

ATTACHMENT 3
COMPARISON OF STATE LAW FOR HARASSMENT & NO-FAULT TERMINATIONS OF TENANCY AND LOCALLY PROPOSED PROTECTIONS

IMPACTED HOUSING TYPES IN CHULA VISTA	Anti-Harassment		Substantial Remodel		Noticing for No-Fault Demolition/Ellis Act/Substantial Remodel/Owner or Family-Move-In		Relocation Assistance for No-Fault Demolition/Ellis Act/Substantial Remodel/Owner or Family-Move-In		Noticing for No-Fault Demolition/Ellis Act/Substantial Remodel/Owner or Family-Move-In		Penalty for Market Re-Entry after Ellis Act/Removal from Market	
	State - Civil Code 1942.5	Chula Vista	State	Chula Vista	State	Chula Vista	State	Chula Vista	State	Chula Vista	State - Government Code 1942.5	Chula Vista
Single-family owned by business entity*	Prohibits retaliatory evictions due to a tenant's exercise of a legal right.	Adds 12 harassment/retaliatory behaviors.	Defines Substantial remodel as: (1) system is being replaced or substantially modified; (2) permit is required; and (3) necessary to be vacant for least 30 days.	Defines substantial remodel as: (1) system is being replaced or substantially modified; (2) improvements \$40 or more per square foot; (3) permit is required; and (4) necessary to be vacant for more than sixty (60) days.	Tenancy < 12 months = 30 days Tenancy ≥ 12 months = 60 days	Consistent with State Law	1 month contracted rent	From day one of tenancy, one (1) month of actual then in effect contract rent under Tenant's lease.	None	Consistent with state law	None	Consistent with state law
Single-family + ADU with both occupied by tenants*	Prohibits retaliatory evictions due to a tenant's exercise of a legal right.	Adds 12 harassment/retaliatory behaviors.	Defines Substantial remodel as: (1) system is being replaced or substantially modified; (2) permit is required; and (3) necessary to be vacant for least 30 days.	Defines substantial remodel as: (1) system is being replaced or substantially modified; (2) improvements \$40 or more per square foot; (3) permit is required; and (4) necessary to be vacant for more than sixty (60) days.	Tenancy < 12 months = 30 days Tenancy ≥ 12 months = 60 days	Consistent with State Law	1 month contracted rent	From day one of tenancy, one (1) month of actual then in effect contract rent under Tenant's lease.	None	Consistent with state law	None	Consistent with state law
Duplex with both units occupied by tenants*	Prohibits retaliatory evictions due to a tenant's exercise of a legal right.	Adds 12 harassment/retaliatory behaviors.	Defines Substantial remodel as: (1) system is being replaced or substantially modified; (2) permit is required; and (3) necessary to be vacant for least 30 days.	Defines substantial remodel as: (1) system is being replaced or substantially modified; (2) improvements \$40 or more per square foot; (3) permit is required; and (4) necessary to be vacant for more than sixty (60) days.	Tenancy < 12 months = 30 days Tenancy ≥ 12 months = 60 days	Consistent with State Law	1 month contracted rent	From day one of tenancy, one (1) month of actual then in effect contract rent under Tenant's lease.	None	Consistent with state law	None	Consistent with state law
Complex with 3 or more units*	Prohibits retaliatory evictions due to a tenant's exercise of a legal right.	Adds 12 harassment/retaliatory behaviors.	Defines Substantial remodel as: (1) system is being replaced or substantially modified; (2) permit is required; and (3) necessary to be vacant for least 30 days.	Defines substantial remodel as: (1) system is being replaced or substantially modified; (2) improvements \$40 or more per square foot; (3) permit is required; and (4) necessary to be vacant for more than sixty (60) days.	Tenancy < 12 months = 30 days Tenancy ≥ 12 months = 60 days	Consistent with State Law	1 month contracted rent	From day one of tenancy, greater of: (1) 2 months contracted rent or 3 months elderly/disabled; or (2) 2 months SAFMR or 3 months elderly/disabled.	None	Notify owner within 30 days of forwarding address Owner notifies with minimum criteria for qualifying	None	If re-rented within 2 years, greater of: (1) 6 months contracted rent; or (2) 6 months SAFMR

*AB1482 (State Tenant Protection Act of 2019) exempts properties less than 15 years of age.

EXEMPTED RESIDENTIAL PROPERTIES FROM CHULA VISTA ORDINANCE

- Mobilehome Homeowner
- Mobilehome Tenant (AB1482 applies to tenants of mobilehomes)
- Residential Rental Unit alienable separate from the title to any other dwelling unit that is not owned by a business entity
- Shared housing ("roommate" of owner)
- Single-family, where Owner occupies & rents or leases no more than two units or bedrooms, including, an accessory dwelling unit or a junior accessory dwelling unit
- Single-family + ADU w/ owner occupying one unit
- Duplex where Owner occupies one unit
- Deed restricted affordable housing
- Hotel
- Rentals of 30 days or less
- Medical facilities and care facilities
- Residential Property or Dormitories owned by the City