

CHAPTER 6.22, RESIDENTIAL LEASING  
REQUIREMENTS

ADMINISTRATIVE REGULATIONS

January 29, 2021



# **City of Santa Monica**

## **Residential Leasing Administrative Regulations**

### Section 1 Introduction

On October 8, 2020, Santa Monica Municipal Code (“SMMC”) Chapter 6.22, Residential Leasing Requirements, became effective. SMMC Section 6.22.130 authorizes the City Manager or designee to promulgate administrative regulations to implement the provisions of Chapter 6.22, including, but not limited to, noticing procedures and requirements. The City Manager has designated the Director of the Community Development Department to promulgate the regulations authorized by this section.

### Section 2 Required Notice

SMMC Section 6.22.080 requires landlords of all rental housing units subject to Chapter 6.22 to provide all prospective tenants with a written notice summarizing the requirements of SMMC Sections 6.22.060 and 6.22.070. This Section specifies the form and manner of providing notice.

#### 2.1 Form of Notice.

The notice shall be in substantially the form attached as Exhibit A.

#### 2.2 English and Spanish Notice Required

As required by SMMC Section 6.22.080, the notice shall be provided in both English and Spanish.

#### 2.3 Form of Service

The notice required by SMMC Section 6.22.080 must be provided to a prospective tenant both: (a) at the time the tenant is provided by the landlord with any application to rent the rental housing unit; and (b) at the time the tenant is provided by the landlord with a lease for signature. As required by SMMC Section 6.22.080: (a) if the application is processed electronically, the notice shall be provided electronically along with the application; and (b) if the lease is processed electronically, the notice shall be provided electronically along with the lease at the time signature is requested.

### Section 3 Applicability

SMMC Section 6.22.100 sets forth the applicability of the residential leasing regulations. This Section further clarifies applicability of Chapter 6.22 to certain residential uses in the City.

- 3.1 Chapter 6.22 shall not apply to the following residential uses:
- a. Single-room occupancy housing, as that term is defined by Santa Monica Municipal Code Section 9.51.020(A)(1)(d)(ii).
  - b. Lawful nonconforming single-room occupancy housing, market rate, as that term is defined by SMMC 9.51.020(A)(1)(d)(iii);
  - c. Single-room occupancy housing, market rate, as that term is defined by SMMC 9.51.020(A)(1)(d)(iii), that has received all necessary planning approvals prior to the effective date of Chapter 6.22 in accordance with a settlement agreement entered into between the landlord and the City; or
  - d. Lawful nonconforming corporate housing, as that term is defined by SMMC Section 9.51.020(A)(2).

3.2 For residential housing units that (a) are subject to a settlement agreement entered into between the landlord and the City prior to the effective date of Chapter 6.22 and (b) are not exempt under Section 3.1(c) of these Regulations, SMMC Section 6.22.070 shall not apply if the settlement agreement expressly authorizes its rental as a furnished unit.

**Exhibit A:  
Form -- Notice of Residential  
Leasing Requirements**

**Notice**  
**City of Santa Monica**  
**Residential Leasing Requirements**

Santa Monica Municipal Code Chapter 6.22, Residential Leasing Requirements, imposes requirements on the leasing of rental housing units. The rental housing unit that you, as a prospective tenant, are considering leasing is subject to these requirements, which are set out below.

**Residential Leasing Requirements**

- 1. The lease must be in writing and the initial lease term must be no less than one year.**
- 2. The unit must be leased unfurnished.**
- 3. You must use and occupy the rental housing unit as your primary residence.**

**No later than 60 days after the commencement of the lease, you must provide to the landlord** at least two of the following showing your name and showing the rental housing unit as your residential address:

- a. California motor vehicle registration;
- b. California driver's license;
- c. California state identification card;
- d. Voter registration;
- e. Income tax return;
- f. Proof of payment of resident tuition to a California public institution of higher education, including proof of payment in accordance with an exemption to payment of nonresident tuition under California Assembly Bill 540, the California DREAM Act
- g. Utility bill (e.g., gas, water/sewer, electric, cable)

**This notice must be provided to you, as a prospective tenant, as follows:** In both English and Spanish, both (a) when the landlord provides you with any rental application; and (b) when the landlord provides you with any written lease to be signed. If you are provided with an application or lease electronically, this notice must also be provided electronically.

# **Notificación**

## **Ciudad de Santa Mónica**

### **Requisitos de Arrendamiento Residencial**

El Capítulo 6.22 del Código Municipal de Santa Mónica, Requisitos de Arrendamiento Residencial, impone requisitos sobre el arrendamiento de unidades de vivienda de alquiler. La unidad de vivienda de alquiler que usted, como posible inquilino, está considerando alquilar está sujeta a estos requisitos, que se establecen a continuación.

#### **Requisitos de arrendamiento residencial**

- 1. El contrato de arrendamiento debe ser por escrito y el plazo de arrendamiento inicial no debe ser menos de un año.**
- 2. Se debe alquilar la unidad sin muebles.**
- 3. Debe usar y ocupar la unidad de vivienda de alquiler como su residencia principal.**

**A más tardar 60 días después del comienzo del contrato de arrendamiento, debe proporcionar al arrendador al menos dos de los siguientes que muestran su nombre y la unidad de vivienda de alquiler como su dirección residencial:**

- a. Registro de vehículos de motor de California;
- b. Licencia de conducir de California;
- c. Tarjeta de identificación del estado de California;
- d. Registro de votantes;
- e. Declaración del impuesto sobre ingresos;
- f. Prueba del pago de la matrícula de residente a una institución pública de educación superior de California, incluyendo prueba de pago de acuerdo con una exención para el pago de la matrícula no residente bajo el Proyecto de Ley 540 de la Asamblea de California, la Ley DREAM Act de California
- g. Factura de servicios públicos (por ejemplo, gas, agua / alcantarillado, electricidad, cable)

**Se le debe proporcionar esta notificación a usted, como posible inquilino, de la siguiente manera:** En inglés y español, ambos (a) cuando el arrendador le proporcione cualquier solicitud de alquiler; y (b) cuando el

arrendador le proporcione un contrato de arrendamiento por escrito para que lo firme. Si se le proporciona una solicitud o un contrato de arrendamiento de forma electrónica, también se debe proporcionar la notificación de forma electrónica.