

September 2018

New Legislation 2018

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Here is a list of some of the new laws that have been passed by our state legislators this year.

AB 2413 - Law Enforcement and Emergency Service

This bill prohibits landlords from retaliating against victims or their households for contacting law enforcement or emergency assistance. Current law (in relation to an unlawful detainer) allows the victim of domestic violence, sexual assault, stalking, human trafficking, or elder/dependent adult abuse to attach a documented copy of a restraining, protection order, or report by a peace officer. This law also allows the victim to provide a statement from a qualified 3rd party, such as a sexual assault counselor, domestic violence counselor, or a human trafficking caseworker, only if the documentation displays the letterhead of the office, hospital, institution, center, or organization.



AB 2219 - Landlord-tenant: 3rd-Party Payments

A landlord or landlord's agent is not required to accept the rent payment tendered by a third party unless the third party has provided to the landlord or landlord's agent with a signed acknowledgment stating that they are not currently a tenant of the premises for which the rent payment is being made and that acceptance of the rent payment does not create a new tenancy with the third party. Failure by a third party to provide the signed acknowledgment to the landlord or landlord's agent shall void the obligation of a landlord or landlord's agent to accept a tenant's rent tendered by a third party.

AB 2341 - California Environmental Quality Act

Eliminated consideration of aesthetic effects under the California Environmental Quality Act (CEQA) for specified projects involving the refurbishment, conversion, repurposing, or replacement of an existing abandoned, dilapidated, or vacant building, provided the new structure does not substantially exceed the height of the existing structure or create a new source of substantial light or glare. This shall remain in effect only until January 1, 2024.

SB 721 - Deck and Balcony Inspections

This bill requires an inspection of exterior elevated elements and associated waterproofing elements, including decks and balconies, for buildings with 3 or more multifamily dwelling units by a licensed architect, licensed civil or structural engineer, a building contractor holding specified licenses, or an individual certified as a building inspector or building official, as specified. The bill requires the inspections, including any necessary testing, to be completed by January 1, 2025, with certain exceptions, and would require subsequent inspections every 6 years, except as specified. The bill excludes common interest developments.

AB 2343 - Three Day Notices and Unlawful Detainers

This change enacts various procedural changes to landlord-tenant law, including specified extensions of time for tenants to respond to notices and eviction papers.

Specifically, this bill:

- 1) Clarifies that the three-day notice period for unlawful detainer for a tenant to address curable breaches of the lease, including nonpayment of rent and failure to perform certain duties under the lease, shall be counted so as to exclude weekends and judicial holidays.
- 2) Clarifies that the five-day period in which the defendant may file his or her answer in response to a notice of summons in an unlawful detainer case shall be counted so as to exclude weekends and judicial holidays.
- 3) Establishes a delayed operative date of September 1, 2019 for these provisions.

In other words, under this bill, only weekdays that are not judicial holidays are counted towards the three-day notice period.

For more information you can contact RHN at 408-246-6114.