

SPECIAL ALERT



RENTAL HOUSING ASSOCIATION OF SACRAMENTO VALLEY

October 2, 2006

Governor Signs Controversial Legislation Extending Tenant Notice to 60 Days

60-day Notice Legislation

On September 30 Governor Schwarzenegger signed Assembly Bill 1169 by Assembly Member Alberto Torrico of Fremont. The legislation requires a rental owner or property manager to provide a 60-day notice to terminate a month-to-month tenancy for residents living at the unit for one year or more. Owners and managers can still use a 30-day notice for residents living at the rental unit less than one year. The requirement takes effect on January 1, 2007.

RHA's Efforts

Last month RHA launched its "*Don't Give Crime More Time*" campaign urging members to contact the Governor asking for a veto of AB 1169. Hundreds of postcards, emails and letters were sent to Governor Schwarzenegger. Our campaign even caught the attention of the *The Sacramento Bee* and *Lodi News Sentinel* where our grassroots efforts were highlighted. RHA was glad that Sacramento County District Attorney Jan Scully joined us in asking the Governor to veto this legislation. While we recognize there are some situations where additional notice may be warranted, this requirement will make it more difficult for owners and managers to deal effectively with troublemakers such as drug dealers, gang members and other criminals.

RHA's Recommendation

- 1) Obtain the Revised Rental Form.** The California Apartment Association will modify its current rental agreement form to comply with this new requirement. RHA will have the revised form available before the new year.
- 2) Attend RHA's Upcoming Annual Legal Seminar.** Rental owners and property managers need to receive detailed legal information and advice on how to comply with this and other new laws and court rulings for 2007. Along with legal advice, attendees will receive handouts of all new federal, state, and local laws including court rulings as well as copies of all new or revised rental forms. Watch the mail for a seminar registration form.

In addition to the 60-day notice law, the seminar will include other news laws and court rulings affecting our industry:

- **Companion/Assistance animals-** A recent federal appellate court ruling could provide new guidance to rental owners and property managers when addressing requests for a companion/assistance animal as a reasonable accommodation.
- **Towing regulations-** The Governor signed Assembly Bill 2210 which creates new rules when rental owners tow vehicles from private property using a private tow company.
- **Registered sex offenders-** Several local jurisdictions in the Sacramento area have adopted laws that prohibit registered sex offenders from certain areas including playgrounds and day care facilities.
- **Smoking-** A recent lawsuit by a resident against the owner for allowing smoking at the rental property could generate the next wave of class actions lawsuits against the industry.
- **Unlawful detainer reports-** A series of ongoing lawsuits including one in Sacramento regarding the use of unlawful detainer reports during the screening process could require certain disclosure by the owner or manager.
- **Rental inspection pilot program-** A new rental inspection pilot program in the City of Sacramento may be expanded to other areas in the city requiring the use of a specific city inspection checklist.

For more information, contact RHA Deputy Director Cory Koehler at (916) 920-1120 ext. 206 or email cory@rha.org