

Introduced by Senator Lieu

February 9, 2012

An act to add Section 1947.2 to the Civil Code, relating to landlord and tenant.

LEGISLATIVE COUNSEL'S DIGEST

SB 1055, as amended, Lieu. Landlord and tenant: payments.

Existing law regulates the relationship between landlord and tenant and the terms and conditions of tenancies. Existing law requires a tenant to pay rent as it successively becomes due.

This bill would prohibit a landlord or a landlord's agent from requiring ~~cash~~ *online Internet payments* as the exclusive *form of* payment of rent or deposit of security. ~~The bill would require any landlord or landlord's agent that offers the option of payment of rent or deposit of security online to also accept payment of rent or deposit of security by check or money order~~ for any lease or rental agreement that is first effective on or after January 1, 2013. The bill would provide that a waiver of these provisions is contrary to public policy, and is void and unenforceable.

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 1947.2 is added to the Civil Code, to
2 read:
3 1947.2. (a) A landlord or a landlord's agent may not demand
4 or require online Internet payments as the exclusive form of

1 payment of rent or deposit of security in any lease or rental
2 agreement that is first effective on or after January 1, 2013. ~~Any~~
3 ~~landlord or landlord's agent that offers the option of payment of~~
4 ~~rent or deposit of security online shall also accept payment of rent~~
5 ~~or deposit of security by check or money order.~~

6 (b) Subdivision (a) does not enlarge or diminish a landlord's or
7 landlord's agent's legal right to terminate a tenancy.

8 (c) A waiver of the provisions of this section is contrary to public
9 policy, and is void and unenforceable.