



## CITY OF SAN DIEGO

# RESIDENTIAL TENANT PROTECTIONS ORDINANCE: FREQUENTLY ASKED QUESTIONS

DISCLAIMER: THIS FREQUENTLY ASKED QUESTIONS (FAQ) HAS BEEN PREPARED TO ASSIST TENANTS AND LANDLORDS IN UNDERSTANDING THE RIGHTS AND OBLIGATIONS OF PARTIES AS A RESULT OF THE PASSAGE OF ORDINANCE O-21647. IT IS IMPORTANT TO NOTE THAT IF ANYTHING STATED IN THIS FAQ MAY APPEAR TO VARY OR CHANGE THE ACTUAL LANGUAGE OF ORDINANCE O-21647, THAT IS NOT LEGALLY PERMISSIBLE AND THE ACTUAL LANGUAGE OF THE ORDINANCE SHALL PREVAIL IN ALL CASES.

**1. Can the Tenant Protection Guide be provided electronically?**

The City of San Diego Residential Tenant Protections Ordinance O-21647 (ordinance) provides that the notice required under section 98.0705(a) must be in writing and the copy of Tenant Protection Guide under section 98.0705(b) must be included with the notice. The Tenant Protection Guide must be provided to the tenant in the same written format as the notice required under section 98.0705(a).

**2. I am a single-family home rental provider exempt under section 98.0703(l). When must the notice required by section 98.0703(l)(2) be included in a lease?**

Leases beginning or renewed on or after January 1, 2024, must include the required notice in the lease in order to claim the exemption under section 98.0703(l). For a tenancy existing before January 1, 2024, the notice required under section 98.0703(l) should be provided at or before the time of the legally required notice of termination of tenancy.

**3. For purposes of section 98.0704(b)(4), abatement of hazardous material may not always require a permit from a government agency. Is abatement of hazardous material considered an allowable use for a substantial remodel?**

If applicable federal, state, or local laws or regulations do not require permits to abate the hazardous materials in the residential rental property, the landlord may issue a termination notice that complies with the remaining requirements in section 98.0704(b)(4)(C) – namely the certification under penalty of perjury stating the reason for termination, the type and scope of the work to be performed, why the work cannot be accomplished in a safe manner with the tenant in place, and why the work requires the tenant must vacate for at least 30 days.