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## A watershed moment for renter protections

By **CJ Higley and Katy Tang**

It is tough to recognize when a watershed moment has occurred while one is in “the moment,” but it won’t take long for many to recognize that California is currently in the midst of one. An acute awareness and a widespread recognition of a housing affordability crisis has resulted in something that was unimaginable in years past — an agreement on statewide renter protections in the form of Assembly Bill 1482.

Introduced by Assemblymembers David Chiu (D-San Francisco), Richard Bloom (D-Santa Monica), Rob Bonta (D-Oakland), Timothy Grayson (D-Concord), and Buffy Wicks (D-Oakland), AB 1482 would limit annual rent increases to 5% plus the rate of inflation through Jan. 1, 2030. The bill would also require landlords to have and provide written notice regarding just cause for termination in order to evict tenants who have continuously and lawfully occupied the premises for 12 months.

A number of exceptions were incorporated into the bill. The bill does not apply to units already subject to existing rent control or just cause eviction protections, nor deed-restricted affordable housing, or dormitories. Owner-occupied single-family homes are also excluded from the provisions, unless the single family home is owned by a real estate trust or a corporation. Duplexes are excluded from the bill’s requirements if the owner lives in one of the units. And, to prevent a chilling effect on construction of new rental housing, the bill

would not apply to new construction within the last 15 years.

As legislators, advocates, and interest groups digest the grand bargain and await the governor’s signature, it is worth noting that, despite its temporary nature, AB 1482 will put in place the most sweeping set of tenant protections in California and the nation. With only 15 cities in California with permanent rent control ordinances in place that regulate rents in their multifamily apartment buildings, the bill extends rental price stability to millions of California renters.

*How did AB 1482 make it this far?* As part of a multi-year, multi-stakeholder effort to address the housing crisis from a Bay Area regional standpoint, a diverse group of constituents — developers, tenants’ rights advocates, and organized labor, among others — developed the CASA Compact to provide a comprehensive and actionable strategy. The CASA Compact’s framework was based around three principal outcomes, also known as the “Three Ps”: (1) Production of housing at all levels of affordability; (2) Preserving existing affordable housing; and (3) Protecting vulnerable households from housing instability and displacement. Stemming from this framework and a set of shared principles, the stakeholder groups developed a set of proposals that were designed to address housing through multiple angles — through tenant protections, removal of barriers to the housing approval process, incentives to create more housing, ensuring growth and stabilization of the construction labor force,

and developing and coordinating funding and financing mechanisms.

AB 1482 was part of a package of bills put forth to address the Three Ps. The bill also encapsulates a recognition from years of efforts that any laws designed to incentivize creation of housing must be coupled with tenant protections. And so a broad-based coalition put their support and energy around ensuring the passage of this bill, along with many others. But not every CASA Compact bill made its way through the Legislature. AB 1482 was presented as an “anti-gouging” bill — one that was reasonable to ensure that landlords could still profit from rental housing, but also protected tenants from dramatic rent increases. With just the right amount of massaging, the bill was further amended into something that was widely accepted by groups from all sides.

The significance of this bill’s passage through the Legislature is multifold, including: statewide

rental stabilization for millions of renters and prevention of housing displacement in many cases; extension of eviction protection for millions; and the sheer fact that the new law would apply statewide when only 15 cities thus far have mustered the support for rent protection ordinances.

*What’s next?* While the passage of AB 1482 is one for the history books, laws to spur housing production must continue to find support in the Legislature and in our communities. Many housing production bills struggled to make their way through this legislative session, but this year’s performance cannot be repeated. Too much is at stake for those who still cannot afford to live in California. While we may never be able to build our way out of a housing crisis, more housing is still sorely needed. As the governor is expected to sign AB 1482 into law (effective Jan. 1, 2020), let us not forget the remaining components of the CASA Compact and the work ahead. ■

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