

# Rent Control News



City of  
**Santa  
Monica**

Spring 2024

## Welcome Jonathan Holub!



With the retirement of long-time Rent Control executive director, Tracy Condon, in February, the Rent Control Board selected

Jonathan Holub as its new executive director. Holub was most recently the rent stabilization division manager in West Hollywood, where he served since 2010. In that role and earlier as a staff attorney, he participated in the expansion of the city's rent registry, strengthened the municipal code's tenant protection provisions, and assisted in tenant harassment prosecutions. He started his career in public service as deputy county counsel for the Office of Riverside County Counsel.

"I am deeply honored to have been selected by the Rent Control Board for this crucial role in an agency that so admirably reflects the defining principles of Santa Monica," Holub said. "My commitment is to bring a robust approach to the implementation of the Rent Control Charter Amendment and regulations. With nearly two decades of experience in municipal, housing and rent stabilization law, I am enthusiastic about utilizing my skills and passion to fulfill the mission of the Rent Control Agency." ▲

## Happy Birthday Rent Control!

April 10, 1979 - April 10, 2024



## 2023 Annual Report

Staff will present the Rent Control Agency's 2023 Annual Report to the Board at their April 11 meeting. The report summarizes major activities and presents detailed information about the state of controlled rental housing in Santa Monica. The report quantifies how market-rate rentals have affected housing affordability in Santa Monica and the long-term benefits for tenants who remain in rent-controlled apartments. A copy of the report to view or download will be available on our website on April 9 under the Reports tab at [santamonica.gov/rentcontrol](https://santamonica.gov/rentcontrol). ▲

## New State Law Creates Opportunities for Tenants with Mobility Issues

Are you a tenant with a permanent disability related to mobility? Are you living on a property with five or more units? Would relocating to a more accessible unit at the property provide a reasonable accommodation relating to your disability? Recently adopted state legislation (AB 1620) allows qualified tenants in specified properties to keep their current rent and lease terms when they switch to an available comparable or smaller unit located on an accessible floor of a building on the same property to accommodate the tenant's physical disability related to mobility. The Rent Control Board adopted a regulation to implement this at their March meeting. If you, or someone you know, may benefit from AB 1620 protections, please contact us for more information. ▲



**Santa Monica Rent Control Board** - 1685 Main Street, Room 202, Santa Monica, CA 90401

Commissioners: *Ericka Leslie (chair), Kurt Gonska (vice-chair), Anastasia Foster, Lonnie Guinn, Danny Ivanov*

Executive Director: *Jonathan Holub*

## Rent Control Board Revises Ranges for Rent Decrease Petitions



**T**he petition for rent decrease is the remedy that the rent control law offers when property owners fail to make necessary repairs, or if they reduce or remove a base amenity or housing service. The intent of the petition is to ensure

fairness, such that tenants do not continue to pay the same rent when they are getting less. Reducing the rent also provides an incentive to owners to maintain and repair items or restore removed amenities. Once they comply with the decision on a petition, rents may be restored.

Rent control regulations offer as guidelines dollar ranges for rent reductions for many common maintenance issues and amenities. Hearing officers use these ranges when determining the amount by which to reduce the rent. Prior to recent action by the Board, these amounts had not been updated since 2016. Considering that these amounts had not changed while rents have significantly increased since 2016 due to annual general adjustments for existing tenancies and higher

rents for new ones, the Board formed a subcommittee to consider adjustments.

At its February meeting, the Board adopted proposed changes based on the subcommittee's review of data from over 150 recent decisions, discussions with hearing officers, and other research including how much rents have increased. The amendments increase both the lower and upper ranges for decrease amounts and provide a formula for automatic adjustments every two years. As one example, the range for a damaged window or door was changed from \$5 to \$10 on the low end, and from \$90 to \$135 on the high end. New ranges for other types of issues can be found in Board regulation 4200.

While hearing officers maintain the discretion to decrease rents beyond the specified ranges, these updates will assist them to assign values to lost amenities and maintenance issues that better correlate to the rent being paid and provide for a fairer outcome. Although they don't apply to past decisions, these adjustments do mean that tenants who file decrease petitions after February 14, 2024 (the effective date of the amendments) may see larger reductions than in the past. ▲

## City Council Strengthens Tenant Protections

**I**n January, the City Council adopted several new amendments to the municipal code affecting temporary relocation, buyout offers, and tenant harassment. While some of these new rules apply only to tenants living in non-rent-controlled units, some affect tenants and owners of controlled units. Brief summaries of some of the changes affecting rent-controlled units follow. ▲

### Permanent Relocation

- ▶ A landlord shall pay a relocation fee to a tenant when the tenant elects to relinquish their tenancy following a period of temporary relocation that has lasted for at least six months, but before the tenant has returned to their unit.

### Buyout Offers

- ▶ Buyout offers must be no lower than the amount required to be paid for permanent relocation.

- ▶ Buyout offers no longer must be filed with the Rent Control Agency but must be filed with the City Clerk.

### Harassment

- ▶ Offering buyout offers within six months after a tenant has refused in writing may constitute bad faith harassment.
- ▶ Unreasonably withholding the right to sublease when otherwise authorized by rent control or applicable just cause eviction law is prohibited.

## New Procedures for Filing Excess Rent Complaints

In an effort to streamline the process and more quickly resolve excess rent complaints, the Rent Control Board recently adopted changes to regulations regarding the filing of these petitions. Prior to these changes, tenants could file excess rent complaints directly with Rent Control - even before communicating with their landlords. Staff reviewed the evidence provided and determined if a prima facie case existed. If so, staff either reached out to the landlord for a quick administrative solution or forwarded the complaint to the Agency's Hearings Department for a mediation facilitator to attempt settlement. Claims that could not be settled were scheduled for hearings.

However, time spent attempting to resolve issues and mediate cases often delayed moving complaints to the hearings stage and ultimately, decisions in these cases. Now, tenants must first present their claims directly to their landlords. This opens the possibility for quick resolution without the need to go through a formal process. If a landlord returns the excess rent collected, then the tenant may not file a petition; if there is no resolution after 30 days, they may. This notice requirement is also consistent with the decrease petition process where notice to the landlord is also required before filing a decrease petition.

### To conform to these new procedures, tenants who wish to file excess rent claims must:

- ◆ **Prepare a written notice which specifies the claimed period and amount of excess rent. (Tenants, be sure to keep an exact copy of your notice to the landlord, as this is required to file a complaint.)**
- ◆ **Serve the notice on the landlord and complete a proof of service form specifying how and when the notice was delivered. (We have a form on our website that you may download for this purpose.)**
- ◆ **Wait 30 days from the notice. If there is no resolution, an excess rent complaint may be filed by making an appointment with Board staff.**

Landlords will be noticed by us whenever an excess rent complaint is filed and can still pay the amount claimed or attend mediation to have the petition dismissed.

If you are a tenant and believe your landlord is charging excess rent, or if you are a landlord and have questions about the lawful rent you may charge, please contact us. ▲



## Upcoming Seminars

The Rent Control Agency and City Attorney's Office offer free seminars throughout the year. Learn your rights and responsibilities by attending. All events will be held at the **Main Library, 601 Main St., Multi-Purpose Room (2nd Floor)**.

### Fair Housing Symposium

**April 24 | Wednesday | 2:30–5:00 p.m.**

The City Attorney's Office is hosting a symposium that is part of the City's celebration of Fair Housing Month. Speakers will include Shayla Myers, Senior Attorney in the Unhoused Persons Justice Project at the Legal Aid Foundation of Los Angeles, attorneys from the Consumer Protection Unit of the City Attorney's Office, and other special guests. Topics will include: The barriers unhoused persons face in obtaining permanent housing; the impact of fair housing laws on tenant screening policies, including source of income and housing status discrimination (newly passed in Santa Monica); and a basic overview of fair housing laws.

► To sign up, scan the QR code or go to [Santamonica.gov/events](https://santamonica.gov/events)



### Rent Control 101 Seminar for Tenants

**May 1 | Wednesday | 5:30–7:30 p.m. (tent.)**

Designed for tenants, this seminar provides an overview of the services available through the Rent Control office, how rent and amenities are defined; the protections against eviction, and the remedies available for excess rent, lack of maintenance, and loss of amenities.

► To sign up, scan the QR code or go to <https://forms.office.com/g/pa8qxHUGMG>



### Rent Control Seminar for Property Owners and Managers

**May 2 | Thursday | 10:30–12:30 p.m. (tent.)**

Designed for owners and managers, this seminar will cover basics of the rent control law and your rights and responsibilities. We will explain how to use the CIVICS portal for online filing of registration forms, petitions, and exemption applications and demonstrate filing a tenancy registration form. We'll also show how to pay annual registration fees easily and securely with CIVICS.

► To sign up scan the QR code or go to <https://forms.office.com/g/PnN6W5HeVc>






**TENANTS**

The amount in the circle at left is the MAR for your unit, per Rent Control records. **If you moved in recently, our records may still list the MAR for the previous tenancy. In most cases, owners may reset the rent with each new tenancy.** In addition to the MAR, an owner may pass-through to tenants half (\$9.50 per month) of the registration fee Rent Control charges for each unit. \*For tenancies that began before March 1, 2018 and on properties not sold or reassessed since then, owners may also add surcharges based on the property tax bill. With the fee and surcharges, the legal rent for your unit may be \$9.50 to \$44.50 higher than the MAR shown. If the message is "Tenant Call," or if you have questions about your rent, please call us.

**OWNERS**




In late June/early July, owners receive a report listing the MAR that is listed in Rent Control's records for every rental unit on their property or properties. If you are an owner, the circle at left should not include a MAR. If a MAR is listed, please call us.

 **City of Santa Monica** **Rent Control Board**  
 1685 Main Street, Room 202  
 Santa Monica, CA 90401

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**INFO**

-  **Public Counter:** M-F\* 8:00-12:30; 1:30-4:30
-  **Telephone:** (310) 458-8751
-  **Website:** [www.santamonica.gov/rentcontrol](http://www.santamonica.gov/rentcontrol)
-  **Email:** [rentcontrol@santamonica.gov](mailto:rentcontrol@santamonica.gov)
-  **[www.facebook.com/santamonica Rent Control](https://www.facebook.com/santamonica Rent Control)**

\*City of Santa Monica is closed every other Friday.

**Inside the Spring 2024 issue:**

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- Esta información está disponible en nuestro sitio web en español.
- این اطلاعات در وبسایت ما به زبان فارسی موجود است.
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