



# Rent Control News



## Tenant Information Sheet

The Rent Control Board is committed to ensuring that Santa Monica tenants and landlords understand the Rent Control Law. Recognizing that knowledge may also lead to more effective communications, the Board recently amended the Rent Control regulations to require that for all tenancies starting on or after July 31, 2017, landlords must give the new tenants an information sheet about the Rent Control Law at the time of lease signing.

The Rent Control Board will provide the information sheet which landlords can print out from the Board's website or pick up in hard copy from the Board's office at City Hall. The single-sheet document contains rent control basics such as information about rent levels and rent increases, eviction protections, maintenance and repairs, and base amenities. It also contains information about other important issues affecting Santa Monica tenants and landlords, such as home sharing, smoking restrictions, harassment, and construction work in occupied buildings. Tenants are encouraged to acknowledge receipt of the information sheet by signing and dating the form.

If a landlord fails to provide the information sheet to a tenant at the beginning of the tenancy, the landlord will not be able to implement annual general adjustments

If a landlord fails to provide the information sheet to a tenant at the beginning of the tenancy, the landlord will not be able to implement annual general adjustments for the unit until they comply with the requirement.

## REMINDER

## Buyout Agreements Filing Requirement

Agreements where a tenant voluntarily agrees to move out of a rent-controlled unit in exchange for a sum of money are lawful provided owners comply with all procedures set forth in local law regarding buyout agreements. To help ensure tenants are aware of their rights before accepting a buyout offer, owners are required to give tenants a written statement of their rights — including the right to refuse to enter into such an agreement — before starting negotiations. Additionally, owners must file copies of all completed, signed buyout agreements with the Rent Control office. If an owner fails to properly follow the law, the tenant may rescind the agreement.

The Rent Control Board shares aggregated information with the public about the amounts that have been paid pursuant to buyout agreements. The average paid last year ranged from \$15,142 for studios to \$41,389 for two-bedroom or larger units.

for the unit until they comply with the requirement. Rent increases imposed during a period of noncompliance would be considered excess rent that could be recovered by affected tenants through the Board's excess rent complaint process. However, once a landlord comes into compliance, he or she may prospectively impose any otherwise lawful increases that they were not able to impose during the period of noncompliance.

Owners will be mailed the information sheet in June. The information sheet will also be made available on the Rent Control Board's website.

## Santa Monica Rent Control Board

1685 Main Street, Room 202, Santa Monica, CA 90401

Commissioners: Steve Duron, Todd Flora, Anastasia Foster, Nicole Phillis, Caroline Torosis

Executive Director: Tracy Condon

Hemos preparado también una copia de este boletín en español. Para obtener esta versión traducida, llame a nuestra oficina al (310) 458-8751.

# Living with Construction?

## Landlords need to mitigate significant disruptions

There are approximately 500 active building permits for rent-controlled buildings that are undergoing repair, rehabilitation or renovation. As the controlled housing stock ages and owners reinvest in their properties, the construction work may at times be disruptive. In recognition of that fact, Santa Monica laws seek to ensure that property owners consider and address the disruption as it impacts tenants.

If it is determined that a proposed project could impact the habitability of tenant-occupied units, property owners seeking permits are required by the Building and Safety Division to prepare a Means and Methods Plan. Such plans include a description of the construction process, potential construction impacts and an explanation of how the owner intends to mitigate those impacts on tenants. Owners must also consider whether the construction will impact onsite parking and common areas as well as address the needs of tenants who are elderly, disabled, work at home or have young children at home during the day. If units will be made uninhabitable by any work, the City requires that the owner provide temporary relocation benefits to the tenants during that portion of the project.

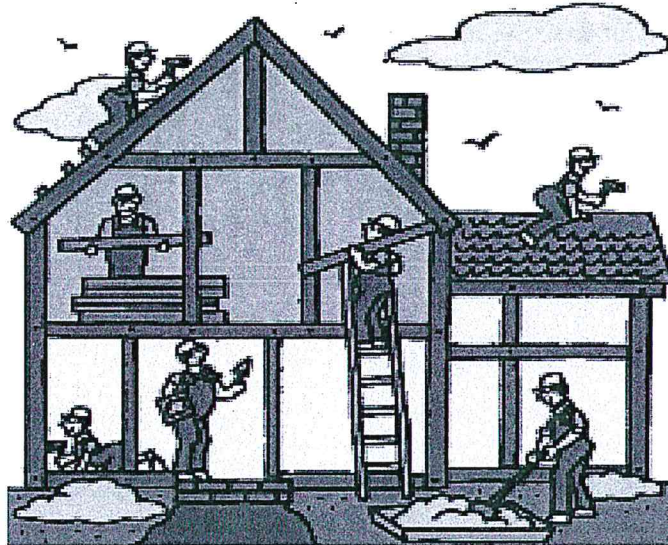
Regular communication to keep tenants informed of the work to be done and the steps that will be taken to reduce negative effects is also required. If construction activity is anticipated to take more than 30 days, owners are required to provide monthly progress reports to tenants, let them know who to contact with problems, and conduct periodic meetings with them.

Most construction comes with some inconvenience. But significant disruption caused by relentless noise, dust, odors, utility shut-offs and compromised security can create "substantial interference with the right to occupy the premises." When this happens, tenants may seek help from Rent Control. The Rent Control Board offers informal mediation

services that may help owners avoid problems and offers solutions for issues that arise.

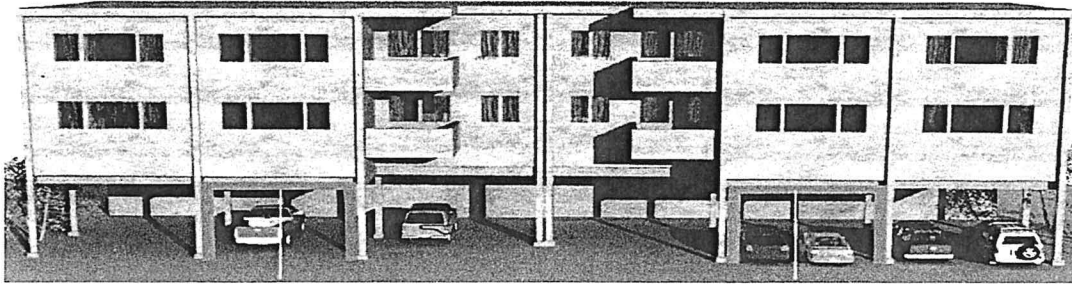
If construction impacts are not reasonably mitigated and efforts to mediate are not successful, tenants may petition the Rent Control Board for construction-related rent decreases. When a petition is filed, both sides have an opportunity to present their case before a hearing examiner. Under rent control regulations governing construction-related impacts, decreases may be authorized if the

repair work is proven to significantly impact units' habitability, interfere with tenants' occupancy of their units, or reduce or remove housing services for a period exceeding 24 hours. Decreases are not authorized, however, if the work involves necessary repairs (rather than elective upgrades), the impacts are unavoidable and the work is done in a reasonable manner and does not take an unreasonable period of time to complete.



The burden of proof in these petitions is on the tenants. Accordingly, it is important that tenants keep detailed accounts of the disruptions including: communication with the owner or owner's representatives; printed, dated pictures; and dated videos that help support their claims. If a rent decrease is authorized, it will remain in place until the work has been completed.

- ◆ For more information about services of the Rent Control Board, please contact our office.
- ◆ For questions about building permit applications, please contact Building and Safety at 310-458-8355.
- ◆ To report construction work that appears to violate the City's requirements, please contact the Code Enforcement Division at 310-458-4984.



## Santa Monica's Seismic Safety Program

The City of Santa Monica is joining other communities across the state to ensure that potentially-vulnerable buildings are strengthened to limit their damage in a significant earthquake. The City Council recently adopted one of the nation's strongest ordinances addressing seismic safety retrofit standards. A list of Santa Monica buildings that was compiled based on characteristics such as age, appearance, construction material, and method of design and/or construction that may indicate a need for strengthening can be downloaded from the City's website: [www.smgov.net/Departments/PCD/Programs/Seismic-Retrofit](http://www.smgov.net/Departments/PCD/Programs/Seismic-Retrofit)

Over the next 16 months, owners of buildings on the list will be sent notices from the City to

complete a structural analysis. For most building types, the analysis will need to be completed within two years. Owners of buildings found to be non-compliant with established standards for earthquake resistance will be ordered to strengthen the building through a seismic retrofit.

Many of the buildings on the list are rent-controlled properties. In the coming months before retrofitting is ordered to be performed, the Rent Control Board will hold public hearings to consider how retrofitting costs should be handled.

Please check the Board's website for updates on when the hearings will be held.

## 2017 Seminars

The Rent Control Agency presents several seminars throughout the year. The remaining seminars for 2017 are tentatively scheduled at the **Santa Monica Main Public Library, 601 Santa Monica Blvd., Multipurpose Room, 2nd Floor.** Please register for any seminar you would like to attend. Call (310) 458-8751 or send an email to: [rentcontrol@smgov.net](mailto:rentcontrol@smgov.net). Check our website at [www.smgov.net/rentcontrol](http://www.smgov.net/rentcontrol) for calendar updates.

### Calculating the Annual Rent Increase July 18<sup>th</sup>, Tuesday 6:30 pm – 9:00 pm

Designed for owners and managers, this seminar provides an overview of how to calculate and notice the 2017 general adjustment and surcharges. One-on-one assistance is available to help calculate and complete rent increase notices.

## 2017 General Adjustment


The Rent Control Board announced the 2017 General Adjustment (GA) of 2.0% at its May 11<sup>th</sup> meeting. As approved by Santa Monica voters, the GA is based on 75% of the annual change in the Consumer Price Index (CPI) for the greater Los Angeles area for the twelve-month period ending as of March. On April 14<sup>th</sup>, the Bureau of Labor Statistics announced that the March to March CPI change for our area was 2.7%, resulting in the 2017 GA of 2.0%.

After holding a public hearing at its June 8<sup>th</sup> meeting, the Board may decide to set a maximum dollar-amount increase on the GA. With proper written notice, the Board-approved GA may be implemented by owners no earlier than September 1st of this year for tenancies that started before September 1st of 2016. The Rent Control office will mail information to all tenants and property owners in late June explaining this year's annual increase and the surcharges that owners may include in tenants' rents.

### Rental Property Maintenance Seminar Oct. 10<sup>th</sup>, Tuesday 9:30 am – noon

Presented with the City's Code Enforcement Division staff, this seminar addresses the types of maintenance and repairs that are required, how and where to file a complaint, temporary relocation of tenants during certain types of repairs, and issues related to habitability, plumbing and painting. Tenants, owners, and managers are welcome.

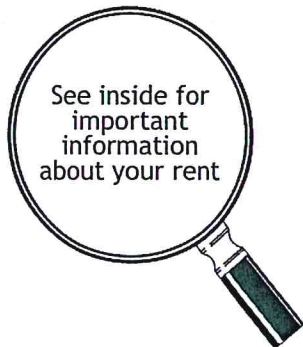


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### Rent Control Board

1685 Main Street, Room 202  
Santa Monica, CA 90401



Rent Control is closed every other Friday.  
Please call before coming to be sure it's a Friday we're open.

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**Public Counter:** 1685 Main St., Room 202  
M-Th / Alternate F: 8:00-4:30



**Telephone:** (310) 458-8751  
M-Th: 7:30-5:30 / Alt F: 8:00-5:00



**Website:** [www.smgov.net/rentcontrol](http://www.smgov.net/rentcontrol)



**Email:** [rentcontrol@smgov.net](mailto:rentcontrol@smgov.net)



**www.facebook.com/santamonicaretcontrol**

#### TENANTS

The amount shown in the circle at left is the Maximum Allowable Rent (MAR) for your unit, per Rent Control records. The legal rent for your unit is the MAR plus allowable surcharges, which typically add \$10 to \$60 (more for condos) to your rent. If you moved in recently, Rent Control records may still list the MAR for the previous tenancy. If the message is "Tenant Call," or if you have questions about your MAR, allowable surcharges, or any Rent Control topic, please call an Information Analyst at (310) 458-8751.

#### OWNERS

Each July, owners receive a report listing the MAR that is listed in Rent Control's records for every rental unit on their property or properties. If you are an owner, the circle at left should not include a MAR. If a MAR is listed, please call Rent Control at (310) 458-8751.

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