



Rent Control News

What You Need to Know about Reasonable Warning Periods

For rent-controlled units, (and for all multi-family rental units throughout the city), owners must give tenants an opportunity to correct certain problems before starting an eviction process. A written warning is required if the owner believes the tenant is:

- violating a term of the rental agreement; or
- creating a correctable nuisance; or
- refusing to give the owner lawful access to the rental unit.

In the warning letter, the owner must provide the tenant with a reasonable time period to correct the problem. This warning letter is to be given to tenants before serving them with the state-mandated Notice to Perform or Quit.

Rent Control staff has developed guidelines to assist in determining how

much time is reasonable, depending on the issue. They take into consideration the severity of the situation, the effect on other people, and the amount of time necessary to correct possible violations. These guidelines focus on typical problems and were developed in consultation with both tenant and owner advocacy groups. Ultimately, however, the courts in eviction hearings will determine what constitutes a reasonable warning period based on the specific facts of a case and the nature of the breach or nuisance alleged in a suit.

For more details as well as additional examples of situations that may constitute a breach or nuisance, please read our information sheet available online at www.smgov.net/rentcontrol or from the Rent Control office.

Recommended warning period (prior to serving a Notice to Perform or Quit)

Typical problem or condition	Recommended warning period
Immediate hazard to health or safety	24 hours
Behavior that causes a disturbance to neighbors	3 days
Risk of damage to owner's or neighbor's property	7 days
Violation of the lease that does not cause a disturbance to neighbors or affect the health or safety of other residents	14 days

Santa Monica Rent Control Board

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

Commissioners ♦ Todd Flora ♦ Marilyn Korade-Wilson ♦ Robert Kronovet
♦ Ilse Rosenstein ♦ William Winslow

Administrator ♦ Tracy Condon **Newsletter Editor** ♦ Sonia M. Quiñones

Rent Control News is published by the Rent Control Board of the City of Santa Monica

This document is available in alternate format upon request.

Staying on the Right Side of the Law Fair Housing in Santa Monica: A Workshop

The Consumer Protection Unit of the Santa Monica City Attorney's Office is sponsoring a free workshop, Fair Housing in Santa Monica. The workshop is part of the City's ongoing efforts to increase awareness of fair housing laws and to recognize April as Fair Housing Month.

Workshop topics include:

- An overview of local, state and federal fair housing laws that prohibit housing discrimination.
- Reasonable accommodations for tenants with disabilities, families with children, as well as alternatives to litigation such as mediation and the administrative complaint process.
- Local smoking laws.
- Medical marijuana issues.

Seminar presenters include Kathy Bellville, law partner at Kimball, Tirey & St. John; Denise McGranahan of the Legal Aid Foundation of Los Angeles; Chancela Al Mansour of the Housing Rights Center; Adam Radinsky, Deputy City Attorney; and Gary Rhoades, Deputy City Attorney.

Who should attend: Property owners and managers, advocates, attorneys, social service providers and interested tenants.

Cost: Free.

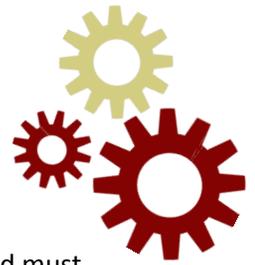
When: Monday, April 23, 2012
9:00 am – 12:30 pm (8:30 am check-in)

Where: Santa Monica Main Library
601 Santa Monica Blvd.
Multipurpose Room, 2nd Floor

To register online, visit www.smconsumer.org or call (310) 458-8345. Space is limited.

Registration is required by April 19, 2012.

Roommates & Rent Control *(What You Don't Know Can Hurt You)*



Rent Control staff often fields questions from people who want to replace an outgoing roommate. Before you do, here are some things to keep in mind.

In many cases, a roommate is someone living in an apartment whose rental agreement, whether written, oral, or implied, is not with the owner but the tenant of the unit. That tenant, in turn, has a rental agreement with the property owner. Unless prohibited by the tenant's rental agreement, roommates are generally permitted. However, renting to a roommate in violation of a rental agreement could result in the tenant being evicted, with certain exceptions:

- The roommate is a spouse, minor child of the tenant, or a domestic partner registered with the City Clerk. According to the Santa Monica Municipal Code, in these situations the tenant may not be evicted for an increase in the number of tenants in the apartment. This provision of City

law may provide an eviction defense if the owner proceeds with an eviction.

- The tenancy began with more than one tenant, and one of the original tenants has left. The remaining tenant may substitute a new occupant for the vacating tenant. The tenant must notify the owner in writing of the name of the prospective new occupant. The owner has 14 days to respond. An owner cannot unreasonably deny the request, and their failure to respond within 14 days is deemed approval of the proposed roommate. If the owner unreasonably denies the request, the tenant may petition for a reduction in the rent.

When problems arise between a tenant and a roommate, such as a roommate's failure to pay rent, or even verbal or physical conflict, many tenants believe they can simply ask a roommate to leave. However, the roommate has the same rent control protections as the tenant.

When renting to a roommate, the tenant stands in the shoes of the property owner and must have a "just cause" for eviction to end the roommate's tenancy. Just like the owner, the tenant must give the roommate a reasonable opportunity to correct the problem before starting an eviction process.

Regardless of whether the roommate's rental relationship is directly with the owner or with the main tenant, so long as the roommate's occupancy is lawful, he or she is a "tenant" under the Rent Control Law and enjoys all of the protections that the law confers.

Bottom Line

Check your agreement for restrictions on additional occupants and choose your roommate carefully.



Upcoming Seminars, Mailings & Important Deadlines

April 23, Monday, 9 am
Fair Housing Seminar
See article on page 1.

May 10, Thursday, 7 pm
Board Meeting
Rent Control staff presents its analysis and recommendation for the 2012 general adjustment.

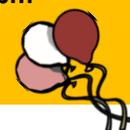
Late June, Informational Mailings

Tenants and owners receive information about the September rent increase surcharges. The owner mailing will also include an itemized list of current allowable increases for every eligible rent control unit they own, and a form for their individual rent increase. Registration fee bills are mailed to owners by mid-July, please contact our office and request a duplicate.

May 8, Tuesday, 6:30 pm – 9 pm Tenant Seminar

We'll go over how rent and amenities are defined in the rent control law, eviction protections, and remedies available for problems related to rents, amenities and maintenance.

May 19, Saturday, 11 am to 6 pm
Santa Monica Festival
In Clover Park



June 14 (Tentative Date), Tuesday Public Hearing

Tenants and owners are invited for general adjustment and the...

July 10, Tuesday, 6:30 – 9:00 pm Calculating the Annual Rent

A quick overview of how to calculate the general adjustment and surcharges available to help you calculate your notices. Limit: Help provide...

Are you making this mistake with your rental housing? Illegal Short-term Housing/Vacation Rentals

Property owners who rent housing to people who only intend a temporary stay risk providing "short-term rental housing" or operating a hotel/motel, depending on the length of stay. With very few exceptions, Santa Monica law does not allow apartments to be used for either type of rental. In those locations where it may be allowed, the law is very restrictive. What owners and renters may not realize is that anyone who moves into a rent-controlled unit, even if for a short-term stay, has all the rights and protections provided by the Rent Control Law.

Owners who rent apartments on a short-term basis are subject to enforcement actions for operating a business without a proper city license and/or failure to pay the transient occupancy tax. Santa Monica's Code Compliance Division investigates and enforces the laws regarding the unpermitted use of residential properties for short-term rentals.

For more information, or to file a complaint regarding a property being used for short-term rentals, contact the Code Compliance Division at (310) 458-4984.

Welcome Our New Commissioner



The Rent Control Board welcomes Ilse Rosenstein, appointed by the Board in January to complete the term of outgoing commissioner Chris Braun. She will serve until the next municipal election in November 2012.

Ms. Rosenstein, a retired LAUSD teacher, has been a Santa Monica resident for more than 40 years. Before becoming a commissioner, she volunteered with a tenant hotline, answering questions on landlord-tenant issues. She is an active volunteer with Meals on Wheels, Wise Senior Services and adult literacy. Commenting on the Board's role in the community, she said the Board plays an important role in helping to maintain economic diversity within Santa Monica while "providing fairness for both tenants and landlords."

use, the registration fee and allowable maximum allowable rents and term they can use to notify tenants of separately. If you don't receive yours

Thursday, 7 pm

ited to discuss the proposed 2012 e Board's proposed operating budget.

00 pm (6:15 pm check-in)
nt Increase (For Owners)

calculate and notice this year's charges. One-on-one assistance is ate and complete rent increase d for one (1) property per owner.

August 1
Deadline for owners to pay registration fees

September 1
Rent increases take effect

October 16, Tuesday, 9:30 am – noon
Rental Property Maintenance Seminar
A joint presentation with the City's Code Compliance Division. Topics include: required maintenance and repair, how and where to file a complaint, temporary relocation of tenants during repairs and issues related to habitability.

This Device May Save Your Life

In a nationwide trend, California approved legislation requiring owners to install carbon monoxide (CO) alarms in all dwelling units with a fossil fuel burning heater or appliance, fireplace, or attached garage. This is in addition to smoke detectors, which are already required. Carbon monoxide is naturally produced by heaters, fireplaces, furnaces and many types of cooking devices, but high levels of it can be deadly.

The alarms, which must have battery backup power, are to be installed outside of each sleeping area in the immediate vicinity of the bedroom(s) and on every level of a unit, including basements. They must be listed as complying with UL 2034 and be installed and maintained in accordance with NFPA 720 and the manufacturer's instructions. Tenants who haven't yet received the new devices should expect owners to notify them about installation. The City's Code Compliance Department will enforce this law and can provide more information at (310) 458-4984.

WEB EXTRA <http://www.hcd.ca.gov/codes/shl/infobulls/IB2011-01.pdf>

All seminars are held at:
Santa Monica Main Public Library
601 Santa Monica Blvd.
Multipurpose Room, 2nd Floor



Please register for any seminar you would like to attend.
Call (310) 458-8751 or send an email to rentcontrol@smgov.net.



The amount shown in the circle at left is the MAR (Maximum Allowable Rent) for your unit, per Rent Control records. The legal rent for your unit is the MAR plus allowable surcharges. Surcharges typically add \$13 to \$60 (more for condos) to your rent. If you have questions about your MAR, allowable surcharges, or any rent control topic, please call an Information Coordinator at (310) 458-8751.

Each 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 Rent Control at (310) 458-8751.

Printed on recycled paper with soy ink 

Inside the Spring 2012 issue . . .



Answers to your questions about your rights as a roommate.

Carbon monoxide detectors: what you need to know.

Guidelines you can use to comply with the reasonable warning period requirement prior to an eviction.

Rent Control Office Hours

Rent Control is closed every other Friday.
Please call before coming to be sure it's a Friday we're open.

Information by Phone: (310) 458-8751

Monday through Thursday, 7:30 am—5:30 pm
On alternate Fridays, 8:00 am—5:00 pm

Public Counter: 8:00 am—4:30 pm



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1685 Main Street, Room 202
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