

California's New Tenant Protection Act: What You Need to Know

The Tenant Protection Act of 2019 – Rent Caps and Just Cause

[AB 1482](#) Approved 10/08/2019

To be codified in California Civil Codes §1946.2 and §1947.12

California is now the third state in the US to enact state-wide rent control and just cause for eviction protections. The following guidance will help you better understand the new laws and how they will affect you.

When does this law go into effect?

- Effective January 1, 2020 and expiring on January 1, 2030 (unless extended by the State)
- However, the rent control provisions apply to all rent increases since March 15, 2019. This means that if rent has increased more than the amount allowed since March 15, 2019, the rent as of January 1, 2020 will be the rent as of March 15, 2019 plus the maximum permissible increase under this new law.

Rent Caps

What is the allowable rent increase?

- Rent for residential property may not increase more than 5% plus the percentage change in the regional cost of living (CPI) from the previous year
- Maximum rental increase for the year cannot exceed 10%

What rental units are covered under Rent Caps?

Applies to both rental properties leased by a property owner and/or its representatives (e.g. landlord or property management company) AND tenants who are subleasing their housing unit.

What rental units are not included?

- Apartment communities built 15 years ago or less. This is a rolling 15-year window, meaning each year, new buildings will come out of the exemption window as they age past the 15-year threshold.
- Single family residences, condos or townhouses not owned by a real estate investment trust, corporation, or LLC AND if the tenant was provided with a specific written notice that the residential property is exempt.
- Owner-occupied duplex (owner occupies one of the units as their principal place of residence but rents the other).



Our mission is to equip Chula Vista's diverse residents with information and the resources to build strong families and to strengthen the social and physical fabric of the community.

- Housing already under rent control AND the rent increase is less than allowed in this law.
- Housing restricted as affordable housing.
- School dormitories.
- Mobilehomes.

Evictions for Just Cause

What are the new just cause for eviction requirements?

- A landlord has limited ability to evict tenants who have occupied a residential unit for at least 12 months to a list of just causes, either “at-fault” or “no-fault”.

What are the ‘At-fault’ just causes:

- Non-payment of rent
- Material breach of rental agreement
- Nuisance
- Damaging property
- Non-renewal of lease
- Criminal activity on the property or criminal activity or threat on/off the property directed at the owner or agent of the owner
- Subletting in violation of lease
- Denying landlord access
- Using the premises for an unlawful purpose
- Employee, agent, or licensee’s failure to vacate after termination
- Failure to deliver possession as provided in written notice/offer

For most “At-fault” just causes, owners will be required to first give a notice of violation and an opportunity to cure the violation prior to issuing notice of termination.

What are the ‘No-fault’ just causes:

- Owner or relative move-in:
- Must be the owner or their spouse, domestic partner, children, grandchildren, parents, or grandparents.
- Requires written agreement or provision in lease after July 1, 2020
- Withdrawal of the property from the rental market (Ellis Act)
- Owner complying with a local ordinance or order from a government agency or court that necessitates vacating the property
- Intent to demolish or substantially remodel the property

For “no-fault” just causes (such as an owner/relative move-in), owners will be required to make a relocation payment equal to one month’s rent or waive in writing the payment of rent for the final month prior to the rent becoming due.



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What types of units are exempt from the just cause requirements?

- The units exempt from just cause requirements include those exempt from the new rent control, plus:
 - Single-family owner-occupied residences, provided that owner-occupant is renting no more than two units or bedrooms
 - Housing in which the tenant shares bathroom or kitchen facilities with the owner (must be owner's principal residence)
 - Transient and tourist hotels
 - Nonprofit hospitals, religious facilities, and other care facilities

Available Resources:

Whether renting a room, an apartment, a house, or a duplex, the relationship between a renter and the property owner is governed by federal and state laws. The City of Chula Vista does not enforce federal and state laws related to landlord-tenant issues. The following information and resources may be of assistance to you or visit our [Landlord-Tenant web page](#):

<p>CSA San Diego County <i>The City of Chula Vista contracts with CSA of San Diego County regarding landlord-tenant and fair housing issues. Please contact CSA regarding these matters.</i></p> <ul style="list-style-type: none"> • Chula Vista Office English/Español PDF 	<p>(619) 425-4458 Ext. 4277 1-800-954-0441 RAYO DE ESPERANZA 1653 Albany Ave Chula Vista, CA, 91911</p>
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<p>San Diego Superior Court Self Help Center</p> <ul style="list-style-type: none"> • Landlord Tenant • Frequently Asked Questions: Tenants or Landlords 	
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<p>Legal Aid Society of San Diego (if they are low-income)</p> <ul style="list-style-type: none"> • Eviction Clinic 	<p>(866) 244-0101 110 South Euclid Avenue San Diego, CA 92114</p>
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<p>Lawyer Referral & Information Service and Landlord Tenant Information from the San Diego County Bar Association.</p> <ul style="list-style-type: none"> • Landlord-Tenant Law 	<p>(800) 464-1529 (619) 231-8585 LRIS@sdcba.org</p>
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<p>San Diego Volunteer Lawyer Program Free civil legal services to disadvantaged families, seniors, persons with disabilities, persons infected with HIV or AIDS, and domestic violence survivors in San Diego County. Contact this group by attending a clinic at one of several locations.</p>	<p>619.235.5656 info@sdvlp.org 707 Broadway, Suite 1400 San Diego, CA 92101</p>

NOTE:

The names and contact information are provided as a resource and not in the way of an endorsement by the City of Chula Vista. The resources list is intended as a brief overview and may not include all available local, state and federal resources.