

CITY COUNCIL

Ordinance Temporarily Adopting Tenant Protection Act of 2019

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Recommendation

Department of Housing

Recommendation that Council:

- Find that the recommended action is exempt from CEQA pursuant to the “General Rule” exemption, Section 15061(b)(3); and
- Conduct first reading of an ordinance temporarily adopting the Tenant Protection Act of 2019



Background

Department of Housing

- Proposed ordinance is a response to recent surge of without-cause eviction notices in the City in advance of state law Tenant Protection Act of 2019 (AB 1482) taking effect on Jan. 1, 2020
- Key provisions of AB 1482 (sunsets in 2030)
 - > Applies generally to apartment rental properties built 15 years from the current year
 - > Rent increases capped at 5% + change in COL or 10%, whichever is lower
 - > Any rent increase after 3/15/19 is rolled back to level on that date plus the allowable % increase
 - > Evictions of tenants w/ residency of 12 months or longer must have a stated “just cause” reason



Background

Department of Housing

- At-fault just cause includes:
 - > Non-payment of rent or other material breach of the lease
 - > Committing nuisance, waste, or unlawful/criminal activity
 - > Unauthorized subletting of the unit
 - > Refusal to allow owner to enter the unit
- No-fault just cause includes:
 - > Owner (or family) to occupy the unit
 - > Withdrawal of unit from rental market
 - > Intent to demolish or substantially remodel the unit (cosmetic improvements do not qualify)
 - > Owner compliance with government order which necessitates vacating the unit
 - > Owner must pay a relocation fee equal to one-month's rent



Background

Department of Housing

- Properties not subject to AB 1482 include:
 - > Housing issued a C of O within previous 15 years
 - > Single-family owner-occupied residences
 - > Condominiums and townhomes (however, not exempt if corporate-owned)
 - > Duplex in which one of the units is owner-occupied
 - > Housing shared by tenant and owner
 - > Dormitories owned/operated by an educational institution

PASADENA



Key Provisions of Ordinance

Department of Housing

- Encompasses provisions of AB 1482
- Does not adversely affect rights of tenants under City's Tenant Protection Ordinance
- Applicable to tenancies where owner has issued a notice of termination on or after Oct. 8, 2019 where tenant remains in possession and/or any eviction lawsuit has not concluded
- Ordinance remains in effect until Jan. 1, 2020 at which time AB 1482 takes effect