



Client Event

Update: What's On the Horizon

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- ❑ **Opening Address**
- ❑ **Bay Area Update**
- ❑ **Sacramento Review – AB1482**
- ❑ **Sept 2019 – Notices / Lawsuits ; Exclusion Sat/Sun/Holidays**
- ❑ **Buy-Out Discussions**



Rent Control/ Just Cause – Throughout Bay Area

Local Regulations:

1. San Francisco
2. Oakland
3. Berkeley
4. Emeryville
5. Alameda
6. Richmond
7. Hayward
8. San Leandro
9. East Palo Alto
10. San Jose
11. Mountain View

AB 1482

State Wide Rent Control – Pertinent Points

1. Limits Rent Increases to the **lesser** of 10% on a yearly basis or 7% plus change in the cost of living
2. After a tenancy exists for 12 months or more, landlord must have “just cause” to terminate:
 - a. Non payment of rent
 - b. Breach of lease (must give opportunity to cure)
 - c. Nuisance/Wast/Criminal Activity
 - d. Refusal to Allow Access
 - e. Owner Move In/Relative Move IN
 - f. Ellis Act
 - g. Intent to Demolish or Substantial Rehab

For “no fault” evictions, must give the equivalent of 1 months rent to the tenant.

3. Does not apply to hotels, non profits, dormitories, owner/roommate situations, single family (owner occupied units), new construction (built within the last 10 years). Single family home (where owners is a natural person and owns less than 10 houses) and where lease includes a provision that the unit is exempt
4. Does not override local rent control ordinances – expressly permits more intensive rent control/just cause eviction in local jurisdictions.



CHANGES TO EVICTION NOTICE AND UNLAWFUL DETAINER RESPONSE TIMES EFFECTIVE SEPTEMBER 1, 2019

- Assembly Bill No. 2343; CHAPTER 260

On September 5, 2018, California Governor Jerry Brown signed Assembly Bill 2343, which amends California Code of Civil Procedure Sections 1161 and 1167 to give tenants more time to respond to eviction notices and unlawful detainer (eviction) actions.

NOTE: If the notice period includes a judicial holiday, the expiration date of the notice will be extended such that all Saturdays, Sundays and judicial holidays are excluded from the three-day period.

(1) Existing law establishes a procedure, known as an unlawful detainer action, that a landlord must follow in order to evict a tenant. Existing law provides that a tenant is subject to such an action if the tenant continues to possess the property without permission of the landlord in specified circumstances, including when the tenant has violated the lease by defaulting on rent or failing to perform a duty under the lease, but the landlord must first give the tenant a 3-day notice to cure the violation or vacate.

This bill would change the notice period to exclude judicial holidays, including Saturday and Sunday.

(2) Under existing law, a plaintiff that wishes to bring an action to obtain possession of real property must file a complaint and serve the defendant with a notice of summons, in which case the defendant has 5 days to respond.

This bill would clarify that the period in which a defendant may respond to a notice of summons does not include judicial holidays, including Saturday and Sunday.

(3) This bill would provide that these provisions would become operative on September 1, 2019.

Change to Computation of Three-Day Notice Period

Effective September 1, 2019, the manner of counting the three-day period will change such that the three-day period will exclude Saturdays and Sundays and judicial holidays. Based on the foregoing, the three-day period will be as follows (unless the notice period includes a judicial holiday):

<u>Day Notice Served</u>	<u>Day Notice Expires</u>
Monday	Thursday
Tuesday	Friday
Wednesday	Monday
Thursday	Tuesday
Friday	Wednesday
Saturday	Wednesday
Sunday	Wednesday

Source:

https://leginfo.ca.gov/faces/billVersionsCompareClient.xhtml?bill_id=201720180AB2343

Tenancy Buy-Outs :

More regulations, more opportunities

- Oakland
- San Francisco
- Berkeley
- Currently Unregulated in Most Jurisdiction



THANK YOU!



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