

# Rent Control News

Fall 2020



City of  
**Santa  
Monica**

## City & State Extend Eviction Protections for Tenants Experiencing COVID-19 Financial Distress

As the COVID-19 health crisis continued with no vaccine on the immediate horizon, the City of Santa Monica extended to September 30, 2020 its moratorium on evictions of residential tenants for nonpayment of rent due to COVID-19 financial distress. Under the City moratorium, tenants have until September 30, 2021 to pay any rent deferred between March and September 2020. The State of California implemented complementary protections preventing evictions for nonpayment of rent through January 31, 2021. Like the City's emergency order, the state law is designed to keep tenants in their homes. It requires that tenants pay to their landlords a portion of the rent they owe for September 2020 through January 2021 by January 31, 2021.

The COVID-19 Tenant Relief Act of 2020, signed by Governor Newsom on August 31st, stipulates that residential tenants who are unable to pay rent because of COVID-19 financial hardship can never be evicted for unpaid rent that came due between March 1, 2020 and August 31, 2020. The law converts unpaid rent for this "protected time period" to civil debt. Additionally, tenants unable to pay rent that comes due between September 1, 2020 and January 31, 2021 cannot be evicted if they pay their landlords 25 percent of the rental payments due during this "transition time period" on or before January 31, 2021. Under the state law, landlords have new responsibilities regarding noticing tenants who don't pay full rent, and the time for tenants to respond has been increased to 15 days. To be afforded the state protections, tenants must declare their financial hardship in writing each time they receive a demand for rent payment from their landlord.

Although the state law precludes further extension of the City's eviction moratorium for non-payment of rent, the City extended its moratorium on evictions for reasons other than nonpayment of rent through December 31, 2020, unless extended.

► For more information about these overlapping eviction moratoria, visit the City's website at: [santamonica.gov/coronavirus-eviction-moratorium](https://santamonica.gov/coronavirus-eviction-moratorium). ▲

## New Leasing Requirements for Rental Units



In response to concerns regarding the loss of residential rental housing to corporations and persons who do not intend to make Santa Monica their primary residence,

the City Council adopted new leasing requirements that apply to all rental units in Santa Monica. The new regulations went into effect October 9th and are intended to preserve Santa Monica's rental housing stock for permanent residents.

The new rules require that all residential units must be rented:

- ✓ only to natural persons;
- ✓ only to tenants intending the unit to be their primary residence;
- ✓ for an initial term of not less than one year; and
- ✓ unfurnished.

These requirements apply to new tenancies started on or after October 9, 2020 – not to existing tenancies or renewals. (Cont. p2)



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

Commissioners: Steve Duron, Anastasia Foster, Nicole Phillis, Naomi Sultan, Caroline Torosis

Executive Director: Tracy Condon

Hemos preparado también una copia de este boletín en español. Para obtener esta versión traducida, llame a nuestra oficina al (310) 458-8751.

## Rent Control Welcomes Returning Board Members

Commissioners Anastasia Foster and Caroline Torosis will continue their dedicated service on the Rent Control Board. Both were elected to second four-year terms in the November election.



During Ms. Foster's four years as a commissioner, she has helped create polices that require property owners to give new tenants an information sheet containing their basic rights under the law, cap property-tax pass-throughs to tenants, and establish leasing requirements to ensure that housing remains available for long-term residents. As she stated during her campaign, *"Apartments are not just a stopover on the way to somewhere else. Apartments are our homes. Our citizens deserve to be treated with respect, and that's why I feel so strongly about serving another term on the Rent Control Board."*

Ms. Foster serves as a member of the Santa Monicans for Renters' Rights Housing Committee and is a regular panelist at "Housing California" in Sacramento. She has rented in Santa Monica for 14 years and serves on the executive board of Meals on Wheels.



Since being elected to the Board in 2016, returning Commissioner Torosis's contributions include: supporting new regulations that ensure units may only be rented to natural persons rather than corporations, encouraging more affordable housing opportunities in the city, and advocating for amendments to the state Ellis Act to strengthen protections for tenants. Commissioner Torosis states, *"I have spent the past four years on the Board ensuring that tenants and landlords are entitled to fair and reasonable rent controls. We must ensure that those controls remain in place and that our laws are enforced."*

Ms. Torosis is a workers' rights attorney and the Director of Economic and Business Development for Los Angeles County. She currently leads the County's economic and jobs recovery response to COVID-19, and she has worked with community-based organizations to implement the County's Worker Resiliency Fund.

Ms. Foster and Ms. Torosis will continue their service with current Board Chairperson Nicole Phillis, Vice-Chairperson Naomi Sultan, and Commissioner Steve Duron. ▲

### Leasing Requirements, cont.

Landlords must provide prospective tenants with written notice summarizing the requirements of this ordinance with any application to rent a housing unit and at the time the tenant is provided a lease for signature.

Soon after adopting the ordinance and in response to community input, the City Council amended the law to permit an owner, who occupies a housing unit as his or her primary residence, to lease that unit for more than 30 days and less than six months no more than twice a year, for a total period not to exceed six months. Also, leases necessitated for the temporary relocation of a tenant would not need to comply with the four rules listed above.

► For more information on leasing requirements, please visit the Community Development Department webpage at [smgov.net/departments/pcd](http://smgov.net/departments/pcd).

For tenancies beginning on or after October 9, 2020, property owners must collect from the tenant and keep on file as proof of their primary residence at least two of the following documents:

- ◆ Motor vehicle registration
- ◆ California ID or driver's license
- ◆ Voter registration
- ◆ Income tax return
- ◆ Utility bill
- ◆ 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. ▲

# STRAUS INSTITUTE

FOR DISPUTE RESOLUTION



## City Partners with Straus Institute for Free Mediation Services

To facilitate a way for property owners and tenants to resolve non-payment of rent issues, the City has partnered with The Straus Institute at Pepperdine Caruso School of Law for mediation services. Although local and state laws limit an owner’s ability to evict tenants for nonpayment of rent for COVID-19-related reasons, tenants still owe full rent, and mediation can be a way for landlords and tenants to work out a plan and reduce tensions.

Mediation is completely voluntary, and the non-contentious informal (virtual) setting has many advantages. For tenants who haven’t been able to pay full rent, reaching an agreement with their landlord about repayment may be a positive option for protecting their credit, maintaining peace at home and avoiding possible displacement. For landlords, mediation can be expeditious, avoiding the long delays, costs and uncertainty that may come with seeking resolution in the courts. Working with dispute resolution professionals from one of the leading programs for arbitration and mediation in the country may reveal a breadth of options that are preferred by both parties.

No doubt these are difficult times for our community, which makes having empathy for others and seeking harmony more important than ever. ► To get started, visit [Law.Pepperdine.edu](http://Law.Pepperdine.edu) and follow the links to the Straus Institute to complete a simple Request for Mediation Services form. ▲

### Because Things Change - Please Stay in Touch

Along with our summer mailing to all tenants and landlords, we publish *Rent Control News* once in the spring and once in the fall. As events this year make clear, much happens outside our regular mailing schedule, and we often have news to share with you. Visiting our website is one way to keep up to date. To make things even easier, and to ensure you get timely information, we invite all tenants and landlords to sign up for our email blasts.

► Send an email to [rentcontrol@smgov.net](mailto:rentcontrol@smgov.net) and let us know you’re interested. If you want to identify where you live or the properties you own or manage, we’ll make note of that when we add you to the list. Then, when important news happens, you’ll be among the first to know. ▲



► *Send us an email now - before you forget! Get updates on Rent 20/20 our interactive information system currently in development and learn how to sign up for a free account.*

## Annual Landlord - Tenant Forum Just Around the Corner



While our regular live seminars are on hold due to Health Department orders, Rent Control and the City Attorney’s Office will host the popular Landlord-Tenant Forum virtually on Wednesday, December 2nd, from 4–6 p.m. This event brings together tenants, property owners, managers and city staff to discuss what’s new and to share community concerns. This year, we’ll bring attendees up to speed on how we’re providing services during the health crisis, the eviction moratoria, new City laws regarding leasing terms and other hot topics. About half of the time will be dedicated to answering participants’ questions of general interest.

► Sign up today at [smconsumer.org](http://smconsumer.org) or by calling the City Attorney’s Office at 310-458-8336. ▲

### Have an Opinion on the Housing Element?



Give the City’s Planning Division your input on the goals and priorities of the Housing Element Update! ► Complete the short questionnaire posted on the Housing Element project page through December 11th:

[surveymonkey.com/r/XHBWK7Y](https://surveymonkey.com/r/XHBWK7Y)



Printed on recycled paper with soy ink 

## TENANTS

The amount in the circle at left is the MAR for your unit, per Rent Control records. **If you moved in recently, our records may still list the MAR for the previous tenancy. In most cases, owners may reset the rent with each new tenancy.** In addition to the MAR, an owner may pass-through to tenants half (\$8.25 per month) of the registration fee Rent Control charges for each unit. \*For tenancies that began before March 1, 2018 and on properties not sold or reassessed since then, owners may also add surcharges based on the property tax bill. With the fee and surcharges, the legal rent for your unit may be \$8 to \$43 higher than the MAR shown. If the message is "Tenant Call," or if you have questions about your rent, please call us.

## 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 us.



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

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# INFO



**Public Counter:** City Hall is Temporarily Closed



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



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



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



**[www.facebook.com/santamonica Rent Control](https://www.facebook.com/santamonica Rent Control)**

Rent Control is closed every other Friday.

## Inside the Fall 2020 issue:

- ✓ **Extended Eviction Protections**
- ✓ **Important New Leasing Requirements**
- ✓ **Free Mediation Service**
- ✓ **Meet the Returning R.C. Commissioners**
- ✓ **Landlord - Tenant Forum**

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