

CalRHA legislative changes summary for 2024

Below is a summary of some of higher priority laws impacting the rental housing space that will be taking effect in 2024.

- **AB 12 (Haney) - Security Deposits** - Prohibits 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. The bill has a delayed implementation date of July 1, 2024.
- **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.

- **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). We obtained an amendment exempting 15-units or less from the bill.

- **AB 1332 (Carillo) - ADU Pre Approved Plans** - Requires local governments to create a program for the pre-approval of Accessory Dwelling Units (ADUs). CalRHA supported AB 1332, as ADU streamlining is a priority of the association.

- **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 (Carillo) - LA County Affordable Solutions Act** - Allows the Los Angeles County Affordable Housing Solutions Agency (LACAHS) 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 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.

- **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.

- **SB 267 (Eggman) - Credit of Persons Receiving Government 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.

- **SB 567 (Durazo) - Just Cause** - Makes revisions to

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Jan. 16	10 am	Cal RHA 2024 Ballot Fundraising webinar. Zoom. Free.
Jan. 17	11:30 am	Redding Luncheon: Balcony Inspection Laws. Shasta Association of Realtors. \$25
Jan. 24	1 pm	Navigating California Tenant Protection 2019 (AB1482) Rules. Office classroom. \$10
Feb. 22	18 am to 2 pm	NVPOA Annual Housing Expo. Manzanita Place. See page 6.

Legislative issues in 2024, from page 1

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.

• **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.

ASSEMBLY COMMITTEE CHAIRMANSHIP UPDATE/ PRO TEM TRANSITION

The new Speaker, Robert Rivas, has announced his committee chairmanship changes for 2024.

Of note, Assemblymember Wicks, who was the Housing Chair, is now the Appropriations Chair. She has been replaced by Assemblymember Ward from San Diego.

Assemblymember Maischein has been replaced by Assemblymember Kalra. Additionally, Assemblymember Gabriel is the new Budget Chair. To view all of the committee changes, visit the CalRHA website.

In the Senate, a leadership transition date has been set for Monday, February 5th, which is when Senator Mike McGuire from Healdsburg will

be replacing Senate Pro Tem Toni Atkins from San Diego who is termed out at the end of 2024. McGuire's leadership will be fairly short, as he is required to step down after 2026 due to his own term limit.

STATE BUDGET UPDATE - LEGISLATIVE ANALYST'S OFFICE (LAO) PROJECTS \$68 BILLION DEFICIT

On December 7th, the LAO released its fiscal report, projecting a \$68 billion deficit. This would be a record for the state and is largely due to increased spending and delayed tax revenue.



The LAO recommends that the Governor declare a fiscal emergency, allowing the state to dip into as much as \$24 billion of its rainy-day funds, and that legislators pull back on one-time spending allocations that have not yet been distributed.

This could save \$10 billion or more in funding that was set aside for transportation, environmental and education programs.

The Governor is finalizing the state budget for 2024-25, which will be released in early January.

Considering promotional items for your business?

A good promotional item is not just an inexpensive or expensive item that you can pass out to current customers, prospective customers, employees, onboarding new employees or just a thank you gift.

You must consider the person receiving the item. What is of interest to them? Always view a promotional product by considering the following:

1. **USEFULNESS:** Will the recipient find it useful in their daily lives.
2. **NECESSITY:** Will it solve a problem or need for them?
3. **LONGEVITY:** How long will the item last? How many times will the recipient look at the item and remember your company or show it to others as something that is a great, fun item.
4. **SUSTAINABILITY:** This is becoming more and more important with many people. We are all aware of the many problems created by discarding items that are destroying our environment. It is important to look at how long a product will have a useful life how it can safely be disposed of at the end of life.

Here are just a few product ideas that fit some or all of the above:

1. **Pens:** Yes, a very common item for a promotional product. A pen will change hands at least seven times during its life. It is useful, a necessity, has longevity, many are made of sustainable products, such as bamboo and wheat straw.
2. **Tumblers, mugs and other similar items** are also extremely useful to many people. These items are also now available in many different sustainable products.
3. **Tech items:** Phone chargers, speakers, phone stands, etc. are also items that people use on a daily basis; hence making great give-a-ways. Like pens and tumblers, sustainability is becoming key.
4. **Apparel:** Shirts, Ball Caps, Sweatshirts, Jackets, Tote Bags and other similar items can now meet all four of the above points.

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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

Hello & Happy New Year!

I hope your Christmas was joyful, spent with family and loved ones. As we step into 2024, I'm thrilled to begin my term as the 2024-2025 NVPOA President.

I'd like to extend heartfelt thanks to Tanya Morgan for her exceptional leadership over the past two years, and to Nick Yorton for his dedication as a past president and Board member.

Looking ahead, we've lined up exciting events, classes, and educational opportunities for you this year.

A quick note on important matters: As you know, 2024 is a presidential election year, and we face challenges with bills affecting the Costa-Hawkins Rental Act and a proposed Rent Control Initiative.

As Vice President of CAL-RHA, I'll be actively involved in these issues, working alongside our members, lobbyist, and Adam Pearce

to mitigate, defeat—and sometimes, if necessary, find a mutual compromise for the best possible outcomes.

Your support in our various fund-raising events and initiatives is crucial. We have planned a series of events and fundraisers, including good ole fashion phone campaigns, to gather funds needed to counter



Matt Depa

contributions or assistance you can offer.

If you have questions or wish to discuss these matters, feel

"2024 is an election year and we face challenges with bills affecting the Costa-Hawkins Rental Act and a proposed Rent Control initiative."

these legislative challenges.

Your participation is invaluable – whether it's assisting in event organization, procuring auction items, or making direct donations. Please feel free to contact either Jennifer or me for any


free to meet me for a coffee and chat.

Also, remember to register for our Annual Housing Expo on February 22, 2024, at the Chico Elks Lodge. I'm excited to see you all there!

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Executive Corner

By Jennifer Morris

Welcome to the New Year!

I wish I didn't have to remind you of all the political fight we have ahead of this election year in attempting to defeat three ballot initiatives.

Between the CalRHA affiliates we need to raise by September 9 million dollars for just one of the initiatives that we have already defeated twice but since it's an election year, more voters turn out to the polls so it's important that we get our messaging down and out there.

On January 16th at 10 am CalRHA will be hosting a free webinar with our campaign group to discuss the importance of the fundraising we will be working on in 2024.

Be sure to register to attend this important event. I am not sure if it will be recorded or not, it likely won't since they wouldn't want it to get in the wrong hands.

The NVPOA estimated portion we are supposed to help raise is \$187,000. It comes out to about \$7.40 a unit. Some will donate more some will donate less, but please help contribute if you are able to do so. Go to: <https://www.efundraisingconnections.com/c/CalRHAIssues>

We will start the year off strong with education on the new laws, a Redding luncheon with Balcony Inspection as the discussion, and the NVPOA Annual Housing Expo right around the corner on February 22nd.



We are always looking for feedback on you might want to hear/learn more on so let us know and check our website for updates and registration links.



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It's time to prioritize effective fair housing education in property management

As we approach the new year, it is crucial for professionals in the property management industry to recognize the vital importance of fair housing education.

A well-rounded understanding of fair housing laws and practices is not just a best practice but a fundamental aspect of professional development that can significantly impact the success and integrity of your business.

Understanding the essence of fair housing training:

Fair housing education goes beyond mere compliance.

It represents an investment in your company's future. Thorough training ensures that every team member is equipped with the knowledge to navigate complex situations, uphold the law, and provide exemplary service to prospects and residents from diverse backgrounds.

The importance of comprehensive training:

Superficial or incomplete training methods may seem sufficient in the short term, but they fail to impart the deep understanding necessary to handle real-world scenarios effectively.

Effective fair housing training involves more than just taking a quick free course or watching a few basic videos.

A comprehensive training program includes detailed courses, engaging content, and practical assessments that ensure retention and understanding.

It should encompass a

range of learning methods, including interactive sessions, case studies, and regular updates on new laws and best practices.

This holistic approach ensures that employees not only learn but also internalize the principles of fair housing.

Identifying areas for improvement:

Regular evaluations of your training program are essential. If employees are making mistakes or showing a lack of understanding, it could indicate the need for a more robust or engaging educational approach.

Another common misconception is that once trained, always trained.

As we all know, fair housing can be very complicated to navigate. Add to that the fact

that emerging court cases can create new precedents, resulting in adjustments to understanding or even complete law changes.

As a result, more and more companies are shifting to annual training. The benefits of this are easily identifiable.

Having a team that is fully and annually trained reduces the risks of a costly fair housing complaint, some of which can cost into the millions of dollars.

The cost of not training:

The cost of defending a fair housing complaint can vary significantly based on the specifics of each case. Defending against a fair housing complaint can involve significant legal fees, compensatory damages for the plaintiff, along with civil penalties.

Beyond monetary penalties, there can be other costs like the impact on a company's or landlord's reputation, as HUD keeps a public record of all charges filed through them.

This can affect future resident relations and business operations.

Commitment to continuous learning:

The dynamic nature of fair housing laws and the diverse challenges faced in property management require a commitment to continuous learning.

As we embark on a new year, it's the perfect time to assess, update, and improve your fair housing training programs. This will not only protect your company from potential legal issues but also foster a culture of respect, inclusion, and excellence in service.



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Are you planning tech improvements?

Going beyond “proptech,” owner-operators are upgrading resident-facing systems, devices

By Scott Sowers.

The pandemic helped usher in virtual tours, contactless leasing and software galore, but emerging technology and a flood of federal funding is changing the multifamily game again. Outdoor televisions, apps that control elevator access and faster internet speeds are complemented by roof mounted solar arrays partially funded by the Inflation Reduction Act.

Savvy owner-operators are staying one step ahead of the competition by deploying gadgets and systems across a variety of fronts. “Morgan Properties invests in technology across the board,” said a company spokesperson.

“From multi-gig speed internet, keyless door access, smart thermostats, level two EV charging and even micro-markets to provide high-end vending options for our residents.”

Smart TVs and thermometers

Venues for viewing all that high-speed content are moving outdoors.

“We have a student housing property in Gainesville, Florida, where we installed a

jumbotron TV at the luxury pool lounge area and utilize keyless fob entry for all community and amenity spaces,” said Jennifer Friend, Director of Property Management, Jacobson Equities. “Students are particularly amenity-sensitive renters.”

Deciding on which tech offerings to feature is a function of resident requests and trying to keep up with the competition.

Rise of EVs

The Biden Administration is encouraging the switch to electric vehicles through tax credits as it seeks to have EVs make up at least 50% of new car sales by 2030. To keep those EVs rolling,

Hence, charging stations are a key amenity, right up there with fitness rooms and swimming pools. The possibility of generating ancillary income derived from chargers remains a question mark.

A Gusher of Money

The Inflation Reduction Act is spurring a move toward heat pump and roof-mounted photovoltaic solar arrays—even in multifamily. Affordable housing communities are the

biggest potential benefactor of the programs and are forging ahead.

According to the National Housing & Rehabilitation Association, the legislation provides \$9 billion in funding from the Department of Energy to the states for switching to high efficiency electric home heating systems and water heaters via a rebate plan. Multifamily affordable housing qualifies for double the rebate as compared to market-rate properties. Emission reductions.

The Solar Investment Tax Credit has been boosted to 30% with bonus credits that could increase the rate for multifamily projects to 50%.

Using tax credits to add solar systems into affordable and market-rate communities is happening in several locations including Washington, D.C. “We don’t have a lot of land to build solar farms or to build a solar community,” said Jean Nelson-Houpert, interim-CEO, CFO, DC Green Bank. To compensate for the lack of cheap land, the bank joined a project that is focused on building carports in multifamily communities equipped with PV panels on the roof.

The bank provided \$3.75 million to the capital stack belonging to Enterprise Community Partners, a nonprofit developer working on installing 2.2 megawatts of solar panels at four affordable housing properties in D.C., an investment of \$12.4 million.

Multifamily owner-operators interested in adding solar as a way to cut electricity usage and attract residents enamored with lowering their carbon footprint have until recently been stymied by the conundrum of dividing up electricity usage and panel placement amongst individual units.

Taurus Investment Holdings,

a Boston-based private equity real estate firm, is exploring the possibilities of “greening” multifamily through technology by setting up Renu Communities, a subsidiary that specializes in decarbonization techniques. Renu has also been swapping out electric furnaces and outdated AC systems with heat pumps while also dabbling with solar on selected projects.

The two firms have teamed up with an Australia-based energy company, which has pioneered a system that makes multifamily solar more feasible. “You no longer have to worry about shading on one set of panels or another, you can build one array and evenly distribute the power amongst multiple apartments,” said Adam Clark, Director of Asset Management, Taurus Investment Holdings.

The system works relatively the same as a PV system on a house. The panels produce electricity that is funneled into the unit. During times when the panels are producing more power than the home needs, the excess power can be sent onto the grid in exchange for credits from the utility providers. During the times when the sun isn’t shining, the home draws power from the grid.

Monetizing tech upgrades is still a work in progress. Competition, the need to stay current and reducing maintenance headaches are the driving forces. “New equipment reduces the need to repair and/or replace amenities throughout the property, which diminishes the burden on managers and their staff,” said Allen Aldridge, Senior Vice President/Co-Director, Asset Management, KBS. “In addition, these upgrades enhance residents’ lifestyles—increasing their satisfaction levels and lowering turnover rates—and help to attract new residents to the property.”





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

Question: I received a large payment from Housing is Key but it does not cover the full balance. Can I apply the payment wherever I want?

Payments from housing is key are covered under Senate Bill 91 which states that the payment come with a receipt. The receipt should tell you where the payment should be credited towards. Apply the payment exactly how it is on the receipt.

Question: Is there a general rule we need to follow for carpet depreciation?

It depends upon the quality of the carpet. You need to find out from the manufacturer the life span of the carpet under "ordinary wear and tear." If it has to be replaced before that time, it may have been subject to extraordinary wear and tear and then the tenant would be held liable for the loss of the remaining life expectancy of the carpet.

Question: If the lease agreement specifies "no pets," but does not specify fish, can I stop a tenant from keeping a 150-gallon aquarium?

Fish are considered pets by most judges so they are violating the lease by having a 150-gallon tank. A small goldfish bowl may not constitute a major breach, but a 150-gallon tank most likely does.

Question: I have a former tenant who claims, since she had a one year lease, she is not obligated to give me a thirty-day notice of non-renewal. What do you think?

There is no statutory requirement that a thirty-day notice of non-renewal be given during a fixed term lease, but if the lease has a valid automatic renewal provision and she fails to give notice of nonrenewal or termination, she is in breach of the lease and can be liable for any losses you suffer as a result.

Question: One of our residents is a day sleeper and complains about the noisy children in the next-door unit. They are under school age, and I don't know how or if I should enforce excessive noise.

Most courts recognize that apartment living is in closer proximity than single family homes and occupants therefore must be more tolerant of disruptions, also considering the time of day or night and the cause of the disruption. If the noise the children make is not excessive for daytime tolerance, it is likely there is no violation of the lease or community rules. This is especially true where U.S Department of Housing and Urban Development (HUD) has said children are meant to play. Have a witness come with you to determine whether the noise is excessive.

Question: Can tenants change their locks without the permission of their landlord, and refuse to provide a key to the property manager?

Most leases, including those provided by the Apartment Association of Greater Los Angeles, restrict any alterations to the premises without your permission or consent and most leases specifically restrict changing locks without the landlord's permission.

Question: If a friend of a tenant appears to be living in the apartment, is there a time limit which allows me to compel the guest to fill out an application to be added to the rental agreement? Can the tenant have guests stay as long as they want?

Most rental agreements and California law require the tenant tlf your lease prohibits subletting or assignment of the lease, or if your lease restricts the occupants to those named in the lease, the tenant could be in violation. You would need to prove that the person really moved in and was not just a guest. Newer leases, including those provided by the Apartment Association of Greater Los Angeles, allow property owners to specify the number of consecutive days and total number of days within a specified period that are acceptable for visitors. Also, it is important to review local laws as some of those address this issue as well.

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Our legal alerts are provided on selected topics and should not be relied upon as a complete report of all new changes of local, state, and federal laws affecting property owners and managers. Laws may have changed since this article was published. Before acting, be sure to receive legal advice from our office. For contact information, please visit our website: www.kts-law.com. For past Legal Alerts, Questions & Answers and Legal Articles, please consult the resource section of our website.