

Resolution No. 19 – 002

A resolution of the Rent Control Board of the City of Santa Monica in support of AB 36, respecting the application of local rent-control laws to single-family homes and new construction; AB 1481, respecting just cause for eviction; AB 1482, respecting rent gouging; SB 329, respecting discrimination against sources of income used to pay rent; AB 1399, respecting clarification of the Ellis Act; and SB 18, respecting legal assistance for tenants facing eviction.

The Rent Control Board of the City of Santa Monica resolves as follows:

WHEREAS in May 2018 the Board adopted a set of 15 legislative priorities and directed Staff to identify and bring to its attention bills introduced in the California Legislature that would advance any of those priorities; and

WHEREAS staff has identified six such bills; and

WHEREAS AB 36 (Bloom) would modify state law—specifically the Costa-Hawkins Rental Housing Act—to restore to local government the ability to control rent levels for certain single-family homes used for residential rental and buildings that are 20 years old or older; and

WHEREAS one of the Board’s legislative priorities is to support legislation that would ensure that the Board has the broadest authority to effectively enforce all provisions of the Rent Control Charter Amendment, as well as legislation that would protect vulnerable tenants from displacement from controlled rental units; and

WHEREAS AB 36 would satisfy these legislative priorities by granting the Board greater authority to enforce the Rent Control Charter Amendment as it exists currently and as it may be amended in the future, and by allowing the Board to impose rent-level protections on units that are now exempt from such protections under state law so that tenants will not suffer displacement as the result of rising rents; and

WHEREAS AB 1481 (Bonta) and AB 1482 (Chiu) are being pursued in the Legislature as a package with AB 36; and

WHEREAS AB 1482 would impose a limit on rents for in-place tenants in units that are not subject to a local rent-control law; such limits may be expected to reduce the economic incentive for landlords to seek exemptions from the Rent Control Charter Amendment to which they are not clearly entitled; and the bill specifies that it does not preempt local rent control laws; and

WHEREAS AB 1481 would impose just cause for eviction requirements statewide, without which AB 1482’s rent-limitation provisions would provide no meaningful protection and, like AB 1482, specifies that it does not preempt local rent control laws ; and

WHEREAS the Board’s legislative priorities include supporting legislation that would ensure its broadest authority to enforce the Rent Control Charter Amendment, and also supporting legislation that would provide protection against tenant displacement and evasion of tenant protections; and

WHEREAS AB 1482 and 1481 would satisfy these legislative priorities by specifying that state-wide tenant protections would in no way limit the Rent Control Charter Amendment’s more robust local

protections, and would also reduce incentives for landlords to evade local protections by seeking exemptions to which they are not clearly entitled; and

WHEREAS, SB 329 (Mitchell) would extend the state-law proscription against source of income protection to include payments by Section 8 and similar rent-subsidy programs; and

WHEREAS the Board's legislative priorities include supporting legislation that would allow tenants with financial need to have a portion of their rent paid by a third party, while protecting landlords from claims that such third-party payers establish a tenancy merely by virtue of payment; and

WHEREAS SB 329 would directly satisfy this legislative priority; and

WHEREAS AB 1399 (Bloom) would clarify that landlords returning units to the rental market after having Ellised them cannot extinguish a displaced tenant's right to return by paying punitive damages; it would also specify that, just as a landlord may not withdraw less than all units from the rental market, neither may they return less than all withdrawn units, with limited exceptions; and

WHEREAS the Board's legislative priorities include supporting legislation that expands protections against the abuse of the Ellis Act; and

WHEREAS AB 1399 would satisfy this legislative priority by clarifying that the statute does not prescribe an in-lieu fee allowing landlords to buy their way out of permitting displaced tenants to return to their homes, and does not permit landlords to use the Ellis Act as a tool to target long term, lower rent-paying tenants; and

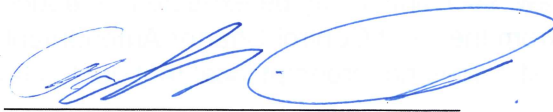
WHEREAS, SB 18 (Skinner) would provide statewide grants for rental assistance and legal aid for tenants facing eviction, and would also require the California Department of Consumer Affairs to regularly update and keep current its user guide to landlord-tenant law, which was last updated in 2012; and

WHEREAS the Board's legislative priorities include supporting legislation that would protect vulnerable tenants from displacement from controlled units and ensure tenants in controlled units full access to justice; and

WHEREAS, SB 18 would directly satisfy these legislative priorities,

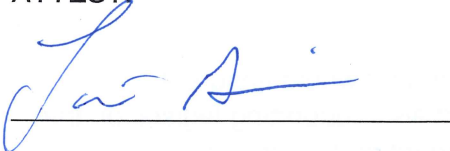
THEREFORE BE IT RESOLVED that the Rent Control Board of the City of Santa Monica hereby supports AB 36, AB 1481, AB 1482, SB 329, AB 1399, and SB 18.

PASSED, APPROVED, AND ADOPTED this 9th day of May, 2019.



Caroline Torosis, Chair

ATTEST:



Lonnie Guinn,

Board Secretary