



# Rent Control News

## Registration Basics for Property Owners

The Rent Control Law imposes several registration requirements that benefit owners and tenants alike and ensure that the law is administered fairly and correctly. For example:



- Every rent-controlled property must be registered.
- Any change in the ownership of rent-controlled property, including changes in how title is held, must be registered within 30 days of the change. A change in the owner's or authorized agent's address must also be registered within 30 days.
- Every new tenancy after a vacancy must be registered. The registration tells the Rent Control Board when the new tenancy began, how much rent was charged at the beginning of the tenancy, and whether parking is provided.

Owners who fail to comply with these registration requirements cannot lawfully implement rent increases that are otherwise authorized by the Board. An owner who implements an increase that he or she wasn't entitled to may be liable to the tenant for the rent paid in excess of the amount allowed by law, plus penalties. This could result in a decision authorizing tenants to withhold rent.

In addition to the filing of registration forms, annual registration fees must be paid. These fees fund the work of the Agency and are due by August 1<sup>st</sup> of each year. If the fees are not paid on time, the owner may not pass them through to the tenants as a monthly surcharge and substantial penalties accrue at the rate of 4% per month on any outstanding balance until the fees are paid in full.

Forms for each of these types of registration are available from the Rent Control Office.

## California Tenants' Handbook

Many landlord-tenant issues are governed by state law, not local rent-control law. An important resource for this state-law information is a publication called

*California Tenants—A Guide to Residential Tenants' and Landlords' Rights and Responsibilities.* The handbook is written in an easy-to-read format for a person who is not trained in

the law. It provides a wide variety of information including what to consider before moving into an apartment, what a landlord needs to repair and maintain, procedures for properly vacating a unit, and the

*(Continued on page 2)*

Fall/Winter 2011  
City of Santa Monica

### Santa Monica Rent Control Board

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

#### Commissioners

- Christopher Braun
- Todd Flora
- Marilyn Korade-Wilson
- Robert Kronovet
- William Winslow

#### Administrator

Tracy Condon

#### Rent Control Office

City Hall, Room 202  
1685 Main Street  
Santa Monica, CA 90401

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# Sustainable Santa Monica

## Incentives for Energy and Water Conservation

In keeping with the larger goal of sustainability, the City of Santa Monica has partnered with different agencies to educate residents about conservation, reduce energy use and save money. The City's *Office of Sustainability and the Environment (OSE)* at [www.sustainable-sm.org](http://www.sustainable-sm.org) is an important resource for exploring these opportunities.

The OSE website includes videos from "Energy Upgrade California" that lead viewers through areas of the home that are typically energy-wasting. The videos provide guidelines for obtaining city, county, state and federal funds to lower

the cost of solving these problems. A two-page brochure from Southern California Edison, also available through OSE, lists practical energy-saving tips for homes and offices.

Santa Monica offers many water-saving programs including grants for sustainable landscapes, and rebates for drip irrigation, parkway and front yard grass removal, and gray water and rain harvesting. City water customers can also apply for rebates through "SoCal Water Smart" and learn about the availability of high-efficiency water-saving appliances.

The non-profit environmental educational group, "Sustainable Works," hosts nu-

merous workshops and classes in Santa Monica to promote energy and water-wise awareness of interested residents. Visit [www.sustainableworks.org](http://www.sustainableworks.org) for more information.



### Tenants' Handbook *(continued from page 1)*

return of the security deposit (see box). The free handbook is available at the Rent Control office in City Hall and on the Rent Control website at [www.smgov.net/rentcontrol](http://www.smgov.net/rentcontrol) (There is a clickable link in the blue "Quick links" box). The handbook can also be downloaded from the California State Department of Consumer Affairs website at [www.dca.ca.gov](http://www.dca.ca.gov).

### New State Law Encourages Smoke-free Housing

A new California statute affirms landlords' existing right to prohibit tobacco smoking in individual units or common areas. While the statute does no more than restate existing law (owners have always had the right to limit smoking at their buildings), its author, Senator Padilla, hopes that it will encourage more smoke-free housing in the future. Although the statute makes no change in an owner's ability to prohibit smoking, it imposes a new obligation: beginning January 1, if a landlord intends to prohibit smoking anywhere on the property, that prohibition must be included in the lease.

#### Existing Controlled Tenancies Unaffected

SB 332 has no effect on existing tenancies covered by the Rent Control Law. This is because the bill, which will be added as Sec-

tion 1947.5 of the state Civil Code on January 1, specifically says that "a landlord who exercises the authority ...to prohibit smoking shall be subject to federal, state, and local requirements governing changes to the terms of a lease or rental agreement for tenants with leases or rental agreements that are in existence at the time that the policy limiting or prohibiting smoking is adopted." Local law prohibits unilateral changes in rent-controlled tenancies. Thus, if a tenant is currently not prohibited from smoking inside their apartment by the terms of their rental agreement, the new statute will not change that. However, once that tenant moves out, the landlord can prohibit the unit's future occupant from smoking inside that unit as well as anywhere else on the property.

The bill does not impair enforcement of Santa Monica's smoking law, which severely restricts smoking in outdoor areas of all multifamily rental properties.

#### Security Deposits

- California State Law regulates the collection and refund of security deposits.
- A landlord generally has up to three weeks to either refund the entire deposit or give the tenant an itemized statement documenting any deductions.
- If the issues are not resolved, the tenant may file a lawsuit in Small Claims Court.
- Santa Monica Rent Control regulations do not require an owner to pay a tenant interest on the security deposit.

## Free Workshops and Seminars in 2012

March 6 – Tuesday, 9:30 A.M. – noon

### Owning Rental Property in

#### Santa Monica

At this seminar, owners and managers learn the basics of the Santa Monica Rent Control Law and how to avoid common pitfalls. Topics include rents, amenities, maintenance, eviction limitations, restrictions on change of use, and services available through the Rent Control office.

May 8 – Tuesday, 6:30 P.M. – 9 P.M.

### Tenant Seminar on Santa Monica

#### Rent Control Law

This seminar is designed for tenants to learn what services are available through the Rent Control office such as how rent and amenities are defined, the eviction protections under the law, and what remedies are available for issues related to rents, amenities, and maintenance.

### Community Corporation to Create New Affordable Housing List for 2012: Sign-up Begins in December

Community Corporation of Santa Monica (CCSM), a non-profit organization that provides affordable housing to those with limited incomes, selects many of its tenants from a list of qualified candidates. The “marketing list,” which is compiled annually, will be compiled this January, with sign-up for the list in December.

Anyone wishing to get on the marketing list must do two things:

First, pick up an appointment card from CCSM at 502 Colorado Ave., first floor Community Room, in Santa Monica.

The cards will be available Monday through Thursday December 5 - 29 from 8 a.m. to 5 p.m. (except Monday Decem-

July 10 – Tuesday, 6:30 P.M.\* – 9:00 P.M., \*6:15 P.M. Check-in

### Calculating the Annual Rent Increase

Designed for owners, this workshop offers a quick overview of how to calculate and notice this year’s general adjustment and surcharges.

Attendees can sign up for one-on-one assistance with calculating and completing rent increase notices for a specific property.

October 16 – Tuesday, 9:30 A.M. – noon

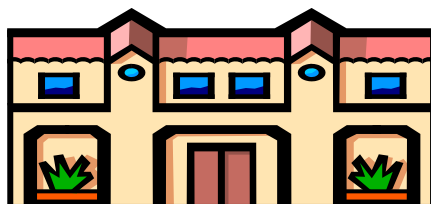
### Rental Property Maintenance

Presented with the City’s Code Compliance Division staff, this seminar will address what types of maintenance and repair are required, how and where to file a complaint, temporary relocation of tenants during repairs, and issues related to habitability, plumbing and painting. Tenants, owners, managers and all others are welcome.

ber 26) and Fridays December 9 & 23 from 8 a.m. to noon.

Second, attend a mandatory seminar in January. CCSM representatives will explain how to get a Community Corporation apartment and help applicants complete a required questionnaire. It is not possible to attend the seminar without an appointment card.

Persons on the 2011 list must reapply to be on the 2012 list.



**Please register for any seminar you would like to attend.**

Call (310) 458-8751 or send an email to [rentcontrol@smgov.net](mailto:rentcontrol@smgov.net).

### All seminars are held at:

Santa Monica Main Public Library

601 Santa Monica Blvd.

Multi-Purpose Room – 2<sup>nd</sup> Floor

### Farewell and Thank You

The Rent Control Board bids farewell to Commissioner Chris Braun who resigns December 2011 after serving two years. Mr. Braun was first appointed in September 2009 to fill the seat of an outgoing commissioner. He was then elected in November 2010 and currently serves as chair. In his resignation comments Mr. Braun said that he enjoyed his Board work but felt compelled to move to Wisconsin to assist a family member. Board members and staff thanked him for his work and said that he will always have their love, support and respect.

### Mail:

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

### Email:

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

### Facebook:

[www.facebook.com/santamonica-rent-control](http://www.facebook.com/santamonica-rent-control)  
(click on the “Discussions” link at left)



**Tenants:** The amount shown in the box at left is the Maximum Allowable Rent (“MAR”) for your unit, per Rent Control records. Surcharges of up to \$50 may be added to this figure. If you are paying \$50 or more than the amount shown, please call the Rent Control Office at (310) 458-8751.

**Owners:** Each July, you receive a report listing the MAR on record for every rental unit on your property or properties. If you are an owner, the box at left should not include a MAR. If a MAR is listed, please call the Rent Control Office at (310) 458-8751.

Your Maximum Allowable Rent is:

Plus surcharges (up to \$50)

**HOURS**  
**CLOSED**  
 8:00 - 5:00  
 7:30 - 5:30

**DECEMBER**

M	T	W	Th	F	S/S
			1	2	3/4
5	6	7	8	9	10/11
12	13	14	15	16	17/18
19	20	21	22	23	24/25
26	27	28	29	30	31/

**JANUARY**

M	T	W	Th	F	S/S
					/1
2	3	4	5	6	7/8
9	10	11	12	13	14/15
16	17	18	19	20	21/22
23	24	25	26	27	28/29
30	31				

**FEBRUARY**

M	T	W	Th	F	S/S
		1	2	3	4/5
6	7	8	9	10	11/12
13	14	15	16	17	18/19
20	21	22	23	24	25/26
27	28	29			

**MARCH**

M	T	W	Th	F	S/S
			1	2	3/4
5	6	7	8	9	10/11
12	13	14	15	16	17/18
19	20	21	22	23	24/25
26	27	28	29	30	31/

This document is available in alternate format upon request.

Information by Phone: (310) 458-8751  
 Monday through Thursday, 7:30–5:30  
 On alternate Fridays, 8:00–5:00

Public Counter: 8:00–4:30  
[www.smgov.net/rentcontrol](http://www.smgov.net/rentcontrol)

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 First Class Mail  
 U.S. Postage Paid  
 Santa Monica, CA  
 Permit No. 128

See inside for  
 important information  
 about your rent



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 1685 Main Street, Room 202  
 Santa Monica, CA 90401