



Rent Control News

Rent Control Goes Green

At their March 7th meeting, the Rent Control Board unanimously approved an amendment to the Rent Control Law to allow all owners and tenants to enter into separate agreements to charge electric vehicles (EV) on the property.

While separate agreements that meet certain criteria have been permitted for long-term tenancies (those that began before 1999), they have not been permitted for market-rate tenancies (those that began after 1998). To support the City of Santa Monica's goal of reducing carbon emissions, the Board adopted this amendment that allows all tenants to reach agreements with property owners to pay an agreed upon amount specifically to charge electric vehicles.



Lawful separate agreements must meet the following criteria:

- The agreement must be negotiated separately from the negotiation for the rental of the unit, with no pressure on the tenant to accept the separate agreement or fee as a condition of renting the unit;

(Continued on page 2)

Maintenance Update: Common Areas

Most tenants are aware that the Rent Control Law requires an owner to maintain a unit's interior. Less understood is the owner's responsibility to maintain things outside an individual unit—specifically common-area amenities.

What is a common-area amenity?

Common-area amenities include tangible things, such as laundry and recreation facilities; security gates, doors and fencing; and yards, patios, balconies and play areas accessible to all tenants. Common-area amenities also include common services, such as landscaping or yard care services, and on-site management services that are offered building-wide.

An owner's responsibility with respect to these items depends on when a tenancy began. For tenants that moved into their units:

(Continued on page 2)

Santa Monica Rent Control Board

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

Commissioners: Todd Flora, Marilyn Korade-Wilson, Ilse Rosenstein, Christopher Walton, 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

Fair Housing Month Lunch and Learn

As part of its observance of Fair Housing Month in April, the Consumer Protection Unit of the Santa Monica City Attorney's Office will hold a "lunch & learn" seminar on the topic of reasonable accommodations on April 29, 2013 from 12:00 noon–1:00 pm at the Santa Monica Main Library.

The goal of the seminar is to increase awareness in Santa Monica about fair housing laws. The seminar presenters will provide an introduction to the federal and state fair housing laws that require reasonable accommodations for tenants with disabilities. The issue of reasonable accommodations is the number one reason that landlords and tenants call the City Attorney's office and other fair housing groups.

The seminar is free of charge and open to the public. All landlords, tenants, advocates, attorneys, and social service providers are encouraged to attend. There will be a question-and-answer session for participants. Free parking is available. Coffee, water and light snacks will be provided. Participants are encouraged to bring their own lunch.

Please register by April 25, 2013 at www.smconsumer.org. For those without Internet access, please call (310) 458-8336. Space is limited.

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Fair Housing Lunch & Learn

April 29, 2013

Santa Monica Main Library

601 Santa Monica Blvd.

Multipurpose Room, 2nd Floor

12:00 noon–1:00 pm

Free of Charge

Complying with the City's Non-smoking Law

By now, tenants in multi-unit buildings in Santa Monica should have received a survey from the owner of the property where they live asking them to designate their unit as a smoking or non-smoking unit. This survey is a requirement of a recent change to the City's restrictions to smoking in multi-unit buildings.

If tenants designate their unit "smoking," smoking is allowed. Tenants and their guests will be allowed to smoke in the unit, unless the tenant's lease says otherwise.

If tenants designate their unit "non-smoking," smoking is prohibited. No one will be allowed to smoke in the unit at any time. This prohibition extends to guests, caregivers, new spouses and roommates. Landlords may not, however, evict a tenant for violating the unit's non-smoking designation.

If tenants make no designation, smoking is allowed. If undesignated, a unit is a smoking unit by default for purposes of

the new City law. But a lease provision forbidding smoking is nonetheless enforceable.

Leases prohibiting smoking are enforceable no matter how a unit is designated. Tenants cannot invalidate a lease provision prohibiting smoking simply by designating a unit "smoking." Tenants who violate a lease's valid smoking ban may be subject to eviction.

Upcoming Deadlines

- Tenants have until April 21, 2013 to make corrections or changes to their designations.
- Owners are required to distribute a final list disclosing the smoking designations to all occupants by May 21, 2013. This list needs to include specific information required by city law.

For additional information about the City's smoking law, please visit www.smconsumer.org or call the City Attorney's office at (310) 458-8336.



Rent Control Goes Green (continued)

(Continued from page 1)

- The terms of the agreement must be comparable to those of similar lawful agreements in the unregulated market; and
- The continued existence of the arrangement is not a condition of tenancy and the tenant's termination or breach of the agreement is not a ground for eviction.

Because EV charging methods and opportunities are changing rapidly, this change to the law allows for a variety of approaches and leaves the exact nature of the EV charging separate agreement to be determined by the tenant and the owner, as long as it meets the safeguards specified above.

INFO **Website:** www.smgov.net/rentcontrol
Telephone: (310) 458-8751
Email: rentcontrol@smgov.net
www.facebook.com/santamonica Rent Control

The Recycling Habit

When it comes to cities in California keeping waste out of increasingly expensive landfills, Santa Monica ranks at the top.

Since the early 1970s, Californians have recognized the need to address the tens of millions of tons of solid waste generated every year. The State's Solid Waste Management Board is charged with encouraging the reduction of waste. In the late 1980s, only 10% of solid waste was diverted from landfills. By 2011, that amount had increased to 64% statewide. In Santa Monica, the diversion rate is

now 77%. The City is engaged in a Zero Waste Strategic Planning process with a goal to reach 95% diversion by 2030.

Santa Monica's innovative and varied recycling program—covering everything from electronic and hazardous waste disposal to food scrap collection and home composting workshops—is described in detail online at www.smgov.net/r3 (Santa Monica Public Works Resource Recovery and Recycling). You can also call them at (310) 458-2223. We can each do our part to help Santa Monica reach our zero waste goals.

Surprising Tips

From the Resource Recovery & Recycling Staff

How clean do your recyclables need to be?

Plastics, typically bottles and jars, are re-melted and re-molded and therefore don't require absolute cleanliness.

Containers should be as dry as possible. Tip the container on its side. If nothing comes out, the container is acceptable to place in the recycling bin. (This includes shampoo and other personal item

containers.)

Containers should be as clean as possible. Aluminum foil and foil trays should be clean (aka food-free). Film plastic (e.g. bread bags, dry cleaner bags) should also be clean.

What is not recyclable?

Mixed paper (e.g. foil and cardboard mix for soy milk, half & half, cream containers – Tetra-PAK) are NOT recyclable.

Maintenance Update: Common Areas (continued)

(Continued from page 1)

- before January 1, 1999, the amenity must have been provided on April 10, 1978, or when the unit was first rented after that date.
- on or after January 1, 1999, the amenity must have been in place when the tenancy began.

What happens if a property owner fails to maintain a common-area amenity?

The Rent Control remedy is similar to situations involving neglected maintenance for an individual unit. If an owner denies or restricts the use of a common-area amenity or fails to maintain it, any affected tenant can file a petition for rent decrease after giving their owner 30 days' written notice of the problem.

For additional information on the decrease process, contact the Rent Control Agency at (310) 458-8751, and ask to speak with an Information Analyst.

Upcoming Seminars, Mailings & Deadlines

April 29, Monday, Noon
Fair Housing Seminar
See article on page 1.

May 9 (tentative), Thursday, 7 pm, Board Meeting
The Board announces the 2013 general adjustment and will consider whether to set a maximum dollar increase. They will also review the proposed 2013-2014 operating budget.

June 13 (tentative), Thursday, 7 pm
Public Hearing
Tenants and owners are invited to comment on the Board's proposed 2013-2014 operating budget and a maximum dollar 2013 rent increase (if the Board decides on May 9th to hear from the public on this issue).

Late June, Informational Mailings

Tenants and owners receive information about the September rent increase, the registration fee and allowable surcharges. The owner mailing will also include an itemized list of current maximum allowable rents and allowable increases for every eligible rent control unit they own, and a form they can use to notify tenants of their individual rent increase. Registration fee bills are mailed to owners separately. If you don't receive yours by mid-July, please contact our office and request a duplicate.

July 9, Tuesday, 6:30–9:00 pm (6:15 pm check-in)

Calculating the Annual Rent Increase (For Owners)

A quick overview of how to calculate and notice this year's general adjustment and surcharges. One-on-one assistance is available to help you calculate and complete rent increase notices. Limit: Help provided for one (1) property per owner.

August 1

Deadline for owners to pay registration fees.

September 1

Properly-noticed rent increases take effect.

October 15, Tuesday, 9:30 am–noon

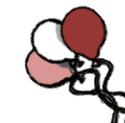
Rental Property Maintenance Seminar

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.

May 7, Tuesday, 6:30 pm–9 pm
Tenant Seminar

This seminar is designed for tenants to learn what services are available through the Rent Control office such as how rent and amenities are defined, the eviction protections under the law, and what remedies are available for issues related to rents, amenities, and maintenance.

June 1, Saturday, 11 am–6 pm
Santa Monica Festival
In Clover Park.



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.



TENANTS

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 Analyst at (310) 458-8751.

OWNERS

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.

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Inside the Spring 2013 issue . . .

*Agreements for electric vehicle charging now approved.
The City's non-smoking law: upcoming deadlines.
Fair housing lunch & learn seminar.*

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

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



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