

The Liaison

April 2024
Vol. 45, No. 4



Public policy update from Sacramento

From the California Rental Housing Association—

The Governor's Legislative Secretary, Christy Buoma, is leaving and has been replaced by Christine Aurre, who has served as Newsom's Deputy Legislative Affairs Secretary since 2022.

Leaders from CalRHA met with Governor Newsom's Legislative Deputy for housing/rental housing issues, Myles White, in March where we discussed key legislation that has been introduced so far, as well as creative ways to help fund rent assistance in the state.

Legislative Update

Policy Committees have begun hearing legislation and several bills of interest are

highlighted below.

• **AB 2059 (Flora, R-Rippon) - Tenancy: Obligations of Landlords: Repairs** - This bill would prohibit a landlord from being liable for dilapidations rendering the premises untenantable, unless the landlord receives written or oral notice of the dilapidations and the landlord is given a reasonable time to repair the dilapidations. - SUPPORT

• **AB 2114 (Irwin, D-Thousand Oaks) - Exterior Elevated Elements: Inspection** - This bill would also allow licensed civil engineers to perform balcony inspections. Set for a hearing on March 20th in Assembly Housing and Community Development. - SUPPORT

• **AB 2187 (Bryan, D-Culver City) - Office of Tenants' Rights and Protections** - Placeholder bill stating the intent of the Legislature to enact subsequent legislation to establish the Office of Tenants' Rights and Protections. - OPPOSE

• **AB 2216 (Haney, D-San Francisco) - Household Pets** - Would state the intent of the Legislature to enact legislation related to a landlord's ability to prohibit common household pets in residential tenancies. - OPPOSE

• **AB 2230 (Bennett, D-Oxnard) - Would state that California's anti-trust laws can be applied to anti-competitive practices occurring in residential housing, and would clarify that City Attorneys may investigate and prosecute anticompetitive behavior.** - OPPOSE

• **AB 2278 (Carillo, D-LA) - CalRHA Sponsored bill which would have the Housing and Community Development Department post the correct allowable yearly rent increase.** Set for a hearing on March 20th in Assembly Housing and Community Development. - SUPPORT

• **AB 2498 (Zbur, D-Santa Monica) - Housing: the California Housing Security Act - Would, upon appropriation of the Legislature, establish the California Housing Security Program to provide a housing subsidy to eligible persons, as specified, to reduce housing insecurity and help Californians meet their basic housing needs.** To create the program, the bill would require the Department of Housing and Community Development to establish a 2-year pilot program in up to 4 counties, as specified. The bill would require the department to issue guidelines to establish the program that include, among other things, the amount of the subsidy that shall be the amount necessary to cover the portion of a person's rent to prevent homelessness, but shall not exceed \$2,000 per month. - SUPPORT

• **AB 2584 (Lee, D-Milpitas) - Corporate Owned Single-Family Homes** - Would prohibit owners of more than 1,000 homes from buying more single-family properties. OPPOSE

• **AB 2785 (Wilson, D-Suisun City) - Would require a landlord to, within 30 days of receiving a tenant's security, deposit the sum into an account of a bank or other financial institution regulated by the state or federal government.** Any balance originating from the security that remains in the account after reimbursement to the landlord, including interest accrued on that balance, would be payable to the tenant. OPPOSE

• **AB 2801 (Friedman, D-Burbank) - Prohibits a landlord from requiring a tenant to pay for, or asserting a claim against the tenant or their security deposit for, professional carpet cleaning or other professional cleaning services.** OPPOSE

• **AB 3057 (Wilson, D-Suisun City) - CEQA Exemption** - Expands the CEQA exemption to junior ADUs. SUPPORT

• **SB 1201 (Durazo, D-LA) - LLC Owner Transparency** - Would require each entity to disclose the name of each person with substantial control over the entity both upon creation and upon submitting their required biennial business filings. OPPOSE



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Mark these UPCOMING EVENTS
 dates for chances to learn and grow:

RSVP: assistantnvpoa@gmail.com

April 9	6 pm	Chico Area Real Estate Investors Meet-Up. NVPOA Office. Free.
April 9-10	Varies	CalRHA Lobby Day. Sacramento. See page 7. Talk with Jennifer.
April 17	11:30 am	Redding luncheon. Fair Housing. Shasta Association of Realtors. \$25.
April 18	8:30 am	Maintenance Workshop: HVAC Certification Course with PACE Supply, Tony Hindo. Chico Elks Lodge. \$25.
April 18	11:30 am	Chico Luncheon: Safety Chico Elks Lodge. \$35
April 24	8:30 am	Target Team meeting. NVPOA Office. Free.
April 25	10 am	Fair Housing Workshop. City of Chico Council Chambers. Free.
April 30	10 am	Understanding Notices. NVPOA Office. \$10.
May 7	9 am	Chico Community Update: Police, Fire, NBTIF. Virtual.
May 14	10 am	Security Deposit Returns & Conflict Resolutions. Virtual & in-person.
May 14	6 pm	Chico Area Real Estate Investors Meet-Up. NVPOA Office. Free.
May 16	1 pm	Landlord 101. Virtual & in-person. \$10.
May 22	1 pm	Understanding Domestic Violence in Housing. Virtual \$10.
May 29	10 am	Waste Management. Virtual. \$10.
June 4	10 am	Humanity in the Workforce. Virtual. Cost: TBA.
June 6	1 pm	Small Owner Q&A. Virtual & in-person. \$10
June 11	1 pm	Chico USPS: Community Mail Theft & Repair Rules. Virtual & in-person. Free
June 11	6 pm	Chico Area Real Estate Investors Meet-Up. NVPOA Office. Free.

NEWS AND INFORMATION FROM NORTH VALLEY PROPERTY OWNERS ASSOCIATION

Serving area property owners, managers, investors and industry partners. A nonprofit association for the counseling and servicing of all owners and operators of rental properties.

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OFFICE HOURS

M-F: 8 am to 2:30 pm
The LIAISON is a publication of the North Valley Property Owners Association which is solely responsible for the content. Comments, letters and advertising inquiries should be directed to:

NVPOA

984 East Avenue, Suite B-1
Chico, CA 95926
Ph (530) 345-1321
www.nvpoa.org
nvpoa1@gmail.com

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

Protect your rental business!

By Matt Depa

As you've heard from myself and many others, we have another significant battle ahead of us, for the third time.

If you weren't available last week, you missed a comprehensive presentation from our friends at CALRHA, which delved deeper than this article into the potential impacts on you and your business if passed. Should you wish to view that presentation, please reach out to Jennifer or Kailyn, and they can provide you with the link.

Urgent Call to Action: Protect Your Rental Business

The Costa-Hawkins Rental Housing Act is under threat! A new ballot initiative in November 2024 aims to enforce strict rent control, affecting

every property owner in California, including single-family homes and condos. Here's what it means for you:

- **No More Market Rates:** Can't raise rents to market levels when tenants leave.
- **Decreased Income & Property Values:** Your financial security and investments are at risk.
- **Rent Caps on All Properties:** Your freedom to manage and profit from your property will be severely limited.

Why Act? This isn't just about rent; it's about preserving the value of your property and ensuring your business can thrive. The same groups that pushed for Propositions 10 and 21 are behind this, and we've beaten them before!



We Need Your Help! CalRHA is fighting back, but we need to raise \$5 million to protect our industry. Your contribution will go directly to this fight, preserving your rights as a property owner.

Join Us - Donate Today: Your support made a difference in defeating past rent control initiatives. Let's do it again! Every dollar counts towards protecting our industry and your investment. Visit: <https://www.efundraisingconnections.com/c/CalRHAlsus> your participation is crucial.

TOGETHER, WE CAN WIN!

Tell others why this issue is important: Resources you can share.

Download at: cal-rha.org/protecting-costa-hawkins

Point your phone camera at the QR code to donate:

Executive Corner

By Jennifer Morris

Starting in April 2024, the new rules under SB567 are going into effect. This are more restrictive rules surrounding AB1482, the California Tenant Protection Act of 2019 and no fault just cause termination rules. Even today, four years later we still have several members that do not know what AB1482 is and how to navigate it. It is a newer law that restricted statewide rent control and termination protections.



For our area, this was what changed everything because up until this time we did not have rent control or termination protections. For many local areas throughout California (like Berkeley, Santa Monica, L. A., Oakland, and San Fransisco to name just a few) this was nothing new. Today, all rental owners need to determine whether their property a regulated property or an exempt property and is there disclosing language in your rental agreements with your residents?

I know it is frustrating—there used to be a time when a quick question was a quick answer but now it takes many questions to get to the answer to your original question. So, if you do not know if your property is exempt or regulated, I would highly recommend you seek the advice of your real estate attorney to determine where you fall; you might even own both.

Why this matters to you goes back to the original thought: stricter rules are starting in April for those regulated properties wishing to terminate residents' tenancies for no fault just cause.

What is no fault just cause? The current residents have not breached their rental contract, but you want them to vacate, you only have four allowable options available to choose to be able to terminate. If you are using the reason for family to

move in or relative there is a new form that goes into more disclosure about family/owner move in that would need to be listed and they must physically occupy the rental premises as their primary residents for a minimum of 12 months. They must take possession of the unit within 90 days of the terminated residents moving out.

Failure to do this, well it is not good, and would suggest you speak to an attorney. If you want to list the termination reason is for substantial remodel or demolition, you guessed it, you must give the scope of the work, with signed contract with contractor or permits for the scope of the work. If for demolition also have list the date of demolition and copy of permits pulled to perform the demolition. Failure to start work after 90 days goes into more legal requirements.

Basically, be mindful of your termination notices moving forward. I know it is a bit vague but feel free to speak to your attorney or give our office a call and we will try to help you navigate the new rule.

Lastly, do not forget on July 1st the security deposit rules change for new move ins on properties that are regulated.

We know we are tracking several bills for this year. If you are interested in learning more about what's coming look for the CalRHA Policy Updates or give us a call.

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Guest Speakers on Politics & Policy

Sheraton Grand Hotel - 1230 J St, Sacramento, CA 95814

5:30pm - 7:30 pm

Legislative Reception

Mayahuel - 1200 K St, Sacramento, CA 95814

April 10, 2024

Meetings with Legislators/ Staff

9:00am - 3:00pm

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Personal safety tips for property managers, landlords and real estate professionals

We tend to focus on protecting the safety of those around us — which is admirable — but our personal safety should also be a priority. And for those with occupations in the real estate industry, from sales to property management, there are inherent risks to health and safety. The good news is that these risks can be mitigated with a good safety strategy.

CONDUCT A SAFETY ASSESSMENT

The first goal is to have an honest assessment of safety concerns in the workplace. We might know instinctively how to protect ourselves or watch for dangers, but we all have blind spots when it comes to our surroundings and routines.

Conducting a safety assessment not only opens our eyes to any possible risks, but can also help us determine what steps are necessary if the need arises.

Part of making an assessment involves contemplating all the aspects of your occupation where you may encounter a situation or a person that could cause harm.

TIMES OF VULNERABILITY

For a detailed safety assessment, it's important to figure out what those times of vulnerability are in your occupation. Common areas that you've likely already addressed would be OSHA (Occupational Safety and Health Administration) has mandated for things such as COVID-19 and injury protocols.

OSHA standards are required to maintain good working conditions that we'll address in the Safety Planning section below. But working in the real estate and rental industry brings up additional safety concerns that can leave you vulnerable to harm such as:

- Showing a vacant rental
- Hosting an open house
- Lease signing appointments
- Property inspections
- Rental inspections
- Gang and criminal activity
- Angry tenants
- Violence between tenants and guests
- Dogs and dangerous pets
- Winter darkness
- Evictions
- Rent collections
- Rentals with tenants that hoard
- Rentals used for drug deals and meth houses

“In other words, rent control... inevitably reduces the number of available apartments—and that ends up costing everybody else more money.”

PLAN A SAFETY STRATEGY

After you've written down the potential for harm in your assessment, it's time to put that information and your OSHA standards together into a comprehensive safety strategy for your organization.

Based on your assessment, create a safety manual binder (be sure to keep a digital copy online) with sections of each type of vulnerability, the protocols to follow to stay safe, and other information such as checklists and safety meeting handouts and attendance records.

Before we dive into the rental industry specifics, be sure to implement the general OSHA recommended practices. From their safety management page, OSHA states, “The idea is to begin with a basic program and simple goals and grow from there. If you focus on achieving goals, monitoring performance, and evaluating outcomes, your workplace can progress along the path to higher levels of safety and health achievement.”

Employers will find that implementing these recommended practices also brings other benefits. Safety and health programs help businesses:

- Prevent workplace injuries and illnesses
- Improve compliance with laws and regulations
- Reduce costs, including significant reductions in workers' compensation premiums
- Engage workers
- Enhance their social responsibility goals
- Increase productivity and enhance overall business operations

You can find core elements, tools, case studies, additional resources and download the recommended practices here: <https://www.osha.gov/safety-management>

With that in mind, your safety strategy should include holding routine safety meetings — even if you are a private landlord with no employees, take time at least monthly to review safety topics and make sure areas of concern have been addressed (such as replacing burnt out exterior lights).

In your safety strategy, consider if you need to invest in tools and equipment to help with safety measures such as a panic button and visible cameras and be sure to outline escape routes.

PERSONAL SAFETY TIPS

The three most common threats are theft, verbal altercations, and physical assault.

Know that altercations with angry tenants are not premeditated and can likely be diffused with good communication and conflict resolution skills.

Thefts are crimes of opportunity and therefore think about ways to secure your office and valuables.

Although some theft is premeditated, predators intent on physical assault will do research and stake out the situation before choosing where and whom to victimize. Knowing this is powerful because you then have the opportunity to set the tone and take precautions to deter them away.

SET THE TONE

Whether you are getting to know your tenants or working with a prospect, set the tone of confidence and control; always keep your cool to maintain a friendly yet professional persona.

Property managers, in particular, should be cautious when sharing personal information, but everyone working with the public should remember this as well.

Control your schedule — If someone asks for a 10 am appointment, don't be afraid to say 10:15a works best for you. It's a subtle power dynamic trick that sets the tone of authority. You should also give them a clear indication of how long the appointment or showing will take.

In every interaction, avoid appearing passive but rather confident, and when necessary, even assertive. Use clear body language, tone of voice, eye contact, and posture to make



sure those you are speaking with know that you would not make an easy target.

You can also set the tone in your marketing and on calls by informing that the area is popular and the home has large windows that allows in plenty of sunlight.

Greeting someone in person you should stand up from your chair or stand up on the porch or step. Then, either give them a strong handshake or a solid head nod to demonstrate strength and confidence.

OFFICE SAFETY

Your office should be a place of safety so create an environment that takes into account the different types of risks that might present themselves.

- Put desk where you can view the door/entry, walkway
- Never indicate you are alone in the office
- Don't leave keys on the desk or hung near the door
- Keep cabinet doors locked and key hidden
- Ask for ID for all unknown delivery personnel
- Don't accept cash and have a 'no cash on premises' sign. An electronic alternative to cash payments such as PayNearMe.
- Don't advertise rent drop-off locations and consider switching to an online rent payment system.
- Contact the police if you receive threatening texts, calls,

or social media messages. Submit separate reports for each incident so that if it escalates, the courts can treat it as a felony vs a misdemeanor.

TIPS WHEN SHOWING A VACANT RENTAL

Showing a vacant rental or home for sale is where most real estate professionals are the most vulnerable. A good practice is to require that you or your prospects fill out a guest register with their full name, address, phone number, email, and vehicle information. Then, copy, scan, or take a picture of the prospect's driver's license or ID card before entering the home.

Use active listening skills and ask open-ended questions. Don't be shy in digging in for more detailed answers. This shows that you are leading the interaction, but more importantly, allows you to suss out any contradictions. Look for stumbling on questions that should be easy to answer such as: 'What about the house caught your eye?' or 'How did you end up choosing this property?'

If at all possible, never go alone or host an open house alone, but in the event you must, here are some personal safety tips that can help keep you safe:

- If you can't have a buddy system and must go alone, inform someone you are going to the showing with a timeline of when you'll check back up with them after.
- Don't park in the driveway but rather park your car in front of the property to avoid having your car blocked in.
- Keep your car keys and cell phone with you at all times
- Have your cell phone fully charged before every meeting
- Lock your handbag, purse, laptop case, or any important valuables in the trunk of your car.
- If you can't take someone with you to the showing, tell prospective tenants that it's possible a friendly neighbor might drop by — or that you are meeting another prospect after that appointment.
- Insist on and always have the prospect enter the home before you.
- Keep the front door open and engage (extend) the dead-bolt so that it can't be closed.
- Have all the curtains and blinds fully open in the home.
- Walk behind them at all times, never giving them the opportunity to overtake you from behind.
- Avoid going with the prospects into basements, attics, outbuildings, etc.
- Check all rooms and areas before locking up and leaving.

RENTAL AND PROPERTY INSPECTIONS

For rental and property inspections, many of the same principles apply when showing a vacant property. It's all about your safety.

For your personal safety, fix burnt-out or broken interior, exterior, and street lights immediately when noticed. Walk with confidence with your head up – not looking down at a cell phone. Wear flat shoes and not high heels and wear a name badge and/or a reflective vest.

SAFETY FIRST!

Most importantly, trust your gut instinct. If your intuition is sending you warning signals, you can always give a reason why you need to cancel, can't meet with someone, or need to cut a meeting or showing short. Safety first! Hopefully, you won't experience a verbal altercation, theft of property, or assault — but being prepared can increase your chances of staying safe.

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Attorneys at Law

Samuel E. Harvey
Attorney

Jacobs, Anderson, & Potter, LLP

20 Independence Circle • Chico, CA 95973
(530) 342-6144 • Fax (530) 342-6310
sharvey@jape-law.com

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Landlord/Tenant Q & A: *Kimball, Tirey & St. John, LLP*

Question: We have posted no smoking signs on our poolside bathrooms and laundry rooms. Is this legal? We have been challenged by several residents.

Yes, you may restrict smoking in the common areas of your apartment community. In addition to posting no smoking signs, you may also want to add lease provisions or a lease addendum to control smoking. Multiple cities are also passing no smoking ordinances that further limit smoking in multi-family housing.

Question: We have an excellent single resident in one of our units. She has requested to move a troubled friend with relationship problems in with her for a couple of months. What legalities do I need to consider and what additional and/or new forms do I need to have filled out and signed?

You could have the additional occupant qualify as a resident and sign the current lease as a tenant. This will protect you if the occupant remains and the resident moves out. Additionally, if the tenancy is only temporary, through January 1, 2025, you may also elect to use the law for tenancies at risk of homelessness, the forms can be drafted by attorneys.

Question: Can a three-day notice be served for the cost of damage to the unit caused by a resident? A five-year-old flooded an upstairs carpeted room, resulting in carpet repair and drywall repair of the ceiling downstairs. The standard lease form in effect clearly provides for the tenant to pay in this circumstance.

So long as your lease does not provide otherwise, you can serve a three-day notice to perform conditions or covenants demanding the resident pay for the repair.

Question: I purchased a building in which two of the three tenants do not have a deposit on file. Can I require a deposit for continuing tenancy?

If their lease agreement is month-to-month (as opposed to a fixed term lease), you can serve a thirty-day notice changing the terms of the tenancy to require a deposit unless the unit is in a rent controlled jurisdiction that limits deposits.

Question: New tenants signed our lease and paid the first month's rent. Now they want to get out of the lease. They did not take possession.

When the tenant signs a lease, they are bound by the terms even if they change their mind later. The landlord must make reasonable efforts to try to find a replacement tenant, and if this effort is successful, the amount paid by the replacement tenant will reduce the original tenants' liability.

Question: Our renters signed a one-year lease but were evicted after two months. They moved out before they were locked out. Are we able to charge rent until the unit is re-rented?

An eviction doesn't end the tenant's responsibilities. You can charge them rent through the end of the lease term. However, you must make reasonable efforts to try to find a replacement tenant, and if this effort is successful, the amount paid by the replacement tenant will reduce the evicted tenants' liability.

Question: I am renting a single family dwelling to three individuals, each of whom submitted a separate application but want to all be listed on the rental agreement. How do I fill out a month-to-month agreement?

Have them all sign the same rental agreement, listing all three individuals as tenants, so that they will all be jointly and severally liable.

Question: Several weeks ago, during a windstorm, a large tree fell on my tenant's car. The tenant thinks I am responsible for the damages, but my insurance company says I am not.

Unless you were negligent in the way you maintained the tree, you are not liable. This should be covered by tenant's renter's insurance.

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