Legislative Updates - 2015

Health and Safety

Smoke and Carbon Monoxide Alarms
Beginning on January 1, 2015, all smoke alarms and combination smoke and carbon monoxide alarms sold must include a display of the date of manufacture of the device, a place to write the date of installation, and a hush feature. Existing operable smoke alarms do not have to be replaced. Current law requires all residential properties to have at least one smoke alarm and one carbon monoxide detector on every level and near sleeping areas. By January 1, 2016, owners are also responsible for installing a smoke alarm in each bedroom. Owners of both single-family rental units and multi-housing rental units are also responsible for testing and maintaining these devices. Additionally, in all dwelling units intended for human occupancy for which a building permit is issued for alterations, repairs, or additions, the permit issuer cannot sign off the completion of the work or permit until it is verified that all required alarm devices are the type approved by the State Fire Marshall (Section 13114).

All new battery operated smoke alarms sold in California must have a non-removable, non-replaceable 10-year battery life.

Water Conservation Regulation- NEW

The State Water Resources Control Board approved an emergency regulation where all Californians are expected to stop washing driveways and sidewalks, watering outdoor landscaping which causes excessive runoff, the use of a hose without a shutoff nozzle to wash a car and using potable water in a fountain unless the water is recirculated. An addendum that discloses this to tenants can be found on our Forms and Resources - Rental Laws and Agreements web page. Each individual water company or municipal department have their own restrictions as well. The addendum form provides a link to local information and contact information for your tenants.

Landlord-Tenant Laws

AB 2747 - Electronic Signatures

This law clarifies that lease agreements which are electronically signed are enforceable. It deletes references to security deposit law and makes it clear that these contracts can be signed electronically.
SB 1167 - Vector Control

Existing law mandates that if the premises are infested with rodents, the landlord must immediately take measures to eradicate the infestation. This new law requires the landlord to also abate any conditions which are contributing to the infestation and also allows a government agency to abate the condition.

AB 2256 - Increase in Sheriff’s Fees

This law increases some sheriff’s fees, including the fee to perform a lockout pursuant to a writ issued in an unlawful detainer action. The previous fee of $125.00 increased to $145.00 as of January 1, 2015.

AB 2100 - Water Conservation and HOAs

Effective July 2014, any HOA rule that prohibits the use of drought tolerant landscaping is void. Any HOA rule or restriction which prohibits or restricts compliance with local laws concerning water efficient landscaping or other water conservation measures is void. HOAs may not fine homeowners or renters who discontinue or reduce landscape watering when the governor or a local agency has declared a state of emergency due to drought.

County of Santa Cruz Code - Interest on Security Deposit

The County of Santa Cruz recently adopted a code similar to the City of SC’s Municipal Code 21.02 from March 12, 2013. The County also now does not require a yearly payment; instead of being due the next February after accruing to $50.00 (like the City) and after vacating, they require payment every 5 years and upon vacating. As of this writing, they had not determined a rate but ‘most likely’ it will be the same as the City of SC at .01% (one tenth of one percent). See our rate sheet for all the details.

AB 2610 - Foreclosure- Right to Possession

This laws stays in effect until December 31, 2016. It gives the tenant the right to a 90-day notice to vacate after foreclosure only if the new owner is not moving in as their primary residence and the previous owner or their agent did not give them notice to vacate before the foreclosure took place. The similar Federal Law’s sunset date was December 31, 2014.