



City of  
**Santa  
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# **Maintenance of Residential Rental Properties**

**Presentation for Tenants and  
Owners**

December 16, 2021

# Presented by

- Dan Costello – Public Information Manager
- Maurice Cochee – Code Enforcement Supervisor
- Micah Michalski – Information Coordinator



# What Requires Maintenance

- Rent Control
  - Deteriorated Conditions
  - Base Amenities
  - Housing Services





# *Deteriorated Conditions*

- Board Regulation 4200 lists examples of conditions that must be remedied.
- Includes conditions not expressly listed.
- New owners are responsible for deferred maintenance.



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# Examples of Maintenance-Related Conditions

- Board regulations provide remedies for failure to make necessary repairs inside units. These might include issues such as:

- painting
- floors and coverings
- leaks
- plumbing problems
- heat
- insect infestations
- counters
- grout
- screens
- appliances



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# *Examples of Maintenance-Related Conditions*

- Board regulations provide remedies for failure to make necessary repairs in common areas. These might include issues such as:

- porches
- dangerous walkways
- electrical problems
- worn paint
- broken windows or doors
- elevators



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# **Base Amenities**

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# How are Base Amenities Determined?

## Pre-1/1/1999 Tenancies

- The required base amenities and housing services are those provided on April 10, 1978 or the date the unit was first rented after April 10, 1978.

## Post-1/1/1999 Tenancies

- The required base amenities and housing services are those provided on the initial date of the current tenancy.
- Parking, storage or the right to have a pet become base amenities if added after the initial date of tenancy.



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# *Examples of Unit-Specific Base Amenities*

- Carpet
- Storage
- Appliances
- Drapes
- Parking



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# *Examples of Common Area Base Amenities*

- Yards, patios, balconies or play areas
- Landscaping
- Yard-care services
- Laundry facilities
- Recreational facilities
- Security gates, doors, fencing
  
- Electric Vehicle (EV) charging



# Housing Services

- Roommates
- On-site Management
- Owner-paid Utilities



# Questions?



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**Remedies**



# *Available remedies when there is a lack of maintenance*

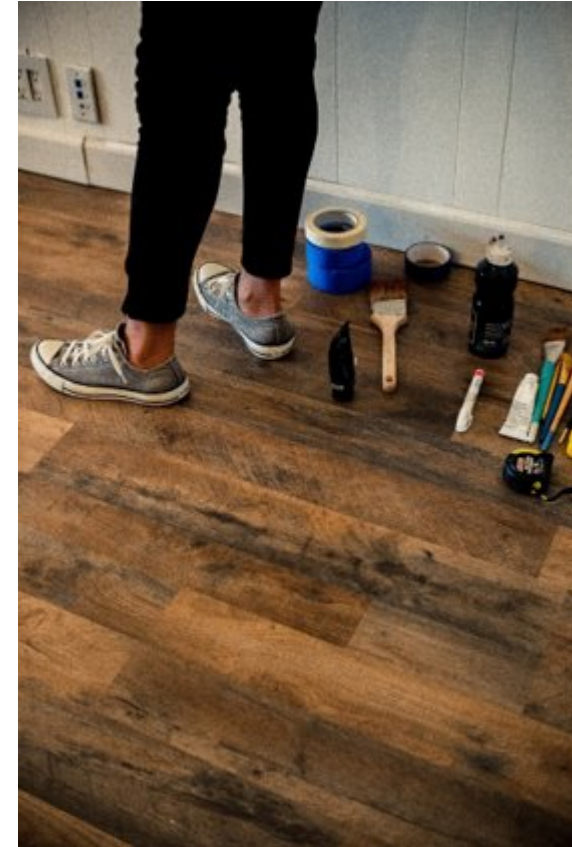
- Rent Control
  - Petition for Rent Decrease
  - Rent Decrease for Construction Impacts





# Rent Decrease Petition

- A tenant may file a rent decrease petition when an owner does not make necessary repairs.
- A tenant may also file a decrease petition when amenities or housing services are no longer provided.
- An owner may file a decrease petition requesting a rent decrease for the removal of a base amenity or housing service.



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# Rent Decrease Petition

- Tenant makes written request for repairs.
  - (A Code Enforcement Order can also serve as notice.)
- After 30 days, tenant files decrease petition with Rent control.
- Mediation conference is scheduled.
- If the matter is resolved in mediation, a written settlement agreement is signed setting out what will be done.
- If any issues are not resolved, a hearing is held.
- Hearing officer issues written decision
- Either party can appeal the decision to the Rent Control Board.



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# Rent Decrease Petition

- Regulation 4200 sets a decrease range for many possible issues.
- The Hearing Officer determines the amount of decrease based on the degree of deterioration, lack of maintenance, or limitation to housing service or amenity.
- The Hearing Officer or the Board may grant a decrease that is greater or less than the suggested range based upon the evidence that is presented at the hearing.
- Decreases remain in effect until the owner rectifies the issue and requests a compliance determination.



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# Construction-Related Rent Decrease

When and How

Can a Petition be Filed?

- Different process than regular rent decrease petition.
- Tenants notify Rent Control that substantial repairs, rehabilitation, or upgrades are planned.
- Agency will mail a notice to the landlord.
- Mediation may be scheduled prior to petitions being filed.
- Petitions are detail dependent.



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# Construction-Related Rent Decrease

How is a Petition Decided?

- Decreases may be granted when
  - a unit is uninhabitable due to construction
  - construction substantially reduces a housing service
  - construction interferes with a tenant's ability to occupy the unit as a residence.
- No decrease is authorized for unavoidable construction impacts caused by necessary repair or maintenance unless:
  - The construction is carried out in an unreasonable manner, or
  - The construction takes an unreasonably long time to complete



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# Construction-Related Rent Decrease

- Regulation 4400 sets a decrease range for many possible issues.
- Decreases are effective from the date the condition began.
- Mediation service available



- Examples include
  - inadequate construction management:  
10-75% of rent
  - safety:  
10-100% of rent
  - loss of access to stairs, walkways, hallways:  
\$15-175/mo.
  - loss or reduction of yards, patios, balconies, play areas or landscaping:  
\$15-175/mo.



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# Questions?



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# Santa Monica Code Enforcement

Presented by:

Maurice Cochee

Code Enforcement Supervisor

Code Enforcement Division



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# Code Enforcement Section

- Created as a Division in the City Government in 2011 to meet the growing demand of Code Enforcement calls for services which include the following:
  - Deteriorating housing conditions (85% of housing in Santa Monica is multi-family)
  - Construction work without permits
  - Zoning violations, Building Code violations, and other Santa Monica Code violations



# Overview of Required Maintenance

- Property owners must maintain housing according to minimum standards set by:
  - California Building Codes
  - California Health & Safety Codes
  - Santa Monica Municipal Codes





# Common Areas

- Accessory structures (garage/storage rooms)
- Laundry facilities
- Carports and parking areas
- Swimming pools, gates and fences
- Exterior electrical, mechanical and plumbing fixtures not attached to the building



# Building Structure

- Building exterior weather-proofing
- Roofs
- Stairs and Landings
- Entry ways and overhangs
- Exterior electrical, mechanical and plumbing fixtures attached to the building.



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# Building Violations

- Work without permit
- Construction hours
- Construction-related
- Bootleg units
- Residential substandard housing
- Dangerous buildings
- Noise complaints



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# Habitability (unit interiors)



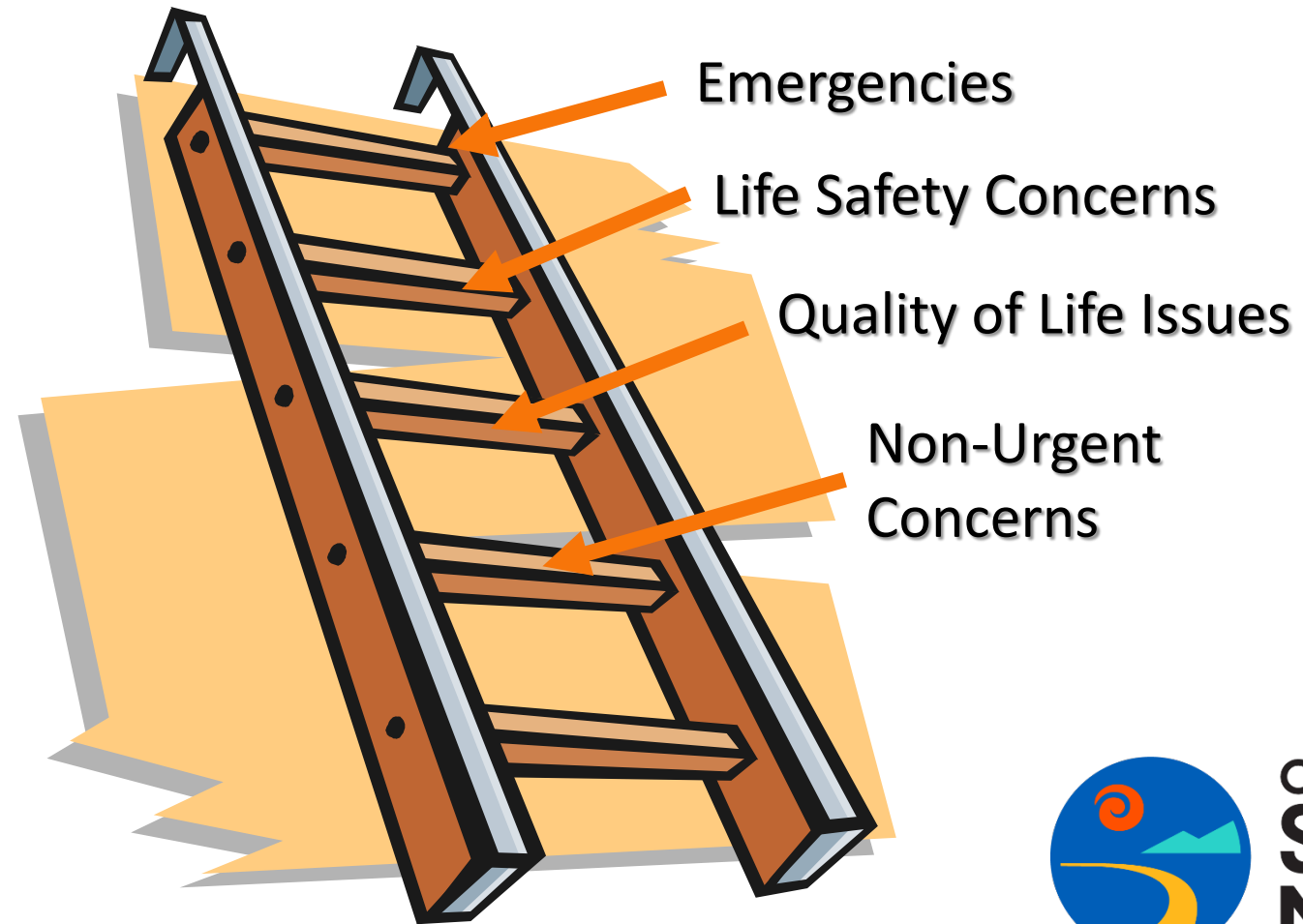
- A habitable dwelling unit
  - correctly provides basic protection, sanitation facilities and access to utilities.
- An uninhabitable unit
  - is unfit to live in.
- Determined on a case-by-case basis by local Building Officials



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# Priority of Cases Filed with Code Enforcement



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# Enforcement Process

- Inspection
- Notice of Violation
- Administrative Citation
- Refer to City Attorney for further prosecution
  - Additional fines and penalties
  - Administrative Hearing before a Hearing Officer
  - Criminal or Civil Prosecution
  - Recordation
  - Court ordered receivership or relief



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# Habitability Determinations by the Building Official

- Habitability determinations are made by the Building Official on a case-by-case basis.
- Possible Reasons: Any building or portion of a building which creates conditions that endanger the life, limb, health, property, safety or welfare of the public or the occupants, which could include:
  - Inadequate sanitation
  - Substandard/dangerous wiring/plumbing or mechanical fixtures or structural hazards
  - Lack of proper egress from the unit or property
  - Lack of or improper toilets, sinks, bathtubs, showers, hot and cold running water



# Temporary Relocation

- Situations where temporary relocation benefits must be provided to tenants:
  - Termite fumigation (tenting)
  - Construction work that requires tenants to temporarily vacate
  - Building Code violations where the City orders tenants to vacate
  - Unit is declared uninhabitable due to fire,
  - Benefits not required if condition is caused by the tenant or the tenant's guest.



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# Temporary Relocation Benefit Amounts

- Less than 5 days:
  - Hotel/motel or per diem rate
- More than 5 days, but less than 30 days:
  - Daily per diem rates, Or
  - Comparable housing
- 30 days or more:
  - Comparable housing, Or
  - Weekly per diem rates
- Pet accommodations: \$32 per day per cat; \$59 per day per dog
- The tenant continues to pay rent during the period of relocation.
- The tenant is entitled to return to the unit at the same rent.



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# Questions?



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# Inter-Agency Responses

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1. Referrals to appropriate agencies is routine.
2. Code Enforcement and Rent Control work cooperatively to address maintenance inquiries and to ensure violations are abated.
3. The Rent Control Law may prohibit owners from taking the annual rent increase when there is an unabated Code Enforcement order for the unit or for common areas.
4. In the case of serious code violations that are unabated, owners may be prohibited from setting a market-rate rent for a new tenancy.



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# Contact Info – Public Health

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**Customer Call Center**

**(888) 700-9995**

**Or**

**District Surveillance and Enforcement**

**(626) 430-5202**

**[www.publichealth.lacounty.gov/eh](http://www.publichealth.lacounty.gov/eh)**



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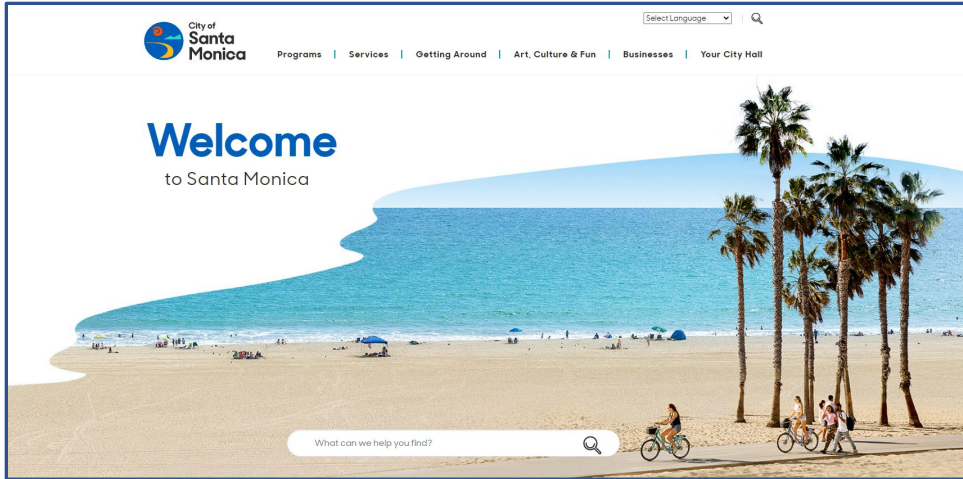
smgov.net



santamonica.gov

- Santamonica.gov launched 10/30/2020.
- smgov.net will begin shutting down the week of January 3.
- This transition will be the first phase of ongoing updates and enhancements designed to improve the user experience.
- Some smgov.net pages will still be live until a new template is available. These include:
  - Boards and Commissions
  - Look Up A Rent
  - Rent Control Document Portal
  - Other custom applications

# Santamonica.gov Goals

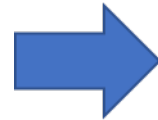


- Enhanced search functionality to make information easier to find across City webpages and domain names
- Be fully accessible to better serve all Santa Monicans including those with disabilities
- Improved design aligning City branding across all pages.
- Be friendly across device platforms, tablets and phones.



# Santamonica.gov New Look

The screenshot shows the old website layout for the Rent Control Board. It features a top navigation bar with the City of Santa Monica logo and a search bar. A left sidebar contains a menu with items like 'Home', 'About the Rent Control Board', 'Rent Control Law & Regulations', 'Information & FAQs', 'Rents & Surcharges', 'Forms & Petitions', 'Reports', 'Other Sites of Interest', 'Legal Disclaimer', 'Employment Opportunities', and 'Contact Us'. The main content area is titled 'Rent Control Board' and includes a 'Select Language' dropdown, a Google Translate widget, and a 'News and Announcements' section with a sub-header 'Register Now for the 2021 Landlord-Tenant Forum'. Below this is a 'Maintenance of Rental Property Seminar - December 16' section. A right sidebar contains 'Upcoming Events', 'Rental Units', and 'Quicklinks' with various service icons.

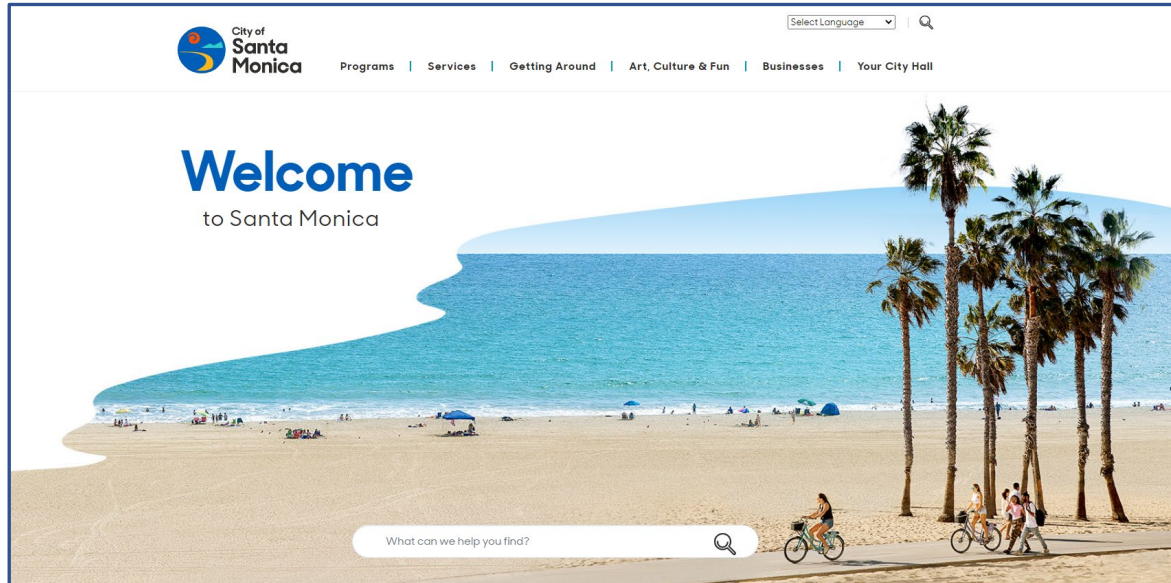


The screenshot shows the new website layout for the Rent Control Board. It features a clean, modern design with a top navigation bar containing the City of Santa Monica logo, a search bar, and a 'Select Language' dropdown. The main content area is titled 'Rent Control' and includes a large image of the City of Santa Monica building. Below the image is a 'Rent Control' section with a brief history and a list of goals: 'Controlling the rent that may continue to be charged for a residential rental unit and providing remedies if excess rent is collected', 'Determining the base amenities/services included in the rent and providing remedies for any reduction', 'Limiting the grounds for eviction', and 'Limiting removal of units from the rental market'.





# Santamonica.gov Near-Term Benefits



- Moved from over 50,000 pages and 60 unique domains to fewer than 2,000 pages and one unique domain.
- Significant increase in the time spent on the site and number of pages visited, and a significant decrease in bounce rate.



# Rent 20/20



- Final phase of a redesign of rent control information launching early Spring 2022
  - Look Up a Rent enhancements
  - Online Document Portal
- Will enable landlords and tenants to file all registration forms, petitions, applications and other forms online.
- Custom property owner dashboards
- Mobile friendly
- Free user accounts required
- Email [Rent2020@santamonica.gov](mailto:Rent2020@santamonica.gov)

# Contact Info – Rent Control

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- **Office Address**

Santa Monica City Hall  
1685 Main Street, Room 202  
Santa Monica, CA 90401

- **Phone**

(310) 458-8751

- **Email**

[rentcontrol@santamonica.gov](mailto:rentcontrol@santamonica.gov)

- **Website**

[www.smgov.net/rentcontrol](http://www.smgov.net/rentcontrol)



# Contact Info – Code Enforcement

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- In Person - Fill out a concern form at City Hall, Building & Safety, Room 111
- By phone - (310) 458-4984
- Email - Code.Enforcement@smgov.net
- Online - concern form available at our website:

[www.smgov.net/Departments/PCD/About-Us/Code-Enforcement](http://www.smgov.net/Departments/PCD/About-Us/Code-Enforcement)



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# Maintenance of Residential Rental Properties

Presentation for Tenants and Owners

Thank you for coming!

View online at [www.smgov.net/rentcontrol](http://www.smgov.net/rentcontrol)

This presentation is a summary of rights and responsibilities under law. For more complete information, go to [www.smgov.net](http://www.smgov.net).  
Contact the Rent Control Agency, LA County Public Health or Code Enforcement directly.



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