

Item 7.3

CVMC 9.65 Residential Tenant Protections

September 10, 2024



HOUSING &
HOMELESS SERVICES

History of Tenant Protections

Assembly Bill 1482, Tenant Protection Act of 2019

- Requires justification for termination of tenancy, disclosures, and established annual rent cap
- Exempts certain property types

Examples of Exempt Properties



Single-family non-business entity



Duplex in which Owner occupies one unit

At-Fault Just Cause

Non-payment of rent
Non-compliance with lease terms
Nuisance
Commit Waste
Criminal activity
Illegal subletting
Refusal of entry to landlord
Using premises for unlawful activity
Failure to vacate after employment
Failure to deliver possession

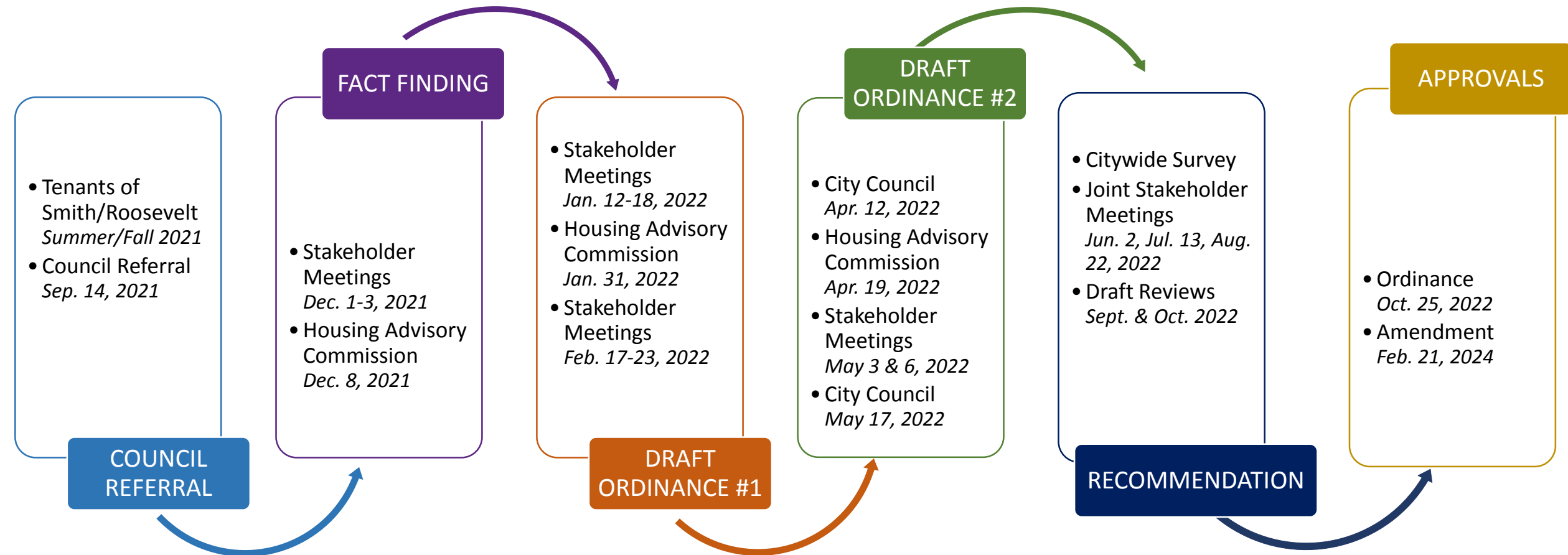
No-Fault Just Cause

Removal from rental market
Demolition of property
Substantial rehabilitation
Government order
Owner or family move-in

Council Referral 9/14/21

Substantial Remodel Claims

- Concerns over gaps in no fault terminations & harassment



Local Residential Tenant Protections

<https://chulavistaca.gov/landlordtenant>



Chula Vista Municipal Code (CVMC) 9.65

- Effective March 1, 2023 & amended April 1, 2024
- Exempt Properties – Identical to AB1482 with exception of property age
- Disclosures updated to add CVMC 9.65

EFFECTIVE MARCH 1, 2023
NOTICE OF TENANT PROTECTIONS IN THE CITY OF CHULA VISTA

PROPERTIES SUBJECT TO CVMC 9.65

EFFECTIVE MARCH 1, 2023
NOTICE OF TENANT PROTECTIONS IN THE CITY OF CHULA VISTA

PROPERTIES EXEMPT FROM CVMC 9.65

This property is not subject to the rent limits imposed by Section 1947.12 of the Civil Code and is not subject to Just Cause requirements of Section 1946.2 of the Civil Code and Chapter 9.65 of the Chula Vista Municipal Code. This property meets the requirements of sections 1947.12(d)(5) and 1946.2(e)(8) of the Civil Code and section 9.65.040(C) of the Chula Vista Municipal Code, and the Owner is not any of the following: (1) a real estate investment trust, as defined in Section 856 of the Internal Revenue Code; (2) a corporation; or (3) a limited liability company in which at least one member is a corporation.

Esta propiedad no está sujeta a los límites de alquiler impuestos por la Sección 1947.12 del Código Civil y no está sujeta a los requisitos de Causa Justa de la Sección 1946.2 del Código Civil y el Capítulo 9.65 del Código Municipal de Chula Vista. Esta propiedad cumple con los requisitos de las secciones 1947.12(d)(5) y 1946.2(e)(8) del Código Civil y la sección 9.65.040(C) del Código Municipal de Chula Vista, y el Propietario no es ninguno de los siguientes: (1) un fideicomiso de inversión en bienes raíces, según se define en la Sección 856 del Código de Rentas Internas; (2) una corporación; o (3) una sociedad de responsabilidad limitada en la que al menos un miembro es una corporación. *(Spanish)*

该物业不受《加州民法典》(California Civic Code)第 1947.12 条规定的租金限制，也不受《加州民法典》(California Civic Code)第 1946.2 条和《丘拉维斯塔市政法典》(Chula Vista Municipal Code)第 9.65 章的正当理由要求的限制。该物业符合《加州民法典》(California Civic Code)第 1947.12(d)(5) 和 1946.2(e)(8) 节以及《丘拉维斯塔市政法典》(Chula Vista Municipal Code)第 9.65.040(C) 节的要求，业主不是以下任何人：(1) 房地产投资信托，定义见 国内税收法典 (Section 856 of the Internal Revenue Code) 第 856 条；(2) 公司；(3) 至少有一名成员是公司的有限责任公司。 *(Chinese)*

Residential Tenant Protections

CVMC 9.65

No-Fault Just Cause Terminations

- 2 or more rented units on same property must notify City
- 3 or more (Residential Rental Complex):
 - Provide Relocation benefits =
2 or 3 (elderly/disabled) months greater of [SAFMR](#) or current rent
 - Notify of Right of First Return within 2 years
 - Penalties for returning to market after withdrawal



Impact Dashboard

Month/Year Notice Issued

All

Total Amount Fined

\$ 0

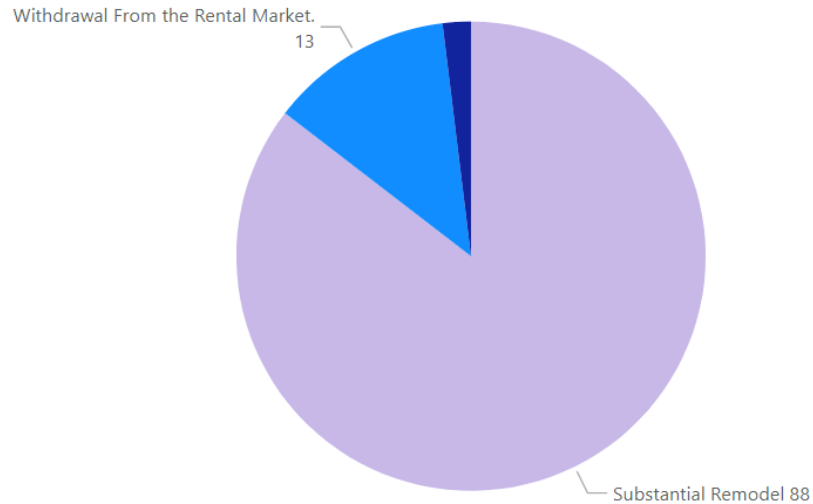
Tenant Protection Ordinance Notices Received for Units Subject to CVMC 9.65 3/1/23 - 9/10/24

Number of Units
Reported

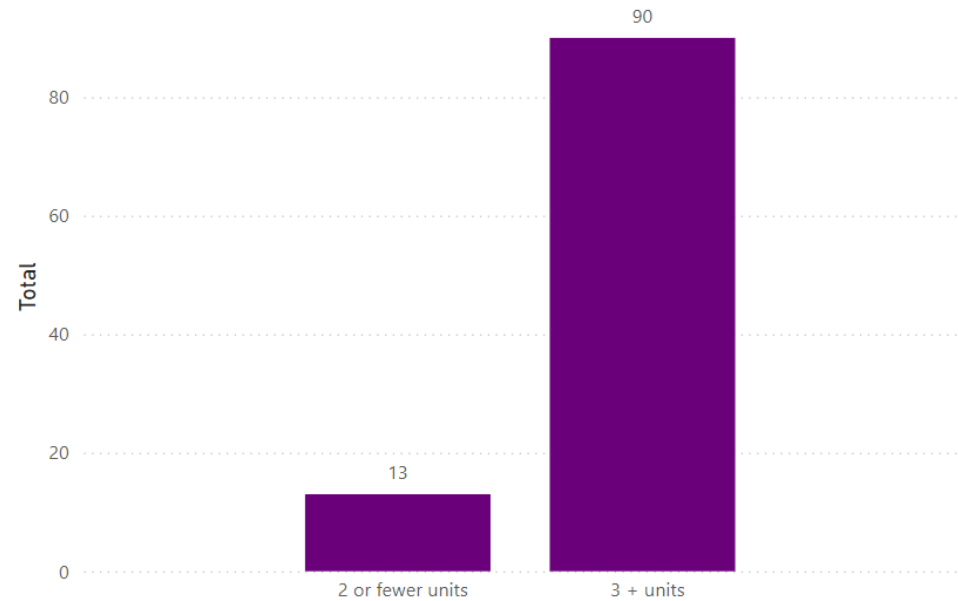
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Reason Listed on Notice

● Substantial Remodel ● Withdrawal From the Rental Market. ● Occupy by Owner or Family Member



Type of Complex



*Note: Complexes with 3+ units need to provide relocation fees.

Homeless Prevention

Voluntary Resident Eligibility Form

- 15 received (15%)
 - 1 household receiving Tenant-Based Rental Assistance
 - 3 currently being assessed



Compliance with CVMC 9.65



**HOUSING & HOMELESS
SERVICES**



CSA San Diego County
Fair Housing for All

To whom it may concern,

We would like to start by thanking Jorge Ibarra for the excellent service he provided for our family during this difficult time.

Our family had been living at [REDACTED], Chula Vista, since 1993, and in February of 2024, we were given a 60-day notice to vacate the property we had called home for 30 years. My husband, being disabled, and I, not knowing the language, found ourselves in a situation where we were going to be homeless had it not been for the excellent service provided by Mr. Ibarra.

We were referred to Mr. Ibarra by the City of Chula Vista. Mr. Ibarra informed us of our rights and provided the emotional and mental support we needed. He was able to handle our claim and provide us with the best service by offering step-by-step guidance. We are very satisfied and would recommend CSA San Diego County to all of our friends and family.

Ongoing Public Concern

Section 9.65.080(C)(2), civil penalties may be assessed:

- \$5,000 per violation per day for violations of 9.65.050 (Harassment and Retaliation Against Tenant Prohibited)
- \$2,500 per violation per day for other civil penalties, issued in accordance with CVMC 1.41
- No notice required

Staff assessment:

- Consistent with state law and the rest of the municipal code
- Takes into account variety of possible violations
- Provides legally required flexibility to fit penalty to violation
- Multiple levels of review/appeal exist

Questions



**HOUSING &
HOMELESS SERVICES**

Empower individuals & families • Build community resilience • Promote housing opportunities • Enhance quality of life