



CalRHA News: Recap of wins and governor's action

Overall, CalRHA had a successful legislative year in that we were able to hold several problematic bills early in the year through the policy and fiscal committee process. A list of those bills that we successfully opposed and killed is below.

- AB 919 (Kalra) - Tenant Opportunity to Purchase
- AB 1035 (Muratsuchi) - Mobile Home Park Rent Cap
- ACA 3 (Lee) - Wealth Tax
- SB 395 (Wahab) - Statewide eviction database
- SB 440 (Skinner) - Regional Housing Authorities
- SB 460 (Wahab) - Ban the Box on Rental Applications
- SB 466 (Wahab) - Repeal of Costa-Hawkins Rental Act
- SB 594 (Durazo) - Disclosure of Beneficial Ownership Information
- SB 611 (Menjivar) - Rental Advertisements
- SB 863 (Allen) - Notice to Terminate

However, many reached the Governor's desk where he has until October 14th to sign or veto legislation. So far, he has signed the following:

- AB 690 (Chen) - Legal Document and Unlawful Detainer

Assistants - Extends the operation of the provisions of law regulating legal document assistants (LDAs) and unlawful detainer assistants (UDAs) from January 1, 2024, to January 1, 2030 - SUPPORT

- AB 1418 (McKinnor) - Tenancy: Local Regulations: Criminal Convictions - Limits the ability of local governments to adopt local ordinances, rules, policies, programs, or regulations to penalize a tenant's contact with law enforcement, or require landlords to adopt policies or procedures that do so.
- AB 1607 (Carrillo) - LA County Affordable Solutions Act - Allows the Los Angeles County Affordable Housing Solutions Agency (LACAHSAs) to transfer a portion of revenue raised by a tax measure to the County of Los Angeles for programs that provide support and services to prevent and combat homelessness.
- AB 1679 (Santiago) - Transaction and Use Taxes: County of LA - Authorizes Los Angeles County (LA County) to impose a transaction and use tax (TUT) that exceeds the 2% statutory limitation. OPPOSE
- SB 48 (Becker) - Building Energy Savings Act- requires the California Energy Commission (CEC) along with other agencies, to develop a state strategy to achieve state goals for energy and greenhouse gas (GHG) emissions from existing buildings.

• SB 567 (Durazo) - Just Cause - Makes revisions to the no-fault just cause eviction provisions of the Tenant Protection Act of 2019 (TPA) and provides additional enforcement mechanisms for violations of restrictions on residential rent increases and no-fault just cause evictions, to take effect April 1, 2024. - OPPOSE

• SB 712 (Portantino) - Micro Mobility Devices - Prohibits a landlord from prohibiting a tenant from owning personal micro mobility devices, as defined, or from storing and recharging up to one personal micro mobility device in their dwelling unit for each person occupying the unit. The bills below have been vetoed by the Governor:

• AB 309 (Lee) - Social Housing Act - Creates the Social Housing Program (Program) within the Department of General Services (DGS) to identify and develop up to three social housing projects on state-owned surplus land deemed suitable for housing.

• AB 524 (Wicks) - Discrimination - Family Caregiver Status -

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Nov. 15	11:30 am	Redding Luncheon: 2024 Law Updates and Board Elections
Nov. 16	11:30 am	Chico Luncheon: 2024 Law Updates and Board Elections
Dec. 1	5-8 pm	Pins for Presents

Legislative recap and updates, from page 1

Expands the protected characteristics under the Fair Employment and Housing Act's (FEHA) anti-discrimination provisions in employment to include family caregiver status. - OPPOSE

- AB 875 (Gabriel) - Courts: Reporting Data - Requires California courts to report aggregated data regarding unlawful detainer actions.

Finally, there are several bills still pending on the Governor's desk, including:



- AB 12 (Haney) - Security Deposits - Would prohibit a landlord from receiving a security deposit for a rental agreement in an amount in excess of one month's rent, regardless of whether the residential property is unfurnished or furnished. We did achieve a carve out for owners of up to 2 properties/4 units. - OPPOSE

- AB 548 (Boerner) - State Housing Law: Inspection - Requires local enforcement agencies to develop policies and procedures for inspecting multiple units in a building if an inspector or code enforcement officer has

determined that a unit in that building is substandard or is in violation of state habitability standards. - OPPOSE

- AB 1317 (Carillo) - Unbundled Parking - Would require the owner of residential real property that provides parking with a residential unit to unbundle parking from the price of rent ("unbundled parking" selling or leasing parking spaces separate from the lease of the residential use). -OPPOSE

- AB 1332 (Carillo) - ADU Pre Approved Plans - Requires local governments to create a program for the pre-approval of Accessory Dwelling Units (ADUs). - SUPPORT

- AB 1620 (Zbur) - Permanent Disabilities: Comparable Units - Allows a jurisdiction with rent control to require an owner of a rent-controlled unit to allow a tenant with a permanent physical disability to relocate to an available comparable or smaller unit located on an accessible floor of the property and retain their same rental rate. We negotiated amendments on this bill to remove opposition. - NEUTRAL

- SB 71 (Umberg) - Small Claims and Limited Civil Case - This bill increases the amount in controversy limits for civil cases within the jurisdiction of the small claims court, as specified. This bill increases the limit on the amount in controversy for an action or special proceeding to be treated as a limited civil case. - SUPPORT

- SB 267 (Eggman) - Credit of Persons Receiving Gov-

ernment Subsidies - Would prohibit the use of a person's credit history as part of the application process for a rental housing accommodation without offering the applicant the option of providing alternative evidence of financial responsibility and ability to pay in instances in which there is a government rent subsidy and would require that the housing provider consider that alternative evidence in lieu of the person's credit history. - OPPOSE

An issue that the Legislature did not fully address during session was the growing problem of insurance in the state. The Legislative leaders have said that they will continue to work on the issue this fall and going into next year.

Initiative Update

Two other constitutional amendments that were passed by the Legislature, but didn't need a signature by the Governor are ACA 1 and ACA 13. Those bills had a large coalition of opposition, but were able to secure the required 2/3 vote of the Legislature. They will join the list of eligible initiatives for the

November 5th, 2024 ballot. Top priorities for CalRHA are the Justice for Renters Act and Taxpayer Protection Act.

- ACA 1 (Aguilar-Curry) - Voter Approval Threshold - ACA 1 lowers the voter threshold from a two-thirds supermajority to 55% majority to approve local (city, county, and special district) GO bonds and certain special taxes for affordable housing, public infrastructure, and permanent supportive housing projects, and defines those terms. - OPPOSE

- ACA 13 (Haney) - Initiative Threshold - This measure would further provide that an initiative measure that includes one or more provisions that would amend the Constitution to increase the voter approval requirement to adopt any state or local measure would be approved by the voters only if the proportion of votes cast in favor of the initiative measure is equal to or greater than the highest voter approval requirement that the initiative measure would impose. The measure would specify that this voter approval requirement would apply to statewide initiative measures that appear on the ballot on or after January 1, 2024. - OPPOSE

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The statements and opinions herein are those of the contributors and not necessarily those of the North Valley Property Owners Association or its members.

President's Message

Pause and Reflect – By Clay Norton

Gratitude and the heart,

A clear connection...

Existing between the two.

Authentic, sincere, personal...

Truly felt - open.

The impact of gratitude...

More than "I'm thankful because..."

Less about what you do,

More about what you are.

Gratitude transforms lives.

Recipients of things we do not deserve.

Attention directed to what we already have...

Of the good things we possess.

A value we can own - never cheapened.

Eyes turned away from discontent,

Fostering thankfulness in our hearts.

Hearts open to a meaningful life...

One that provides an understanding.



Tanya Morgan

Gratitude in your heart...

A decision, not a response.

Take time to pause and reflect.

Happy Thanksgiving...

Understanding "familial status" and its protection Under the Fair Housing Act

Familial status is a critical protected category under the Fair Housing Act, established to ensure equal housing opportunities for families with children and pregnant women. This article delves into the history behind its inclusion, the exceptions where it may not apply, and the most common "accidental" violations property owners and staff should be aware of to maintain compliance with fair housing laws.

The Inclusion of Familial Status as a Protected Category

In 1988, during a period of high-interest rates, many young families were unable to afford homeownership, leading them to turn to the rental market. Unfortunately, landlords at that time frequently refused to rent to families with children, going so far as to run ads explicitly stating "no children" or rejecting applications from families with kids. Recognizing this discriminatory practice, the Fair Housing Act was amended to include familial status as a protected category. Familial status protection extended to families with individuals under the age of 18, including biological, foster, or adopted children, as well as pregnant women.

Exceptions to Familial Status Protection

The Housing for Older Persons Act (HOPA) introduced a specific exception to familial status protection to accommodate retirement housing. However, this exception does not apply to deeply subsidized housing or properties under the purview of the U.S. Department of Housing and Urban Development (HUD). To qualify for the HOPA exemption, a property must meet one of the following criteria:

- All residents must be 62 years or older.
- At least 80% of the property's units have a head of household or at least one individual aged 55 or older. The remaining 20% can have younger occupants but no children.

Additionally, the property must advertise itself as a retirement community, with community rules and policies clearly stated in the lease agreement. HUD properties designat-

Continued, page 5

Executive Corner

By Jennifer Morris

On Friday, October 13th NVPOA hosted our 4th Annual Gala and Award Ceremony. It was a beautiful evening with many people to thank you.



I would like to start by thanking our Platinum Sponsors; C and A Cleaning, The Depa Team, US Bank, Costar, and Five Star Bank. Gold Sponsors; HD Supply and The Hignell Companies. Bronze; MWS Properties and Sheraton Real Estate Management.

Thank you to the wonderful raffle basket donors; MWS Properties, Moving Chico, ReMAX of Chico, The Depa Team, C and A Cleaning, Sheraton Real Estate Management, Foothill Fire, Dirk Potter and Sam Harvey, Meriam Park, Madsen Properties, Azad's Martial Arts, Pace Supply, The Hignell Companies,

About Trees, and Logarrow Marketing.

Thank you to the live auction items; Flight Lessons donated by Heart to Home Dori Franklin, Chico Staycation donated by Hill Properties, and Aptos Seascape Stay donated by Stacie Power of Power West Properties/Power Law. Thank you to Stacie Power for your case of wine donated for the wine/key fundraiser. Tanya and Hill Properties Staff for the Lock and Keys, and Eaton Ranch Staff for decorating the lock so nicely. Thank you to Eaton Ranch for your donation to our Desert Auction by Helen Grace.

Thank you to the membership social committee (as well as Tanya, Erin, Jon, and Matt) for your support, ideas, and execution setting up for the event, during, and clean up. Stephan Hightower and Juan Mundo for always being there to lend a helping hand. Thank you, Angela Mundo (and Brittany), for the beautiful decorations. The wonderful vendors and catering done by Butte Creek BBQ, Elite Sound, and Tiffany Doolittle Photography. Adam Pearce for the CalRHA Legislative recap of wins and losses for the year (this is why we do this event).

Thank you to Kailyn for your contributions to making the event a success, calls, emails, set up, break down, shopping, ideas, outreach, and social media posts. Thank you to Matt and Tanya for emceeing the event that created a flow to the evening that led to the success of how much fun everyone had.

Last but certainly not least, thank you to all that attended, purchased tickets, desserts, and the live auction items. I hope I acknowledge everyone that lent a hand, donated, and participated in this important event! I wish I was more articulate in expressing my true appreciation for you all!

The Nominating Committee for the awards certainly had their job cut out for them with the nominations that were submitted for the 11 awards.

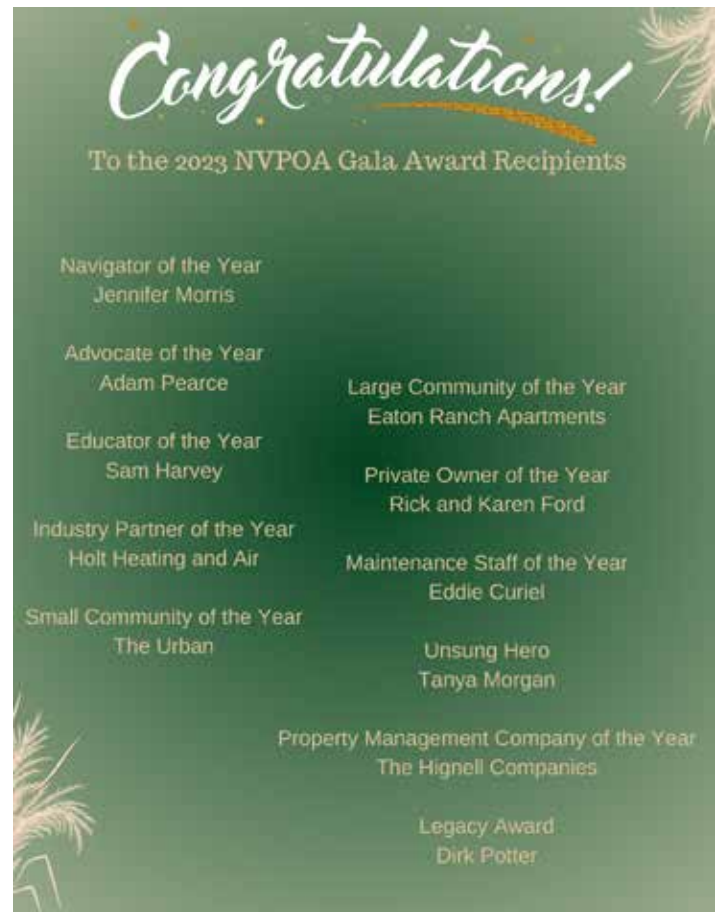
Thank you, Stacie, Erin, Brooke, and Brad. Congratulations to the award recipients! This was truly a beautiful, success-

ful, event that if you didn't get a chance to attend we hope to count you in on the fun next year.

The November Luncheons will be ones you won't want to miss as the attorneys and Adam Pearce get together to bring Redding (November 15th, 11:30) and Chico (November 16th, 11:30am) the 2024 Law Updates and NVPOA Board of Directors Election RSVP today.

The 2024 Board of Director Nominees are; President-Matt Depa, Vice President-Brittany Hightower, Treasurer-Alysha Sanchez, Legislative Officer- Brooke Shelton, and Secretary-Erin Campos.

We received this note from Legacy Award recipient Dirk Potter: *I want to thank the Board and members of NVPOA for awarding me the Legacy Award for 2023. I am truly honored and humbled. I am sorry that I was not able to attend the Gala celebration as I missed seeing so many of you. It has always been my pleasure to support the mission of NVPOA and I wish the organization and members the best.*



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Familial status, from page 3

ed as “elderly properties” cannot refuse occupancy to children if the household otherwise qualifies, as they are federally funded and subject to fair housing laws.

Common “Accidental” Familial Status Violations

Familial status violations represent 25% of all fair housing complaints, partly due to the complex interpretation of the law. Property owners and staff must be aware of potential discriminatory practices to avoid unintentional violations. Three common accidental violations include:

Safety Issues: Implementing rules that discriminate against children, such as restricting pool access based on age, can lead to violations. Instead, property rules should focus on safety and competency, such as requiring swimmers to know how to swim.

Occupancy Limits: Adhering to the two-person per bedroom occupancy standard is a common practice, but other factors, such as room types and sizes, should be considered. Compliance with building and fire codes is also crucial.

Steering: While property managers may believe they are acting in the best interest of prospects, statements that imply that there aren’t a lot of children living here or perhaps another building closer to a park would be better can be viewed as discriminatory. It is best to let prospects ask questions and carefully document responses during tours.

Understanding familial status and its protection under the Fair Housing Act is crucial for property owners and staff. Regular and up-to-date training is essential to navigate the complexities of familial status regulations and maintain ongoing compliance with fair housing laws.

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Hignell Companies, Property Management of the Year



The Urban (Hill Properties), Small Community of the Year

Scenes from the Annual NVPOA Gala



Left: Tanya Morgan, Unsung Hero of the Year.

Above: Adam Pearce, Advocate of the Year.

Right: Jennifer Morris, Navigator of the Year





Above: Eaton Ranch, Large Community of the Year

Left: Eddie Curiel (Hignell Companies), Maintenance Staff of the Year

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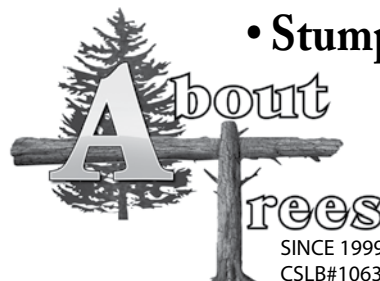
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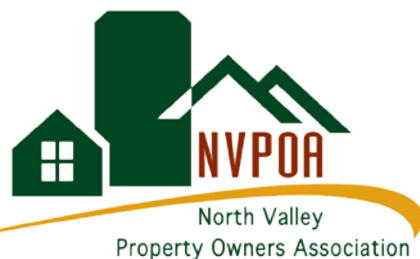
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How does “source of income” relate to Fair Housing?

BY Kathi Williams

*Fair Housing Institute, Inc.
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The landscape of fair housing has been continuously evolving. One of the emerging focal points is the protection against discrimination based on the “Source of Income.” While not federally recognized under the Fair Housing Act, this classification has steadily gained traction at state and local levels, expanding the purview of housing rights.

Defining “Source of Income”

In the realm of housing discrimination, the “Source of Income” pertains to the origin of a resident’s lawful earnings or funds. This can include earnings from employment, pensions, or other regular payments, but notably, it frequently involves rental assistance programs or housing subsidies such as Section 8.

Although it’s not yet a federal mandate, many state and local housing laws and ordinances have recognized and added it as a protected category.

Implications for Property Managers and Landlords

For those managing federally assisted housing programs, such as 202, 811, or tax credit properties, it’s often mandatory to consider housing subsidies as a valid source of income. This means refusing a tenant on the grounds of them receiving rental aid can have legal repercussions.

However, if a property doesn’t fall under these categories, it’s paramount to delve into local city or county regulations. A deep understanding of local ordinances is essential to

ascertain whether “Source of Income” is protected in your jurisdiction.

Resident Income Screening in the Context of “Source of Income”

When screening potential residents, many property managers and landlords have set income criteria that applicants must meet. When “Source of Income” is protected, this screening process requires nuanced handling. The focus should primarily be on the tenant-paid portion of the rent. Managers need to:

- Ascertain the amount of rental assistance the applicant receives.
- Determine the gap between the assistance and the market rent of the property.

Upon obtaining these numbers, they can be juxtaposed against the property’s income standards to ascertain eligibility.

The Rise of “Source of Income” as a Protected Class

Recent years have witnessed a surge in advocacy for “Source of Income” protection. Various legislative initiatives have been proposed to elevate its status at the federal level. This momentum is largely attributed to the pressing challenges of housing affordability and accessibility. Incorporating “Source of Income” as a protected category can alleviate these challenges, enabling a broader segment of the population to improve their housing conditions.

In Conclusion

The intricacies of housing laws go beyond federal mandates. For property management professionals, staying updated with state and local ordinances, along with training, is as crucial as understanding federal regulations. The categorization and acceptance of various income sources can profoundly impact resident selection and rental operations, underlining the importance of comprehensive knowledge in this domain.

