

TENANTS TOGETHER



AB 1482

STATEWIDE RENT CAP AND JUST CAUSE PROTECTIONS WHAT CALIFORNIA TENANTS NEED TO KNOW!

WHAT IS AB 1482?

- California Legislators passed, and the Governor is expected to sign, AB 1482, which "caps" how much rent can be increased per year for covered rental units. AB 1482 also requires landlords to provide a "cause" for eviction. **Provisions of AB 1482 are effective 1/1/2020, and sunset in 1/1/2030.**
- Landlords must inform tenants of their rights under AB 1482 via addendum or written notice starting 07/01/2020 for new leases and by 08/01/2020 for existing tenants.

WHAT TYPES OF HOUSING ARE COVERED?

- Units not covered by local rent control or just cause ordinance.
- Multi-unit rental housing built before the last 15 years, with units built in subsequent years added on a rolling basis.
- Duplexes not occupied by the owner.
- Single Family Homes (SFH) owned by a corporation or an LLC with at least one corporate member. Owner must provide tenant written notice if SFH is exempted from AB 1482 because it is owned by a natural person.

RENT INCREASE CAP

- Covered rents are capped at 5% plus regional CPI* or 10%, whichever is lower.
- Rent can be increased up to twice over a 12-month period, but it cannot add up to more than 5% + CPI*.
- Total rent charged by master tenant cannot exceed rent charged by landlord.
- Landlord can establish the initial rent at the start of a tenancy, without limit.
- Rent increases will be based on the "gross rental rate", which does not include discounts from landlord (i.e. first month free). Any discounts or concessions must be listed on the lease.

RECEIVED A RENT INCREASE BETWEEN 3/15/19 AND 1/1/2020?

- If rent was increased over 5% + CPI between 03/15/19 and 1/1/2020, then **on 1/1/2020 the rent will be the amount as of 3/15/19, plus the allowed increase of 5% + CPI.**
- Landlords must still provide a rent increase notice as per state law (30 days if less than 10%, 60 days if 10% or more)
- Landlords do not have to return over payments of rent made between March 15, 2019 to Jan 1, 2020.
- Landlords who raised the rent by less than 5% + CPI* between March 15, 2019 and January 1, 2020, can raise the rent up to 5% + CPI* rent cap by March 2020.

*CPI= Consumer Price Index, also known as the rate of inflation. Under AB 1482, regional CPI is used to calculate the rent cap. If there is no regional CPI for the area where the rental unit is located, then the California CPI will apply. To find out the CPI that applies to your city, please go to, <https://www.dir.ca.gov/OPRL/CAPPriceIndex.htm> and use the "Consumer Price Index calculator (1989 - 2019)".

WWW.TENANTSTOGETHER.ORG

JUST CAUSE PROTECTIONS

- Tenants qualify for just cause protections after all tenants (new and subsequent) have lived there for at least 12 months.
- If a new roommate moves in within the first 12 months, then just cause protections are not effective until all occupants have lived there for at least 24 months.
- If all occupants have lived there for 12 months as of 1/1/2020, just cause protections will apply as of 1/1/2020.
- Landlords must provide a chance to cure an alleged violation
- Once just cause is effective, notice to vacate must include reason for eviction, or it will not be a valid notice.

FAULT EVICTIONS

(3-DAY WRITTEN NOTICE, NO RELOCATION ASSISTANCE REQUIRED)

1. Failure to Pay Rent
2. Lease Violation
3. Nuisance
4. Damaging the property
5. Refusal to sign a lease extension or renewal with similar terms as the current lease.
6. Criminal activity on the premises or making threats to the landlord or their agent.
7. Subletting in violation of the lease.
8. Refusal to let the landlord enter as allowed under the law.
9. Using the property for unlawful purposes.
10. Landlord terminates tenant's employment, which is a condition of tenant's occupancy.
11. Tenant remains in rental unit after providing written notice of the tenant's intent to vacate.

NO-FAULT EVICTIONS

(30- OR 60-DAY NOTICE, REQUIRES RELOCATION ASSISTANCE)

1. Owner, or owner's relatives, intend to move into the rental unit. Owner's relatives include: spouse, domestic partner, children, grandchildren, parents, or grandparents.
 - a. For leases entered into after 07/1/2020, owner/relative move-in would only be allowed if tenant agrees to it in writing or if owner includes it in the lease.
 - b. If the owner adds a clause to allow for owner/relative move-in to an existing or renewed lease, it is considered a "similar" provision and not a material change to the lease.
2. The owner withdraws the unit from the rental market (Ellis Act).
3. To comply with a court or government order that requires the tenant to vacate (uninhabitable, local ordinance).
4. Owner intends to substantially remodel the unit, the work cannot be done safely with tenant in place and requires the tenant to vacate the property for at least 30 days.

RELOCATION ASSISTANCE REQUIRED

- For no-fault evictions, the landlord must give one (1) month's rent as relocation assistance, or waive last month of rent.
- Notice to vacate must inform of options for relocation assistance.
- If notice to vacate does not include right to relocation assistance, notice will not be valid.
- If relocation assistance is not provided within 15 days of notice, notice will not be valid.
- Relocation assistance under AB 1482 will be counted as part of any assistance required under local law.