



# Rent Control News

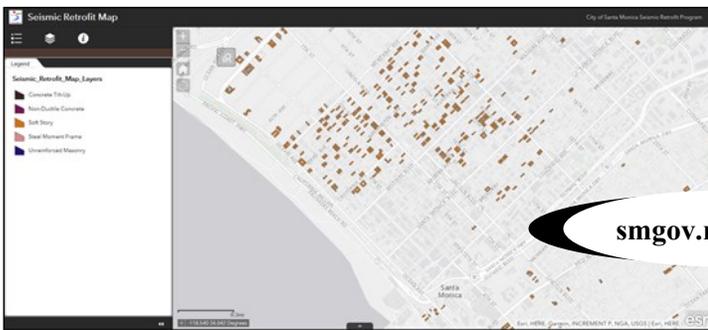
## City of Santa Monica's Seismic Retrofit Program Underway

Recognizing that public safety is government's greatest responsibility, last March the Santa Monica City Council adopted a comprehensive seismic retrofit ordinance to increase the safety of earthquake-vulnerable buildings. Between August 2017 and December 2018, the Building and Safety Division will notify owners of nearly 2,000 commercial and multi-family residential buildings of certain construction types of the need to evaluate the buildings for possible structural improvement. The notices explain evaluation and retrofitting requirements, compliance deadlines and appeal procedures.

Almost 1,300 of the buildings are controlled rental properties. All but 12 are "soft story" buildings where the ground floor includes parking or other similar open floor space below one or more stories of apartments. Compliance timeframes vary for different building types. For soft story structures, when an owner is sent the notice, they will have up to two years to obtain a professional structural analysis of the building and then another four years to complete any necessary work. Not all rent-controlled buildings will require evaluation and/or retrofitting, and once-evaluated, it may be determined that some of the buildings have already been sufficiently retrofitted.

At its October study session, the Rent Control Board heard from members of the public on a range of issues including whether owners should be permitted

*(Continued on page 2)*



[smgov.net/seismic](http://smgov.net/seismic)

## Landlords:

New Tenants Must be Given the **Rent Control Information Sheet** when the Lease is Signed

Shared knowledge helps prevent misunderstandings. The Rent Control Board values that goal! To ensure that Santa Monica tenants and landlords understand the Rent Control Law, the Board now requires that landlords give new tenants a Rent Control Agency-produced information sheet. This rule applies to all tenancies starting on or after July 31, 2017. Tenants are encouraged to acknowledge receipt of the information sheet by signing and dating the owner's copy.

The single-sheet contains basic information about rent increases, eviction protections, maintenance and repairs, and base amenities. It also contains information about other important issues affecting Santa Monica tenants and landlords, such as home-sharing, smoking restrictions, harassment, and construction work in occupied buildings. The Information Sheet was mailed to all owners last summer and can be printed out from the Board's website or picked up at the Board's City Hall office.

*(Continued on page 2)*

### Seismic Retrofit Program (cont.)

to recoup any of their retrofitting expenses by passing some or all of the costs through to tenants and tenant protection considerations when retrofitting work interferes with a tenant’s occupancy of their unit. Analysis of the units impacted by the retrofitting requirement showed that 55% are occupied by tenants who moved in since 2009 paying market-rate rents. Yet, concerns were expressed by industry representatives that some owners would face financial challenges in completing the work. They sought the Board’s support in advocating for a City-sponsored low or no-interest loan program for some set of property owners.

To support the implementation of the Seismic Retrofit program, and in conjunction with the phased issuance of notices to own-

### Rent Control Information Sheet (cont.)

The owner must provide the information sheet to the tenant at the time of lease signing and inform the Board that they did so when they file the Tenancy Registration form for the tenancy. The **recently-updated** form is to be filed with the Board within 30 days of establishing the tenancy.

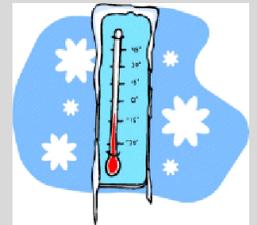
The form includes an owner declaration regarding the Information Sheet, and **owners must use the new form and check the declaration box** for all tenancies beginning on or after July 31, 2017. To make this requirement easy to comply with, the Board has implemented online filing directly from our website with an emailed confirmation returned to the owner upon filing. Owners may no longer use old versions of the form to register new tenancies.

**!** *If a landlord fails to provide the Rent Control Information Sheet to a new tenant at the beginning of the tenancy or does not complete the declaration, the landlord will not be able to implement annual general adjustments for the unit until they meet the requirement. Rent increases imposed during a period of noncompliance would be considered excess rent that could be recovered by affected tenants through the Board’s excess rent complaint process. However, once a landlord gives the tenant the Information Sheet and makes the declaration, he or she may prospectively impose any otherwise lawful increases that were disallowed during the period of noncompliance.*

ers, the City is holding four public Seismic Retrofit Program Information Sessions. Each session will include presentations from the Building and Safety Division about the retrofit program, the basics of a soft-story retrofit analysis and construction project, Means and Methods plan requirements and general tenant protections. A member of the Structural Engineers Association of Southern California (SEAOSC) will present information to assist owners in obtaining a structural evaluation of their property and selecting a contractor for the work. Rent Control Board staff will share information about the Board’s programs related to capital improvements. The first session was held on November 13<sup>th</sup>. Future sessions will be held in various locations throughout the City and are tentatively scheduled for March 6<sup>th</sup>, May 29<sup>th</sup> and August 21<sup>st</sup>, 2018.

### Staying Warm When the Temperature Drops

As winter approaches, it’s time to check the condition of your heater. The California State Building Code requires all residences to have working heaters. Electric space heaters alone do not meet that requirement. And Santa Monica's building code states heaters must be able to raise temperatures to at least 68 degrees Fahrenheit at three feet above the floor.



If you are a tenant and your heater is not working like it should, write or email your landlord or building manager and **keep a hard copy** of your communication. If you do not receive a timely response from management, contact the City’s Code Enforcement Division at (310) 458-4984. A code enforcement officer can communicate with the owner regarding the building code and take enforcement action if necessary. If 30 days pass from your communication with the owner and you still have heating problems, you can file a petition with the Rent Control Board for a rent reduction.

Taking these steps and acting promptly will ensure a much cozier winter.

**HAVING HEAT IS A  
TENANT’S RIGHT!**

## When Parking is Added... It Must Be Registered!



When a new tenant contracts with a landlord to rent a unit, the agreed-upon rent covers occupancy of the unit and use of any amenities and housing services provided with the unit. For tenancies that started in 1999 or later, whatever came with a unit (i.e. parking, appliances, carpets, drapes, laundry, right to have a pet, etc.) are considered base amenities or housing services. If parking was provided at the beginning of a tenancy, the owner is required to register that on the Tenancy Registration form. All included amenities are part of the base rent and the Maximum Allowable Rent (MAR).

But what happens when parking is added after one of these “market rate” tenancies begins? A landlord and tenant may agree to a monthly rental amount for the addition of a parking space not originally provided in the base rent (see Board Regulation 3301(h)(4)). Once added, the parking space becomes a base amenity for that tenancy, and the additional rent becomes part of the MAR.

The owner must register the added parking space and rental amount on the G-Form with Rent Control within 30 days. The amount is added to the unit’s MAR, and increases are limited to the annual General Adjustment.

### Addition of Amenities for Tenancies Started in 1999 or Later

In addition to parking, owners and tenants may agree to add storage or the right to have a pet as a base amenity or housing service. Under the Board’s rules, the addition of an amenity must meet the following criteria:

- \* The agreement to add the base amenity was freely entered into with no pressure on the tenant to accept the additional amenity.
- \* The monthly rental amount for the added amenity is comparable to rental amounts of lawful arrangements in the open market.
- \* If the additional amount does not meet the requirements of the regulation, a tenant can file a base rent petition to determine the correct rental amount for the added amenity.

## 2018 Upcoming Seminars

- Tentative Schedule -

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

**April 3, Tuesday, 9:30am – noon**

### Owning Rental Property in Santa Monica

At this seminar, owners and managers learn the basics of the Santa Monica Rent Control Law and how to avoid common pitfalls. Topics include rents, amenities, maintenance, eviction limitations, restrictions on change of use, and services available through the Rent Control office.

**May 15, Tuesday, 6:30 – 9:00pm**

### 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.

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

## Landlord/Tenant Forum

**Tuesday, December 12, 2017  
9:30am – 12:00pm**

Join us on Tuesday, December 12<sup>th</sup>, for the fourth annual free Landlord/Tenant Forum co-sponsored by the Rent Control Agency and the Consumer Protection Division of the Santa Monica City Attorney’s Office. We’ll spend the morning covering hot topics in Santa Monica landlord/tenant issues.

The forum will be held at the Martin Luther King, Jr. Auditorium at the Santa Monica Main Library as part of the City’s ongoing effort to increase public awareness of the impact of state and local laws on Santa Monica tenants and landlords. Along with a general overview of the Rent Control Law, topics will include tenant protections during construction, online tenancy registration and Rent Control Information Sheet requirements for new tenants. The City Attorney’s Office will present on privacy issues, such as the use of security cameras and concerns regarding tenants’ immigration status, and representatives from the city’s Building and Safety department will present on the City’s recently-implemented Seismic Retrofit Program.

All tenants, property owners, property managers, and advocates are invited to attend. Visit [www.smconsumer.org](http://www.smconsumer.org) for online registration or call the Consumer Protection Division at 310-458-8691 to register by phone. A continental breakfast will be served. Carpooling, walking and biking are recommended, but validated parking is available.



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 \$8.25 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/santamonica Rent Control**

**Inside the Fall 2017 issue . . .**

- City of Santa Monica Seismic Retrofit Program*
- New Tenants Must be Given Rent Control Information Sheet*
- Addition of Parking Must be Registered* . . . and more

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