties. You must be careful with ozone machines. Depending on the concentration or strength of your machine, you cannot have anything living (plants or people) in the structure while you are using these machines. It is also recommended that you fully ventilate the area before you enter without proper PPE. Also, people do not realize vou cannot freshly clean a carpet, leave it wet and run an ozone generator at the same time as it "can" with the right chemicals create hydrogen peroxide in the air. Also, ozone can travel through thinner walls with the radio wave variety machines, so it is not for duplex living situations. Please be educated about this very useful tool in odor removal for your safety and your tenant's - Lesa, NY safety.

I bought one off Amazon for around \$300. It generally works well on organic odors, but have had to re-treat the same house several times.

I like to set it at the HVAC return and leave the HVAC fan set to "on". Mine has a timer. I generally set it to full strength and 12 hours. Make sure the machine has stopped at least 2 hours before entering the space. Ozone dissipates rapidly on its own.

Mine has plates that must be kept clean and replaced. New plates make a big difference.

- Gevans, SC



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### Santa Barbara Happenings



Terry A. Bartlett - Reetz, Fox & Bartlett LLP

## Seemingly Innocent, U.S. Government's New FinCen Has Deep Roots and No Respect for Your Privacy

On January 1<sup>st</sup>, 2024, the Corporate Transparency Act, which requires owners of businesses with



a revenue under 5 million and less than 20 full time employees to self-report to the federal government's Financial Crimes Enforcement Network ("Fin-Cen"), went into effect. Most businesses will be required to be registered by January 1st, 2025 and those who have not

reported by that could face fines up to \$10,000, civil penalties of up to \$591 per day and 2 years imprisonment. Enforcement is retroactive so you are required to report if you owned a business in 2024 even if you no longer own the business or the entity was dissolved.

Previously, entity creation and ownership has been a state issue. In March, a federal court ruled that the Corporate Transparency Act was unconstitutional, but the holding only affects the plaintiffs which included businesses that were members of the National Small Business Association. The Department of Justice is appealing the decision.

# Central planning in the Age of AI: 'Even though history has shown the failures of central planning, it still retains an evocative lure.'

In a recent Q & A, Lynne Kiesling, an economist who is also a senior fellow at the American Enterprise Institute, and a research professor at the University of Colorado, Denver, discussed the inefficiency and ineffectiveness of central planning.

Central planning which is based on data will be deficient if the personal experiential information (personal choices) is not able to be expressed through individual decision-making (i.e. markets with price systems). If individuals don't choose what they want based on prices, then it can't be known what people need and want and how much they can and will pay for it which is the data that a central planning system would use to make its decisions. This means that the decisions of a central planning system will be flawed due to lack of accurate data. As Kiesling states: "Markets play the role of knowledge ecosystems that coordinate across so

many people, mostly strangers, so that they can each achieve their plans." Without price systems being changed based on the decisions of individuals, there won't be an accurate understanding of the value of things.

### Accessory Dwelling Units and Who Lives in Them in 2024

According to a survey by the Santa Barbara County Association of Governments (SBCAG), the total cost of building an accessory dwelling unit (ADU) is significantly lower in North County than South County. In North County, the average cost is \$141,056 and the average rent charged for an ADU is \$1,904. In South County, the average cost of building an ADU is \$242,193 and the average rent charged for an ADU is \$2,657.

Surprisingly, only 59% of ADUs in the more expensive South County are used for rentals with many being used for storage, entertainment rooms, or home gyms, while 77% of the ADUs in North County are rentals.

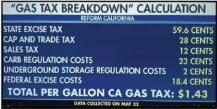


Preapproved ADU Program image from City of SB website

Throughout the county, 49% of ADUs are built in Garages, 31% are additions to the home and 20% are conversions. Most of the ADUs in the county are used to house family members either for free or at below market rental rates.

### **CA Again Making Things More Expensive**

The California Air Resource Board's Carbon Credit Proposal, which was approved on November 8th,



could raise the price of gasoline by \$1.43 a gallon next year. This would, in turn, raise the cost of goods shipped through Califor-

nia as well as airline tickets into and out of the state. As, 40% of goods in the U.S. are shipped

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\$ 630	\$ 63	1/4 page
\$ 450	\$ 45	Business card

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### Santa Barbara Happenings from page 29

through Los Angeles, California's proposed Low Carbon Fuel Standard Fuel Program amendments would likely affect all Americans.

### County Supervisors Appointed People to Dozens of Uncontested Special District Seats

In November, the County Board of Supervisors appointed 41 people to special district boards for seats that were off ballot or had no one file a declaration of candidacy. Some of the additional 32 off-ballot seats are appointed by cities and school boards.

### California Continues to See More People Leaving Than Moving In

The most recent published statistics show a negative net migration of 268,000 in California. Most of those leaving California are moving to Texas, Arizona, Nevada, Washington, or Florida. Most of those migrating to California from another state are coming from Texas, New York, Washington, Nevada, or Oregon, or are from a foreign country.

### Housing Providers Get Ready for a Wild Ride in the City of Santa Barbara

In an election marked by a less-than-expected turnout, Santa Barbara city voters elected two City Council candidates who strongly support rent control: incumbent Oscar Gutierrez in District 3 and a newcomer to the city council, Wendy Santamaria in District 1. Depending on the reliability of the candidate statements, that means there will now be four councilmembers — a voting majority — who support hardcore rent and price control.



Wendy Santamaria Oscar Guti

Wendy Santamaria *(image*s

amaria Oscar Gutierrez (images Independent.com)

### California Takes Controversial Approach to Fentanyl Crisis

Illicit usage of the extremely potent synthetic opioid Fentanyl is leading to many deaths. Nationwide, state and local governments expect \$50 billion in legal settlements with distributors and manufacturers of the opioid over the next 2 decades. California will likely receive \$4 billion of that settlement money to abate illicit opioid usage.

So far, California has used money it has received on "harm reduction" such as opioid overdose reversal medication, needle exchange programs and public education regarding opioids as well as ad campaigns attempting to reduce the stigma around opioid usage but not on public education and ad campaigns detailing the extreme danger posed by opioid usage as was done to discourage people from smoking for instance.

Many have criticized this approach as ineffective. The graphic warnings on cigarette packages and in advertisements against smoking appeared to reduce cigarette usage significantly while the 12% of those who receive opioid overdose reversal medication die of an overdose only a few months later.

### County Board of Supervisors Approve Senior Mobile Home Park Overlay to Prevent Redevelopment

The Santa Barbara County Board of Supervisors voted recently to enact a temporary ordinance that prevents the conversion of senior only mobile home parks to all ages. An action that was partially motivated by the new owners of Del Cielo Mobile Estates



in Orcutt seeking a legal way to convert the park to all ages. The Board of Supervisors worried that one of the only affordable housing options for seniors would be threatened if senior only parks

were allowed to be converted. The new owners of Del Cielo argue that the ordinance is discriminatory.

## Very Few Universities Require a U.S. History Course for Students to Graduate with a B.A. in History

According to a report published by the American Council of Trustees and Alumni (ACTA), only 1 of the nation's top 25 national universities (UC Berkley), only four of the top 25 public universities, and only three of the top 25 liberal arts colleges, require all history majors to complete a wide-ranging course in U.S. history.

In order to combat this trend, some universities are creating programs like Arizona State University's School for Civic and Economic Thought and Leadership and University of North Carolina – Chapel Hill's School of Civic Life and Leadership. The ACTA is attempting to convince trustees and legislatures that establishing these centers is a priority so that our citizens can make informed, democratic decisions.

Terry A. Bartlett is a real estate, housing, and landlord-tenant attorney at Reetz, Fox & Bartlett LLP in Santa Barbara.





### Santa Barbara City Council Rent Control "HOW TO" for City Council Meeting, Rent Control

Thank you for attending the City Council meeting today!

There is quite a bit that happens during a City Council meeting so below are a few suggestions about the process:

- Please find a seat or stand in the back of the room. If there isn't enough room please step into the ante room behind Council Chambers or into the hall.
- Please remain quiet during the agenda item, even if you are in another room or the hallway. Sound carries in City Hall.
- There may be comments that you agree with or disagree with during the discussion of the agenda item. Please remember to be respectful and do not cheer or boo or make comments. This distracts the staff and the Councilmembers and is disrespectful.
- If you wish to speak you must fill out a speaker card which is located in back of the room on a table.
   You will be limited to 1-2 minutes for your comments. The timing will be determined by the Mayor depending on how many speakers he thinks there will be.
- If you need more than 1- 2 minutes, have someone yield time to you. They must fill out a speaker
  card and write that they wish to yield their time to you. It's important to note that the person
  yielding the time must still be present in the room.
- If you are speaking and someone has already spoken to your points, please keep your comments brief and note that you concur with the previous speaker. Remember, brevity is key!

### SUGGESTED TALKING POINTS:

Good afternoon Mayor and Councilmembers.

My name is \_\_\_\_\_\_ and out of the 20 recommendations from the Housing Crisis Ad Hoc Committee, I support the majority of the recommendations especially education and access to information, increasing affordable housing supply, incentive programs, and support for innovation.

I do not support any sort of additional regulation, especially rental registries, a rent stabilization ordinance, or mandatory mediation for certain rent increases.

Please listen to the community and support the recommendations that have overwhelming approval. Please stop dividing our city with regulations that will pit community member against community member and instead unite us with the recommendations especially education and access to information, increasing affordable housing supply, incentive programs, and support for innovation.

Thank you for your time.

### IF YOU WOULD LIKE TO MAKE A SPECIFIC POINT ABOUT THE RECOMMENDATIONS WE OPPOSE:

Good afternoon Mayor and Councilmembers.		
Committee, I support the majority o	_ and out of the 20 recommendations from the Housing Crisis Ad Hoc f the recommendations especially education and access to information y, incentive programs, and support for innovation.	
or mandatory mediation for certain ı	al regulation, especially rental registries, a rent stabilization ordinance, rent increases. I do not supporteak about from below here) because a:	

### **Rental Registry**

This has been debated up on the dais in the past and it did not move forward because of the exorbitant cost associated with it. It would take over \$1 million to create the program and then anywhere between \$2.5 to \$5.5 million dollars to administer the program. The City does not have this kind of funding and this should not fall on the backs of the property owners especially since other costs like insurance, maintenance, and utilities continue to multiply every year.

#### **Rent Stabilization Ordinance**

59% of City voters do NOT support rent control as is evidenced by the 2024 General Election results of Proposition 33. The State already mandates a rent cap which is fair and covers the cost of inflation because they understand that inflation needs to be a part of the equation. The City needs to understand that all of the costs associated with being a property owner do not work on caps, so why are you trying to push an even more stringent rent cap on us.

### **Mandatory Mediation for Certain Rent Increases**

There is not enough information on this point to be considered a recommendation. Does this mean someone will have to look over what a property owner does with their business? Would property owners have to justify, even more than they are doing with all the required notices and disclosures, to a board what they need to do to their property? If this is the case, we are concerned this would create a slippery slope which would lead to more regulation and "hoops" for housing providers, especially "mom and pops". Having a third party determine what an owner can do with their property could lead to a degradation of the property or more corporate owners since "mom and pops" won't be able to keep their properties.

Thank you for your time.

For additional information on the Rent Control subject, go to https://www.sbrpa.org/rent-control-2024



### CITY OF SANTA BARBARA

### **COUNCIL AGENDA REPORT**

AGENDA DATE: November 12, 2024

TO: Mayor and Councilmembers

FROM: City Administrator's Office

**SUBJECT:** Presentation on the Findings and Recommendations from the Housing

Crisis Ad Hoc Committee

**RECOMMENDATION:** That Council:

 Receive a presentation on behalf of the Housing Crisis Ad Hoc Committee regarding its key findings and recommendations; and

B. Advise staff on priorities and give direction for further research and exploration.

### **EXECUTIVE SUMMARY:**

The Housing Crisis Ad Hoc Committee was formed on April 19, 2022. Mayor Rowse appointed Councilmember Oscar Gutierrez as Chair and Councilmembers Alejandra Gutierrez and Kristen Sneddon as members. The motion approved was to create an ad hoc committee to address the housing crisis while folding in items of rent cap and a rent registry for further discussion.

The Committee began meeting in 2023 and formalized their objectives as follows:

- (a) Rely on local expertise and stakeholders to offer input, suggestions, and priorities for Council to consider in addressing the local affordable housing crisis;
- (b) Hold a community forum to solicit community input; and
- (c) Present to Council the full suite of suggestions with emphasis on the top recommendations from the Ad Hoc Committee with the goal of setting near and long-term priorities.

The Committee interviewed over twenty-eight (28) key stakeholder groups and member associations over this period to help form their initial findings and recommendations. A community workshop was also held on October 14, 2024 that included close to 100 participants along with 64 attendees that participated virtually through Zoom. The purpose of the workshop was to receive additional feedback on the Committee's findings as well

as how recommendations should be prioritized by City Council for further research and discussion.

#### DISCUSSION:

The State of California is facing an affordable housing crisis due to a combination of factors, and the City of Santa Barbara is no exception. This includes a critical affordable housing shortage, high cost of living including rising home prices and rental rates that are pricing out residents, and a persistent number of people experiencing homelessness.

The Housing Crisis Ad Hoc Committee was formed to explore these issues and identify policy and program recommendations for consideration by City Council. Several of the recommendations have already been incorporated into the City's 2023 – 2031 Housing Element¹ and are programmed for implementation with timelines, but others will require additional staff time and resources for extended research and to identify important considerations for potential implementation. As a result, staff seeks direction from the Council on the top priorities from those policy recommendations that are not already a part of the Housing Element implementation. This will help staff identify the resources needed to conduct additional research and community outreach on these policy ideas in the context of existing workloads. Staff also intends to incorporate the direction given at this meeting as part of the upcoming strategic planning efforts and will return to Council for a broader prioritization and resource allocation discussion in that context as well.

### Committee Findings

The Committee synthesized the following findings from key stakeholder interviews that helped shape their recommendations. The challenges identified by tenants include, but are not limited to, the following:

- High barriers to rental housing (e.g. three times the income needed, above 650 credit score, security deposits and not accepting co-signers)
- Rental prices are far outpacing wages
- Lack of compliance from property owners (e.g. no lease agreements, timing for eviction notices)
- Fear of retaliation and eviction
- Dwindling housing supply

The challenges identified by property owners include, but are not limited to, the following:

- Expenses are increasing (e.g. roof repairs, water and gas mains, electrical issues, rising construction costs, and insurance)
- City ordinances and regulations are obscure, hard-to-find, and not available in Spanish

<sup>&</sup>lt;sup>1</sup> The City of Santa Barbara's 2023 – 2031 Housing Element is available for reference at: <a href="https://santabarbaraca.gov/HousingElement">https://santabarbaraca.gov/HousingElement</a>.

- Fear of criminal prosecution
- Fear that if they don't keep up with rental increases, they won't be able to make up
  the needed income down the line to make needed repairs and upgrades and to
  keep up with other increased expenses
- Delays in getting through the permitting process and associated costs as a result

### Committee Recommendations

The Committee organized their recommendations into five different categories including: (1) education and access to information; (2) increasing affordable housing supply; (3) incentive programs; (4) support for innovation; and (5) regulation and City programs. During the October 14, 2024 community workshop, the Committee presented their findings and recommendations and solicited additional input from the public. Close to 100 people participated in person and weighed in on what was missing in the Committee's findings as well as how the recommendations should be prioritized. The feedback received is included as an Attachment to this Council Agenda Report.

The community workshop also had a virtual participation option through Zoom which included a total of 64 attendees. Given the significant number of participants, staff solicited feedback on prioritization through a poll that included the five broader categories. There were 34 responses to the poll and the top three priorities emerged as: (1) increasing affordable housing supply; (2) incentive programs; and (3) support for innovation including leveraging public-private partnerships. This input was weighted in the priority ordering included below.

The following recommendations are being presented in priority order based on this community feedback. The recommendations in italics are included in the City's 2023 – 2031 Housing Element.

- (1) Prioritize more workforce housing for the "missing middle" (middle to upper middle-income households). The term "workforce housing" is typically used to refer to units for households that are overqualified for subsidized affordable housing yet cannot afford the average market-rate housing. Goal 2 in the 2023 2031 City's Housing Element commits to prioritize housing that is affordable to the workforce and vulnerable communities.
- (2) **Dedicate a permanent funding source for the Local Housing Trust Fund**. The Local Housing Trust Fund was established in January 2024. This is also included as Goal 8 in the City's Housing Element.<sup>2</sup> All inclusionary housing in-lieu fees were identified as the dedicated and continuous source for operations of the Fund for a minimum of the required first five years of the Fund's existence. However, this amount is insufficient to meet the affordable housing needs of the City of Santa Barbara.

<sup>&</sup>lt;sup>2</sup> 2023 – 2031 City of Santa Barbara Housing Element Program HE-16: Create Affordable Housing Funds, page 138.

- (3) Work to ensure that UCSB and SBCC are providing sufficient housing for their student populations. There were 13,427 enrolled students at Santa Barbara City College in Fall 2023 and another 26,420 students (including undergraduate and graduate) enrolled at the University of California, Santa Barbara. SBCC does not own or operate any on-campus student housing. For UCSB, approximately 38% of students live in campus housing and the other 62% of students choose to live off-campus. Of those living in the local community, approximately 5% (or 1,321 students), live in the City of Santa Barbara. Coordinating and discussing the issue with other local jurisdictions, UCSB and SBCC is included in the City's Housing Element.<sup>3</sup>
- (4) Implement a rent stabilization ordinance. This is also known as rent control and limits how much rent a landlord can increase and how often it can be increased. The California Tenant Protection Act of 2019 (TPA) already limits rent increases for most residential tenants. The maximum annual rent increase is 5% plus the percentage change in the cost of living for the region, or 10 percent, whichever is lower. The TPA does not apply to certain specific types of housing, such as housing built in the last 15 years.

Proposition 33 would have repealed the Costa-Hawkins Rental Housing Act that set the limits on how cities and counties could apply rent control, including the exemption of single-family homes, condos and any other housing built on or after February 1, 1995. Given that it did not pass statewide during this year's election and also with approximately 59% of City of Santa Barbara voters not in support, further staff research could potentially explore the impact that a new ordinance could have due to the current limits on local control as well as other rent stabilization strategies that could be implemented.

- (5) **Create a rental registry**. A rental registry is a database that contains information about rental properties and their owners. Landlords or housing providers would provide the information to comply with local ordinances. Information often includes property details, current rent and allowable rent increases, landlord contact details and management company information. Rental registries can assist cities in tracking rent increases and tenancy changes, monitor compliance with local ordinances, communicate rental unit data to landlords and tenants, and plan for infrastructure like schools and transportation. There are many different mechanisms for creating a rental registry and the more comprehensive registries can be extremely costly in terms of implementation and ongoing staff resources needed to support it. Options for implementing a rental registry should be weighed based on other competing priorities for the funding and staff resources needed to implement such a registry.
- (6) **Sustain a short-term rental enforcement program**. The City launched a one-year pilot program in August 2023 with the objective of gathering accurate data and increasing enforcement of unpermitted, illegal short-term rentals. This pilot program is being led by the City Attorney's Office and was recently converted into a permanent program. Goal 4

<sup>&</sup>lt;sup>3</sup> 2023 – 2031 City of Santa Barbara Housing Element Program HE-30: Affordable Student, Staff, and Faculty Housing, page 155.

of the City's Housing Element<sup>4</sup> calls for a future short-term rental permit program. Additional financial resources, which could be raised by permit program fees and penalties, would be needed to sustain creation and implementation of such a program.

- (7) Expand rental housing mediation program / consider mandatory mediation for certain rent increases. The City's Rental Housing Mediation Program (RHMP) was established in 1976 and currently comprises three full-time staff and a Board of 15 trained community volunteers appointed by City Council and dedicated to resolving rental housing disputes by offering mediation services and information on Landlord-Tenant rights and responsibilities. This program is included as a strategy under Goal 4<sup>5</sup> in the City's Housing Element but given the reduction in State funding utilized to support this program, an expansion would require additional budgeted resources by City Council.
- (8) Sustain the access to legal counsel program. City Council established a new access to counsel pilot program in July 2024 by providing up to \$250,000 in funding to the Legal Aid Foundation of Santa Barbara County to operate the program. The goal of the program is to provide legal services to tenant households at risk of eviction and support would be limited to very low-income tenant households who live in the City of Santa Barbara.
- (9) Create incentive programs for housing providers. This includes tax incentives for below market rental units, programs/credits for improvements and repairs, and allowances for capital improvements. A study conducted in 2021 by BAE Urban Economics indicated that multi-unit hard construction costs are upwards of \$388 per square foot of built space, not including parking hard costs of \$40,000 per podium space. Soft costs such as engineering, architecture, financing, and California Environmental Quality Act (CEQA) review costs, as well as City cost-recovery fees for planning, permitting, and entitlements, are equal to 19 percent of hard costs. In recent years, several factors have caused the increase in cost as well as the availability of construction materials and equipment.

The City's Housing Element<sup>6</sup> does include strategies specific to providing rehabilitation funds for affordable multi-unit housing and technical assistance and funding home improvements and repairs for income-qualified households, respectively. A pilot program to fund income-qualified improvements and repairs was initiated in partnership with Habitat for Humanity with an initial investment of \$50,000 to support approximately 10 homes annually.

<sup>&</sup>lt;sup>4</sup> 2023 – 2031 City of Santa Barbara Housing Element Program HE-19: Short-Term Rental Framework and Ordinance, page 147.

<sup>&</sup>lt;sup>5</sup> 2023 – 2031 City of Santa Barbara Housing Element Program HE-17: Support Rental Housing Mediation Program, page 140.

<sup>&</sup>lt;sup>6</sup> 2023 – 2031 City of Santa Barbara Housing Element Programs HE-24: Fund Home Rehabilitation and Provide Technical Assistance and HE-25: Fund Home Improvements and Repairs, page 151.

- (10) Implement voucher / rent relief program. This may include incentives for housing seniors and safety net rent bridging programs for tenants facing short-term financial hardships. The City partners with several local organizations to administer a Tenant Based Rental Assistance (TBRA) grant program that can be used for security deposit payments and/or monthly rental housing assistance for up to 24 months but it is specifically for low-income households including people who formerly experienced homelessness as well as those at risk of becoming homeless. Goal 3 of the City's Housing Element is to provide financial resources and supportive services for members of the community who need housing assistance.
- (11) Leverage public-private partnerships. This encompasses social impact investing, community-owned land trusts, employee-sponsored housing, and co-op/shared housing. Goal 7 of the City's Housing Element is to coordinate with regional partners including surrounding community and regional agency partners such as the Santa Barbara South Coast Chamber of Commerce to address regional housing issues, homelessness, and the jobs/housing balance. Establishing and sustaining these partnerships to advance strategic or targeted initiatives would require additional staffing capacity.
- (12) Form "tiny home" ownership program that would be developed and stewarded on City property. The City intends to evaluate City-owned sites for future housing development opportunities as part of a City Land Registry. The City will evaluate City-owned land (not including lands dedicated to parks and recreation purposes) including parking lots, to determine future needs and if the publicly-owned site could be donated, leased, or sold at a reduced price to develop affordable housing. A public-private partnership could also be explored to facilitate purchasing or financing of smaller homes that are more affordable for first-time home buyers.
- (13) Facilitate more housing opportunities for single parents that may include childcare and youth services. The 2015 2019 American Community Survey (ACS) estimated that 31 percent of all households in the City are female headed households. Of those, 13 percent are with children and 87 percent are without. Of all families under the poverty level, 48 percent are female-headed. The City's Housing Element highlighted that single parent households, in particular, female-headed households, generally have lower-incomes and experience higher living expenses. This makes it difficult to find safe, decent, and affordable housing. These households can also face challenges in attaining affordable childcare, health care, and other supportive services.
- (14) Streamline the permitting and building processes with dedicated timeframes and assigned staff to shepherd housing projects through. As part of Goal 1 in the City's Housing Element, the commitment is to reduce and, where feasible and practical, remove unnecessary City-imposed constraints that impede housing development. The Community Development Department has created an Ombudsman position for

<sup>&</sup>lt;sup>7</sup> 2023 – 2031 City of Santa Barbara Housing Element Program HE-14: City Land Registry, page 135.

<sup>8 2023 – 2031</sup> City of Santa Barbara Housing Element Program HE-5: Process Improvements, page 127.

commercial and multi-family housing applications to assist them through the design review and permitting processes.

- (15) Prioritize and fast track nonprofit housing development projects in the permitting and building processes. The Community Development Department's Planning Division implemented this recommendation earlier this year. All 100% affordable housing projects are moved to the top of the queue for plan check.
- (16) **Expand and diversify deed-restricted housing loan programs**. In Goal 2 of the City's Housing Element, it specifically refers to the use of deed restrictions and others measures to prioritize housing that is affordable to the workforce over other types of development.
- (17) Create incentives for property owners to build accessory dwelling units (ADUs). Per the City's Housing Element,<sup>9</sup> the City is working to implement procedural changes and will consider further ordinance amendments to assist ADU applicants and increase ADU applications. This includes use of pre-approved ADU plans consistent with design criteria. In May 2024, the City accepted submissions for designer-owned preapproved plans for detached ADUs. These plans will be considered for pre-approval by the City, with the goals of speeding up the review and approval process, guiding homeowners who may not know where to start, and ensuring that those homeowners work with qualified experienced professionals. Incentives could be facilitated through a public-private partnership in support of this preapproved ADU program to assist homeowners with permitting and construction costs.
- (18) Expand down-payment assistance programs and education for first-time homebuyers. The County of Santa Barbara has several programs to help with down payments for homeownership including Assist-to-Own, the Workforce Homebuyer Program, and Housing Trust Fund Down Payment Assistant Loan. Organizations and initiatives such as the Coastal Housing Partnership and the Housing Authority of the City of Santa Barbara Housing Day facilitate outreach for these programs but greater expansion would make it available to more first-time homebuyers in a competitive housing market.
- (19) Create more easily accessible City resources to help build greater understanding of tenant rights and housing provider rights and responsibilities. The City's Rental Housing Mediation Program webpage includes references to Municipal Code Title 25 Housing Regulations and offers opportunities to engage with City staff to help answer questions regarding landlord and tenant rights. However, this information is currently not offered in Spanish or in downloadable forms or checklists for easier reference and broader understanding. The City Attorney's Office webpage provides, among others, a link to Santa Barbara Municipal Code Chapter 26.50 "Just Cause for

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<sup>&</sup>lt;sup>9</sup> 2023 – 2031 City of Santa Barbara Housing Element Program HE-6: Facilitate Production of Accessory Dwelling Units (ADUs), page 127.

Residential Eviction" including the Spanish translation of the Ordinance and attached FAQ.

(20) Ensure that information is available in multiple languages and multiple modalities. This is included as Goal 6 in the City's Housing Element to educate and support the community about housing issues, affordable housing opportunities, and available resources and programs.

The question for the City Council is to identify which of the 20 programs and policy ideas outlined above are the highest priorities to Council in addressing the affordable housing crisis. This will help staff develop proposals to allocate additional resources for those already existing programs and/or to develop next steps, resource needs, and policy questions for new programs or policy ideas.

### Next Steps

Any of the recommendations that are prioritized by City Council and not included in the 2023 – 2031 Housing Element will require additional research and identification of important considerations for potential implementation. Cost proposals will also need to be developed in support of any additional staffing capacity and financial resources that would be needed to successfully implement new policies, programs or initiatives. Depending on the direction from Council, some of these proposals may be timelier and more appropriate for the next two-year budgeting process while others may be incorporated as Council priorities in the upcoming citywide strategic planning process.

### BUDGET/FINANCIAL INFORMATION:

The implementation of the City of Santa Barbara's 2023 – 2031 Housing Element has significant commitments and costs including additional staffing capacity through the Community Development Department, including the Planning as well as Housing and Human Services Divisions, along with the City Attorney's Office that was approved in the adopted Fiscal Year 2025 budget. Any additional recommendations that are prioritized by City Council for further research and implementation will incur costs above and beyond the adopted budget. Initial costs for dedicated staff time will be incurred, to the extent feasible with existing staff resources, by the appropriate City departments until more concrete proposals with associated costs are presented to City Council for consideration and implementation based on the priorities discussed at this meeting.

ATTACHMENT: Public Input from October 14, 2024 Housing Crisis Ad Hoc

Committee Community Workshop

PREPARED AND

SUBMITTED BY: Barbara Andersen, Sr. Assistant to the City Administrator

APPROVED BY: Kelly R. McAdoo, City Administrator

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