

For Immediate Release

PRESS RELEASE

Media Contact:

Mark Gluba, Deputy City Manager/Public Information Officer
(909) 620-2448



City of Pomona Urgency Ordinance Establishing Rent Stabilization Measures

POMONA, CA (May 23, 2023) – The City of Pomona (City) adopted Urgency Ordinance 4320 on August 1, 2022, which was subsequently amended on April 17, 2023 by the adoption of Ordinance 4329 (together the “Ordinance”) establishing rent stabilization measures in the City of Pomona. The Ordinance applies to rental units built on or before February 1, 1995, unless an exemption applies. The Ordinance limits residential rent increase to no more than 4% or the change in the Consumer Price Index (CPI), whichever is lower. Only one rent increase is allowed in a 12-month period, and it cannot exceed the allowable rent increase in effect for that period. The Ordinance also includes eviction controls based on For Cause or No Fault tenancy termination, which limits the allowed reasons for which a renter can be evicted or have their tenancy terminated.

“With the expiration of State renter protections, the City Council adopted the Urgency Rent Stabilization Ordinance to create local tenant protections to help our working-class and senior communities,” said Mayor Tim Sandoval. “The City’s Ordinance provides tenant protections to ensure that our residents are not faced with exorbitant rent hikes, eviction notices or possibly becoming homeless.”

Key requirements of the Urgency Rent Stabilization Ordinance include:

- The Ordinance limits residential rent increase to no more than 4% or the change in the Consumer Price Index (CPI), whichever is lower.
- The Ordinance does not apply to housing that is exempt, including units expressly exempt under the Costa-Hawkins Rental Housing Act, the Tenant Protection Act, the Mobilehome Residency Law, or any provision of state or federal law.
- Only one rent increase is allowed in a 12-month period, and it cannot exceed the allowable rent increase in effect for that period.
- The City will publish the maximum allowable rent increase no later than May 31 of each year, which shall be effective on August 1 of that year.
- Landlords may file Petitions for Relief if they contend that the limitations on rent increases prevent them from receiving a fair and reasonable return with respect to operation of the property, subject to approval by a Hearing Officer.
- Tenants may file Petitions for Noncompliance if they contend that a proposed or actual rent increase is not in compliance with the Ordinance, subject to approval by a Hearing Officer.

The Ordinance also requires that Landlords qualify terminations of tenancy as For Cause (e.g., nonpayment of rent or use of the unit for illegal activity) or No Fault (e.g., demolishing a property or undertaking significant work on a building). For vacancies that qualify as No Fault, Landlords must provide a financial relocation fee. The relocation fee ranges between \$5,926 and \$15,377.

The specific amount depends on certain factors such as a tenant's age or disability, length of tenancy, tenant's income level, or number of units owned by the Landlord in the City.

Landlords must have a valid reason and follow proper procedure when terminating a tenancy. This includes the following:

- Landlords must serve the tenant with a Notice of Termination in accordance with the California Code of Civil Procedure Section 1162.
- Not accept rent or any other consideration for the use of the rental unit beyond the term of the terminated tenancy.
- Demonstrate that the termination is For Cause or No Fault, and submit a copy of the Notice of Termination with proof of service to the City within (5) five days after service on the tenant.
- Tenants have the right to challenge a landlord's legal action to terminate a tenancy if the landlord fails to comply with these requirements.

The City will keep records of all Notices of Termination received and will provide confirmation upon request but will not be held responsible for any errors or omissions in the response.

Landlords may terminate a tenancy For Cause if a tenant:

- Fails to pay rent within three (3) days of receiving a notice.
- Violates a material term of the rental agreement and failure to cure the violation within ten (10) days of receiving notice.
- Refuses the landlord with reasonable access to the rental unit in accordance with California Civil Code Section 1954.
- Creates or maintains a nuisance or damage to the rental unit or common area.
- Utilizes the rental unit or surround areas for an illegal purpose, including but not limited to engaging in domestic violence, sexual assault, or stalking against the landlord or other tenants.

Landlords may terminate a tenancy as a No Fault termination for specified reasons, which include but are not limited to the following:

- To demolish the unit or remove it from rental housing use, or to perform work on the unit that costs at least eight (8) times the monthly rent and will render the unit uninhabitable for thirty (30) calendar days.
- To recover possession of a rental unit for use and occupancy by a resident manager, if no other vacant unit is available, and only to replace an existing resident manager.
- To recover possession of a rental unit for use by the owner or an immediate member of the owner's family for a primary place of residence.
- To comply with a government agency's order to vacate or another order that requires vacating the unit due to a violation of the Pomona Municipal Code.
- If a tenant is no longer qualified per a contractual agreement with a governmental entity, the landlord may terminate the tenancy.
- Tenants requiring occupancy agreement, intake, case management or counselling.

There are exemptions to the No Fault Termination provisions. These include tenants who has continuously resided in the unit for 10 years and are 62 years of age or older, disabled or handicapped. Additionally, tenants who are terminally ill are exempt from No Fault Terminations.

The full text of the adopted Urgency Rent Stabilization Ordinance can be found on the City's website at <https://www.pomonaca.gov/RS>. The City has posted user-friendly information for both tenants and rental property owners, including answers to Frequently Asked Questions and flyers in English and Spanish on the website.

If tenants or rental property owners have any questions, please call or e-mail:

909-620-3777

RentStabilization@pomonaca.gov

To learn more about the Ordinance, the City will be holding a series of community workshops. The first workshop will be held on Tuesday, May 30, 2023, at 6.p.m. via Zoom. Go to the City's website to sign up at <https://www.pomonaca.gov/RS>. In person community meetings will be held on Thursday June 15, 2023 at 6:00 p.m. at the PUSD Village Conference Center located at 1444 East Holt Avenue, Entrance 1, and on Wednesday, July 12, 2023, at 6:00 p.m. at Palomares Park Community Center, 499 E. Arrow Highway, Pomona. Spanish translation will be available for all workshops.

For more details, please contact Kirk Pelser, Deputy City Manager at (909) 620-2363 or Beverly Johnson, Housing and Neighborhood Services Department, at (909) 620-2433.

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"The City of Pomona is dedicated to improving the quality of life for its diverse community."