

STATE HOUSING LAWS

ELLIS ACT

The Ellis Act requires the City to allow property owners to “go out of the rental housing business.” This means that City cannot prohibit owners from removing existing tenants from their units. The State allows 12 months for seniors to vacate the units, and 4 months for others. The City requires relocation assistance for tenants who are subject to Ellis Act actions.

COSTA-HAWKINS RENTAL HOUSING ACT

The Costa-Hawkins Rental Housing Act requires Cities with rent stabilization laws to allow the rental rate for a unit to increase to market rates when the unit is vacated. In spite of local laws, the rental rate for a vacant unit could be raised to standard market rates.

SB1818

Senate Bill (SB) 1818 was adopted by the State to provide incentives to developers who build affordable housing units in new housing developments. This law requires the City to permit additional market-rate units (a density bonus) and provide reduced requirements (setbacks, parking, open space) for projects that include affordable housing. This law provides more incentives to developers than the City’s existing affordable housing requirements, and requires less affordable housing production.

REGIONAL HOUSING NEEDS ASSESMENT (RHNA)

Every 5 years the State allocates each City a “fair share” of housing, based on projected regional growth (from natural increase and migration). The City is required by law to provide zoning to accommodate that growth. These zoning changes are described in the Housing Element, which is required to be updated with each allocation cycle.