



# Rent Control News

## A New Rent Notice Should Be Served Each Year

We have heard from a number of tenants that when it came time to implement this year's General Adjustment, the property owner told them, "Just keep paying what you paid last year." In many cases, this approach could result in a violation of the Rent Control Law due to changes in the registration fee and surcharge pass-throughs that took effect September 1st.

The biggest change this year was that the portion of the registration fee that may be passed through to tenants was reduced from \$13 per month to \$7.29 per month. Additionally, certain assessments from the owner's property tax bill that may be passed through to tenants as surcharges change each year. An owner who did not provide notice to tenants of both this year's reduction in the registration fee pass-through and the recalculation of the property tax bill-based surcharges, may find themselves in violation of the Rent Control Law for collecting excess rent.

If you are a property owner and are not sure if you properly noticed your tenants, or if you are a tenant who did not receive a Notice of Change in Terms of Tenancy this year, you may wish to contact Rent Control to discuss your situation.

**NOTICE OF CHANGE IN TERMS OF TENANCY 2015-2016**

To: tenant(s) in possession

Address: Tania Eberica, CA City: CA

According to Santa Monica Rent Control Regulation 15.025 and Board Resolution 15.021, you are hereby notified that thirty days after sending you this notice (but not before September 1, 2015), the monthly rent for the premises you occupy will be increased as indicated below. **NOTE: If your tenancy started on or after September 1, 2014, you are not eligible for the 2015 General Adjustment.**

1. Enter the 2014-2015 Maximum Allowable Rent (MAR) ..... \$ 5 .00  
The registration fee and other surcharges are not included in the MAR.

2. If Line 1 is \$1,524 or less, multiply amount on Line 1 by .004 (0.4%) ..... \$ 5 .  
If Line 1 is \$1,525 or more, enter \$108.

3. Add lines 1 and 2 and round to a whole dollar amount (for \$0.50 or more, round up).  
This is your 2015-2016 MAR ..... \$ 5 .00

4. Enter \$7.29 (tenant's share of Registration Fee) or \$0.00 (if no waiver is in effect) ..... \$ 5 .  
5. Calculate Surcharges

| Amount on Tax Bill                              | Total # Units, as Reported | Surcharge per Unit |
|---|----------------------------|--------------------|
| So. Community College Bond                      | 5                          | \$6.5              |
| So. Unified Schools Bond                        | 5                          | \$6.5              |
| So. Stormwater Management User Fee <sup>1</sup> | 5                          | \$6.5              |
| So. Clean Beaches & Ocean Patrol Fee            | 5                          | \$6.5              |
| So. School District Parcel Tax <sup>2</sup>     | 5                          | \$6.5              |

Add the Surcharge per Unit for lines 5a, 5b, 5c, 5d and 5e. This is the total surcharge ..... \$ 5 .  
6. Add lines 4, 5 and 6. This is your 2015-2016 Maximum Allowed Rent ..... \$ 5 .

The undersigned hereby certifies that the 2015-2016 Santa Monica Rent Control registration fees, as well as all past fees and penalties, were paid in full by August 3, 2015, as required by Regulation 15.006. The undersigned further certifies that this unit and the property's common areas are not subject to any uncorrected citation or notice of violation of any state or local housing, health or safety law issued by a government official or agency.

Date: 2015

By: print owner/agent name Signature of owner/agent

Address of owner/agent:

1. Owners may only pass through these fees if a copy of the property tax bill is provided to the tenant. Amounts for the Community College Bond, Unified School Bond and Stormwater Management User Fee may change each January. See Regulations 15.021, 15.022 and 15.023.  
2. This is a fee levied by SDWA 363 (SB680) (MSA 68-0) on all 310. See Regulation 15.006.

Form provided by the Santa Monica Rent Control Board

## Landlord/Tenant Forum Tuesday, December 1, 2015 9 am-Noon

On Tuesday, December 1, 2015, the Rent Control Agency and the Consumer Protection Division of the Santa Monica City Attorney's Office will present a free forum on tenants' and landlords' rights and responsibilities.

This forum, from 9am to noon, at the Thelma Terry Center in Virginia Avenue Park, is part of an ongoing effort by the City to increase public awareness in Santa Monica of how local and state laws impact landlords and tenants.

Building on the success of last year's forum, this year's topics will include:

- New developments in local law
- What happens when a new owner takes over
- Repairs and maintenance
- Disability issues and claims of "hoarding"

All tenants, property owners, property managers, and advocates are invited to attend. Registration is required by Friday, November 20, 2015. Please register early as space is limited to 90 people, and last year's forum was at capacity! Visit [www.smconsumer.org](http://www.smconsumer.org) for online registration, or if you do not have access to the Internet, call 310-458-8691 for registration by phone.

A continental breakfast will be served. Some parking is available at the park.

## WATER CONSERVATION - THE NEED CONTINUES

In the face of this historic drought, Santa Monica residents continue to meet the statewide goal of 20% water reduction from 2013 usage. However, in spite of El Niño likely bringing us a wet rainy season, water conservation must become a way of life.

There are many ways water can be saved. Santa Monica is offering rebates for installing rain barrels and cisterns to capture rain, as well as for making water-saving landscape updates. Rebates are also available for installing water-saving fixtures.

**NOTE: Renters should be aware of potential liability for replacing water-saving fixtures once installed.**

The City's Water Conservation Team (from the Office of Sustainability and the Environment) has provided the following helpful water-saving tips:

### For Landlords -

- Look for and repair leaks
- Upgrade to more water-efficient bathroom and kitchen fixtures, such as showerheads, toilets, and faucets

- Upgrade to more water-efficient clothes washers
- Install sustainable landscaping, including climate-appropriate plants and irrigation

### For Renters -

- Check for leaks and water waste at your building and report to the property management/owner immediately. An unreported toilet leak can waste thousands of gallons a month.
- Wash full loads of laundry and dishes
- Shorten showers by two minutes
- Turn off water while brushing teeth and shaving

For more water-saving tips, call (310) 458-8972 ext. 1 or email [savewater@smgov.net](mailto:savewater@smgov.net) or visit [www.smgov.net/water](http://www.smgov.net/water) to learn about rebates.



## Buyout Agreements

An agreement between a landlord and tenant that the tenant will vacate a rent-controlled unit in exchange for a sum of money is referred to in Santa Monica law as a "buyout agreement." These agreements are subject to legal restrictions.

Rent Control Regulation 9011 was enacted to facilitate landlords' compliance with the Municipal Code regarding the regulation of buyout agreements. The law requires that before making a buyout offer, a landlord must give the tenant a written disclosure notice prepared by the Rent Control Board that advises tenants of their rights pertaining to buyout agreements. Those rights include that the tenant:

- Has a right not to enter the agreement;
- May consult an attorney or the Rent Control Board before signing the agreement; and
- May cancel the agreement at any time up to 30 days after all parties have signed it.

In addition to requiring that owners give tenants the written disclosure notice, the law also provides:

- The buyout agreement must be in writing;
- The agreement must include statements of the tenant's rights mentioned above; and
- A buyout agreement that does not satisfy all of the requirements of the law is not effective and may be rescinded by the tenant at any time.

The landlord is required to give the tenant a copy of the buyout agreement at the time the tenant signs it. All completed, signed buyout agreements must be filed with the Rent Control Board. The disclosure notice and related information are available from Rent Control's website at [www.smgov.net/rentcontrol](http://www.smgov.net/rentcontrol) or by contacting an Information Analyst at the Rent Control office.

## Form Leases

It is not uncommon that form leases (e.g., forms prepared by an apartment owners' association) include terms that, if enforced against an occupant of a rent-controlled unit in Santa Monica, would lead to a violation of the Rent Control Law. For example, many form leases provide that a tenant may be charged an additional amount for an extra occupant or for a portion of a landlord's utility bill – both provisions that would likely lead to a violation of the Rent Control Law if enforced.

Landlords should check with the Rent Control Agency before including any lease provisions that may result in violation of the Rent Control Law. Tenants whose rental agreements include such terms should also call.

## When Your Stuff Takes Over

Santa Monica Code Enforcement can help in identifying, assessing and addressing excessive accumulation of items in a unit. The top priority is the life and safety of the resident living in a cluttered environment and the neighbors adjacent to the unit.

What are the dangers of excessive accumulation for a resident?

- The blocking of doors and windows making escape nearly impossible and preventing first responders from entering.
- The danger of falling objects and tripping hazards for the resident.
- The accumulation of things near a heating source that could ignite a fire.

For more information, please contact Code Enforcement at (310) 458-4984.

## Upcoming Seminars

Join us and learn more about rent control in Santa Monica! The Rent Control Agency makes presentations throughout the year that may be of interest to you. The seminars described below are tentatively scheduled for the dates indicated. Check for updates at our website at [www.smgov.net/rentcontrol](http://www.smgov.net/rentcontrol) or our Facebook page at [www.facebook.com/santamonica-rentcontrol](http://www.facebook.com/santamonica-rentcontrol).

**All seminars (except the Landlord/Tenant Forum) are held at:**

**Santa Monica Main Public Library  
601 Santa Monica Blvd.  
Multipurpose Room, 2nd Floor  
Please register for any seminar by  
calling (310) 458-8751 or sending  
an email to [rentcontrol@smgov.net](mailto:rentcontrol@smgov.net)**

### Landlord/Tenant Forum

Presented with the Consumer Protection Division of the City Attorney's Office, this seminar is part of the City's ongoing efforts to increase public awareness in Santa Monica of local and state laws that impact landlords and tenants. Tenants, owners, and managers are welcome. This seminar is held at the Thelma Terry Center at Virginia Avenue Park. (See article on front page.)

**December 1<sup>st</sup>, 2015 (Tuesday) 9 am – noon**

### Owning Rental Property in Santa Monica

Designed specifically for owners and managers, this seminar includes the basics of the Santa Monica Rent Control Law. Topics include rents, housing services, maintenance, eviction limitations, restrictions on change of use, and services available at the Rent Control office.

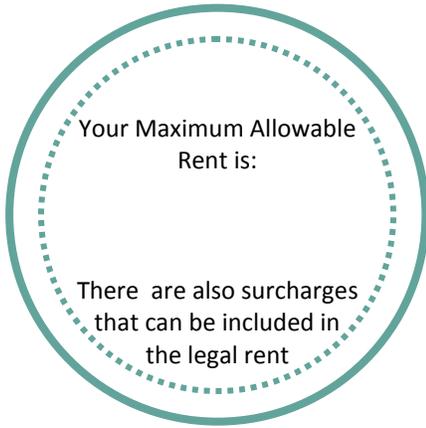
**March 1<sup>st</sup>, 2016 (Tuesday) 9:30 am – noon**

### Tenant Seminar

This seminar is designed to help tenants learn what services are available through the Rent Control office. Also addressed are how housing services are defined, eviction protections under the law, and what remedies are available for problems relating to rents, amenities, and maintenance.

**May 3<sup>rd</sup>, 2016 (Tuesday) 6:30 pm – 9 pm**





Printed on recycled paper with soy ink 

## TENANTS

The amount shown in the circle at left is the Maximum Allowable Rent (MAR) for your unit, per Rent Control records. The legal rent for your unit is the MAR plus allowable surcharges, which typically add \$7.29 to \$60 (more for condos) to your rent. If you moved in recently, Rent Control records may still list the MAR for the previous tenancy. If the message is "Tenant Call," or 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.



### Rent Control Board

1685 Main Street, Room 202  
Santa Monica, CA 90401

Presorted  
First Class Mail  
U.S. Postage Paid  
Santa Monica, CA  
Permit No. 128



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

# INFO



**Public Counter:** 1685 Main St., Room 202  
M-Th / Alternate F: 8:00-4:30



**Telephone:** (310) 458-8751  
M-Th: 7:30-5:30 / Alt F: 8:00-5:00



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



**Email:** [rentcontrol@smgov.net](mailto:rentcontrol@smgov.net)



**www.facebook.com/santamonicarentcontrol**

## Inside the Fall 2015 issue . . .

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- ◆ *Buyout Agreements*
- ◆ *Water Conservation ... and more*

**Para obtener una traducción de este boletín en español, vea el aviso con las instrucciones correspondientes en el interior de este boletín.**