

MOTION BY SUPERVISORS SHEILA KUEHL AND
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Tenant Protection Legislation

A recent report by the California Budget and Policy Center (April 2019) highlighted the impacts that California’s housing affordability crisis is having on renters across the state, particularly low-income renters, and noted that the high cost of housing is one of the primary drivers of poverty in the state. The report also indicated that renters are particularly likely to have unaffordable housing costs, with approximately 54 percent of renters in California paying more than 30 percent of their household income on housing costs and approximately 28 percent paying more than 50 percent.

These already unaffordable housing costs are exacerbated by the fact that most California renters do not live in jurisdictions having local rent control laws, and state law currently allows landlords to implement unlimited rent increases with very short notice to tenants. Additionally, a landlord’s ability to terminate a month-to-month residential tenancy for no reason (with a 30- or 60-day notice) has led to an increase in discriminatory, arbitrary, and retaliatory evictions where tenants have little to no due process protections and limited access to legal representation. Individuals and families

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that are priced out of their homes or evicted can fall into unstable housing and homelessness for months or years.

This year, the State Legislature has put forward several bills intended to protect renters from unforeseen and unaffordable rent increases as well as evictions without just cause.

AB 1481 (Bonta) would help curb unjust evictions by prohibiting landlords from evicting tenants without just cause, defined as failure to pay rent, breach of a rental agreement, nuisance, waste, refusal to sign a new and identical lease after the previous lease has expired, and illegal conduct. The bill would also require landlords to give tenants an opportunity to cure certain breaches of the lease agreement prior to issuing a notice of termination and to provide relocation assistance in the case of no-fault cause terminations, such as when the owner intends to occupy the property, withdraw the property from the rental market, address problems of unsafe habitation and/or demolish or substantially remodel the property.

AB 1482 (Chiu) would prohibit residential property owners from raising a rental rate in an amount more than 5 percent plus a change in the cost of living as measured by the percentage change in the Consumer Price Index (CPI) over 12 months – not to exceed 10 percent including CPI in any given year. It would also prohibit a landlord from terminating a lease for purposes of evading this requirement. The bill would also require owners to provide notice of impending rent increases in accordance with current law.

Both of these bills represent a balance between common-sense tenant protection measures and property owners' rights when renting residential properties. AB 1481 would ensure that renters are provided a rationale for a landlord's decision to evict them,

as well as an opportunity to contest the notice. AB 1482 would guard against the most drastic and disruptive rent increases in places where tenants have no other protections. In communities with existing rent stabilization ordinances, such as the unincorporated areas of Los Angeles County, AB 1482 would defer to existing stricter local ordinances. It would also provide protections to rental housing units not covered under existing rent stabilization ordinances because of limitations on the units that can be covered under the Costa-Hawkins Act, such as units built after 1995 and single family homes. Anti-rent gouging protections are not a replacement for rent stabilization, but they are an important protection for renters who have no protections against rising rent increases today.

WE, THEREFORE, MOVE that the Board of Supervisors support AB 1481 and 1482 and direct the Chief Executive Office to send a five-signature letter in support of both bills to the authors.

S: MR/Tenant Protection Legislation