

Overview of State Law – AB 1482

Assembly Bill 1482, also known as the Tenant Protection Act of 2019, is a statewide law that established critical protections for California renters. These protections include rent caps and "just cause" eviction requirements. It went into effect on January 1, 2020, and is currently scheduled to expire on January 1, 2030. This law was strengthened by Senate Bill 567 in 2024.

Summary of AB 1482:

Rent Cap

- Places an upper limit on annual rent increases: five percent (5%) plus cost-of-living inflation based on the Consumer Price Index (CPI) up to a maximum of 10 percent (10%) increase each year.
- Allows only one rent increase over a 12-month period.
- Rent cap is only applicable to existing tenants, and landlord may increase rent as needed in between tenancies.
- Exemptions from this rent cap include:
 - Properties issued a Certificate of Occupancy within last 15 years.
 - Single family homes, townhouses, and condominiums, unless owned by investment trust, corporation or LLC.
 - Owner-occupied duplexes (including single family homes with one ADU on the property).
 - Properties subject to more restrictive local rent control ordinances.

At-Fault Just Cause Eviction Protection

- Landlords who evict tenants for an at-fault eviction are not required to pay the tenant any type of relocation assistance. Examples of at-fault just causes include:
 - Non-payment of rent.
 - Criminal activity.
 - Breach of material lease term.
 - Commission of nuisance or waste.
 - Unauthorized subletting of unit.
 - Failure to vacate after providing notice.

No-Fault Just Cause Eviction Protection

- Events of eviction that are not the fault of the tenant (no-fault) but are a legal cause for eviction are referred to as "no-fault just cause". In these instances, the landlord is required to provide 60 days notice to the tenant and the landlord is required to pay an amount equal to one month of the tenant's current rent as relocation assistance. No-fault just causes include:

- Compliance with a government order or a local ordinance that requires vacation of the unit (e.g., red tag).
- Removal of the rental unit from the marketplace.
- Intent to demolish or substantially remodel the unit.
- Intent to occupy the residential property or for specified family members of the landlord to occupy the property (only if the tenant agrees to such termination or if the lease allows for unilateral termination).

Summary of SB 567:

A California Senate Bill, SB 567, which took effect on April 1, 2024, strengthens the 2019 Tenant Protection Act (AB 1482). Landlords are required to provide written notice and, upon request by the tenant, show proof to support the reasons for the no-fault, just-cause eviction to terminate a tenancy.

Strengthen No-Fault Eviction Protection

- Landlords who evict a tenant so that the landlord or their family member can move into the unit must:
 - move into the unit within 90 days
 - reside in the unit continuously for at least 12 consecutive months as their primary residence.
- Landlords who evict a tenant so that the landlord can substantially remodel or demolish the rental unit must:
 - provide the tenant with a written notice that includes a description of the substantial remodel, the approximate amount of time the remodel will take or the date when the unit will be demolished, and a copy of the permits allowing for the remodel or demolition.
 - If the owner-occupancy or remodel does not happen as planned, the landlord must offer the unit back to the tenant at the same rental rate and terms as the tenant had at the time of the eviction.

Increased Penalties

- Landlords who violate these tenant protection rules can be liable for up to three times the actual damages, as well as punitive damages.
- Eviction notices that fail to provide the required documentation are considered legally void.
- The California Attorney General now has the explicit authority to sue landlords for non-compliance.