

AMENDED IN ASSEMBLY MARCH 29, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1925

Introduced by Assembly Member Ma
(Principal coauthor: Senator Yee)

February 22, 2012

An act to ~~amend Section 17975 of the Health and Safety Code~~ *add Section 1947.9 to the Civil Code*, relating to ~~housing~~ *real property*.

LEGISLATIVE COUNSEL'S DIGEST

AB 1925, as amended, Ma. ~~Housing: tenant relocation assistance.~~
Real property: rent control.

Existing law requires, in any city, county, or city and county that administers a system of controls on the price at which residential rental units may be offered for rent or lease and that requires the registration of rents, upon the establishment of a certified rent level, any owner who charges rent to a tenant in excess of the certified lawful rent ceiling to refund the excess rent to the tenant upon demand.

This bill would limit, in a city, county, or city and county that administers a system of controls on the price at which residential rental units may be offered for rent or lease, and notwithstanding any local law to the contrary, levels of compensation for the temporary displacement of a tenant household for less than 20 days to temporary housing and living expenses, not to exceed \$275 per day per tenant household, and actual moving expenses, as specified.

~~Existing law provides for relocation assistance to a tenant displaced from a residential rental unit as a result of an order to vacate by a local enforcement agency under specified conditions.~~

~~This bill would make technical, nonsubstantive changes to this provision.~~

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1947.9 is added to the Civil Code, to read:

2 1947.9. (a) (1) In a city, county, or city and county that
3 administers a system of controls on the price at which residential
4 rental units may be offered for rent or lease, and notwithstanding
5 any local law to the contrary, levels of compensation for the
6 temporary displacement of a tenant household for less than 20
7 days shall be limited to both of the following:

8 (A) Temporary housing and living expenses, not to exceed two
9 hundred seventy-five dollars (\$275) per day per tenant household.
10 This limit may be adjusted annually by a city, county, or a city and
11 county commensurate with an increase in the Consumer Price
12 Index.

13 (B) Actual moving expenses if it is necessary to move the
14 possessions of the tenant household.

15 (2) The landlord shall have the option to provide a comparable
16 dwelling unit and pay any actual moving expenses, in lieu of the
17 compensation required in subparagraph (A) of paragraph (1). The
18 rental housing shall be comparable to the tenant household's
19 existing housing in location, size, number of bedrooms,
20 accessibility, type, and quality of construction, and proximity to
21 services and institutions upon which the displaced tenant household
22 depends.

23 (b) This section shall not be construed to do any of the following:

24 (1) To terminate, interrupt, or amend, in any way, a tenancy
25 subject to the lease provisions, or the rights and obligations of
26 either party, including, but not limited to, the payment of rent.

27 (2) To create or affect any grounds for displacement or
28 requirements of a landlord seeking temporary displacement, except
29 the payment of relocation fees pursuant to subdivision (a) for
30 displacement not exceeding 20 days.

31 (3) To affect the authority of a public entity that may regulate
32 or monitor the basis for eviction.

1 (c) If a federal or state law regarding relocation compensation
2 is also applicable to the temporary displacement, the tenant may
3 elect to be compensated under those other provisions, and
4 subdivision (a) shall be inapplicable.

5 (d) This section shall affect only levels of compensation for a
6 temporary displacement of less than 20 days. Any other local laws
7 governing temporary displacements of 20 days or more in duration
8 shall remain in full effect.

9 (e) A residential rental property owner shall not be required to
10 provide temporary relocation benefits to a tenant household if any
11 tenant in the household or a guest of the household was entirely
12 or primarily responsible for causing the condition that necessitated
13 the temporary relocation.

14 SECTION 1. ~~Section 17975 of the Health and Safety Code is~~
15 ~~amended to read:~~

16 ~~17975. Any tenant who is displaced or subject to displacement~~
17 ~~from a residential rental unit as a result of an order to vacate or an~~
18 ~~order requiring the removal of all tenants from a residential rental~~
19 ~~unit by a local enforcement agency as a result of a violation so~~
20 ~~extensive and of such a nature that the immediate health and safety~~
21 ~~of the residents is endangered, shall be entitled to receive relocation~~
22 ~~benefits from the owner, as specified in this article. The local~~
23 ~~enforcement agency shall determine the eligibility of tenants for~~
24 ~~benefits pursuant to this article.~~