

Housing, Foreclosure, Tenant Protection Legislation

June 10, 2020

AB-828: Asm. Ting, Gibson, Kalra

Summary: This bill, if enacted as written, would effectively halt all foreclosures during the state of emergency and 15 days after it has ended. This bill includes provisions that effectively bar local courts, law enforcement, and other related parties from taking any action related to residential unlawful detainers during the state of emergency and 15 days after it has ended. It would allow a residential tenant that has received a formal unlawful detainer complaint to respond to such a complaint and seek a hearing to stipulate on an entry of order relating to the complaint. In addition, the recently amended bill would require a court to issue an order for a tenant to remain in a unit and to begin paying rent, plus 10% each month for back rent owed, in the month following the court order if it determined that a tenant was unable to stay current on their rent due to a COVID-19 related financial hardship.

Status: Currently in Senate-In Rules Committee (**NO hearing date set**)

AB-1436: Asm. Chiu, Bonta, Gonzalez, Santiago, Wicks

Summary: The bill provides that a tenant cannot be evicted due to unpaid rent accrued during the COVID-19 State of Emergency and for 90 days after. It requires that landlords account for any rental assistance they receive from government sources in calculating back rent. The bill also protects renters from negative impacts to credit and the ability to rent in the future.

Status: Amended in Human Services Committee-Currently awaiting re-referral (**from author: AB 1436 is expected to be heard in a Senate policy committee in July**)

AB-2271: Asm. Gabriel

Summary: Requires that any legal services nonprofit funded through the Sargent Shriver Civil Counsel Act (Shriver Act) refer immigrants to alternate providers of legal services if the nonprofit itself is barred from serving those immigrants by other funding restrictions. Requires trial courts to collect and report information regarding eviction cases.

Status: Currently in Senate. Read first time. Heading to Rules Committee for assignment.

AB-2272: Asm. Gabriel, Chiu

Summary: legislation regarding a statewide program for eviction defense.

Status: Currently awaiting referral to committee-no action since February 15th. (**NO hearing date set**)

AB-2406: Asm. Wicks

Summary: This bill requires the Department of Housing and Community Development (HCD) to create an online rental registry portal to receive specified information from landlords and others and disseminate detailed information to the public. This applies to any landlord that both (a) owns or operates more than five rental dwelling units and (b) accepts rental assistance payments from federal or state funds appropriated by the Legislature in response to COVID-19 to submit a rental registry form for a dwelling unit, under penalty of perjury, by April 1, 2022, and every March 31 thereafter.

Information required on the rental registry form to include, in part, legal addresses; identification of ownership; property size, including number of bedrooms and bathrooms and square footage; tenancy and eviction data; payments collected for rent and utilities; vacancy rates; and whether properties are subject to rent control ordinances.

Status: Currently in Assembly-In Appropriations Process-Held under submission.

AB-2690: Asm. Low

Summary: Allows local regulation of rent on mobilehome spaces to apply regardless of the date when a space was initially held out for rent. In doing so, it repeals a provision of the Mobilehome Residency Law (MRL) which prohibits local governments from regulating rent on mobilehome park spaces initially offered for rent after January 1, 1990.

Status: Currently in Assembly-In Floor Process-Third Reading to be scheduled

AB-2782: Asm. Stone

Summary: Requires mobilehome park owners to take steps to relocate or compensate mobilehome park residents when a park is closing or being converted for a different use.

Status: Read second time on June 3rd on Assembly Floor. Currently waiting on the Third Reading to be scheduled

AB-2895: Asm. Quirk-Silva, Chiu

Summary: Prohibits the management of a mobilehome park from increasing the gross rental rate for a tenancy more than 5% plus the percentage change in the cost of living, as defined, or 10%, whichever is lower, of the lowest gross rental rate charged for the immediately preceding 12 months. Provides that management shall not increase the gross rental rate in more than two increments over any 12-month period.

Status: Assembly-In Floor Process-Third Reading to be scheduled

SB-915: Sen. Leyva

Summary: SB 915 would temporarily prohibits mobilehome parks from evicting residents who timely notify park management that they have been impacted, as defined, by the coronavirus (COVID-19) pandemic. It also would require mobilehome parks to give such COVID-19-impacted residents at least one year to comply with demands to repay outstanding rent, utilities or other charges, as well as up to one year to cure violations of park rules and regulations.

Status: Senate- Placed on APPR. suspense file.

SB-939: Sen. Weiner

Summary: SB 939, an urgency measure, would establish a temporary eviction moratorium and a 12-month rent repayment period, as specified, and procedures for the renegotiating or terminating of certain commercial tenancy leases, as specified, where a commercial tenant is impacted by the novel coronavirus disease (COVID-19). This would apply only to small businesses, located principally in California, not publicly traded, and has 500 or fewer employees.

Status: Senate- Placed on APPR. suspense file.

SB-980: Sen. Umberg

Summary: SB 980 would impose specified requirements and restrictions on direct-to-consumer genetic or illness testing services companies related to the sharing and use of people's genetic information and would impose civil penalties for violations of provisions of the bill.

Status: Senate-Placed on APPR. suspense file.

SB-999: Sen. Umberg

Summary: This bill removes a provision in state law that exempts mobilehome leases from any otherwise applicable local rent control ordinance if, among other specified conditions, the lease term is greater than one year.

Status: Senate-In Floor Process-Third Reading to be scheduled

SB-1079: Sen. Skinner

Summary: SB 1079 would, among other things, require trustees to provide prospective owner-occupants and public entities, as those terms are defined, an opportunity to bid on foreclosed real property before all others; limit the bundling of properties, and the number of properties purchased by a person, during foreclosure sales, as specified; and increase the maximum fine a

jurisdiction may impose on an owner of unoccupied foreclosed property for failing to maintain the property.

Status: Senate-Placed on APPR. suspense file.

SB-1157: Sen. Bradford

Summary: This bill requires, beginning July 1, 2021, any landlord of an assisted housing development to offer the tenant or tenants obligated on the lease of each unit in that assisted housing development the option of having the tenant's rental payments reported to a consumer reporting agency, as provided, and authorizes a landlord to require the tenant to pay a fee not to exceed the lesser of the actual cost to the landlord to provide the reporting service or \$10 per month.

Status: Senate-In Floor Process-Third Reading to be scheduled

SB-1190: Sen. Durazo

Summary: SB 1190 would allow local prosecutors to bring actions to enjoin or remedy violations of the Tenant Protection Act of 2019 and allow local jurisdictions to investigate and enforce the act, as specified. It also would expand specified residential tenancy termination abilities of crimes victims, as specified.

Status: Senate-Placed on APPR. suspense file.

SB-1410: Sen. Caballero

Summary: SB 1410, an urgency measure, would establish the COVID-19 Emergency Rental Assistance (CERA) Program to provide payments to owners of housing units rented by households with a demonstrated inability to pay rent due to the COVID-19 pandemic, as specified. Payments to owners would be at least 80% of the amount of rent owed by an affected household for a period of up to seven months from April 1, 2020 through December 31, 2020. The CERA Program would only be implemented to the extent funding is made available in the Budget Act.

Status: Senate-Placed on APPR. suspense file.