

ZONING / PERMIT PROCESSING
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PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
809 Center Street • Room 107 • Santa Cruz, CA 95060 • www.cityofsantacruz.com
Lee Butler, Director, AICP, LEED, AP

Tenant

Housing Inspection and Relocation Guide



Dear Tenant:

The City of Santa Cruz has inspected rentals on this property. The inspector found that some aspect(s) of the unit(s) did not meet code. The goal is to meet the minimum standards of the 2015 International Property Maintenance Code, 2019 California Residential Code, 2019 California Health and Safety Code, 1997 Uniform Housing Code, and the City of Santa Cruz Municipal Code.

The rental unit may not meet code due to:

- Hazardous and/or unsafe conditions
- Life safety violations
- Unpermitted construction (i.e. illegal conversion of garage to a dwelling unit).

What happens if the rental unit must be repaired?

Should the City find hazardous and unsafe conditions, life-safety violations, and/or unpermitted construction present, the inspector will decide how quickly repairs must be made based on the condition of the unit. Sometimes, repairs can be done while the tenant continues to reside within the unit. However, some work can only be done if the rental is vacant. If you must move out, either temporarily or permanently, please review the enclosed Relocation Ordinance. (Santa Cruz Municipal Code, Chapter 21.03).

The City will take enforcement action if repairs are not made within the time frame set forth by the City. The City may post the unit as "substandard" and order it to be vacated. If the City orders a unit to be vacated, no one will be allowed to live there until the unit is repaired and made safe for habitation.

Why do I need to leave my rental unit?

The inspector may find that the rental unit is not a legal unit or that due to the scope of repairs you cannot live in the unit while work is being done. Under certain conditions, the property owner pays for relocation. Please see the Relocation Ordinance for more information and exceptions to the rules. Instead of paying relocation assistance, the owner may offer a different unit for you to rent or make an "agreement of equal value". If you, the tenant, wish to accept the other rental unit or the "agreement of equal value," this agreement must be done so in writing and submitted to the City's Code Compliance Division.

How much relocation assistance would I receive?

- If you can stay in the unit for **30 days**, the relocation assistance equals **3 months' rent or fair market rent**, whichever is greater.
- If you must vacate the unit with **less than 30 days' notice**, the relocation assistance equals **4 months' rent or fair market rent**, whichever is greater.

The current Housing and Urban Development (HUD) fair market rent schedule has been enclosed at the end of this packet.

What happens after required repairs are made?

Once the unit is repaired, the owner must offer it to the tenant who lived in the unit before the City required the repair (right of first refusal).

Are there exceptions to the City's relocation assistance rules?

Yes. The property owner does not pay relocation assistance if one of the following conditions applies:

- The tenant is not current with their rental payments. (Exception: The tenant withheld rent pursuant to state law for correction of unsafe or hazardous conditions)
- The tenant substantially caused the substandard housing conditions that require remediation.
- The tenant needs to leave because the unit became unsafe or hazardous due to recent events beyond the control of the property owner (i.e. earthquake, flood, or other disaster).
- For tenants who relocate due to a large rent increase, tenant shall provide such notice of intent to vacate no later than sixty days after the effective date of such increase. If such notice is not given by tenant within sixty days of effective date of rent increase, tenant is understood to have accepted such increase and is no longer eligible to claim relocation assistance from the property owner.

Where can I find someone to help me with this process?

For legal help, please call California Rural Legal Assistance (CRLA) at (831) 724-2253 or at www.crla.org.

If you do not qualify for CRLA, you may call the Lawyer Referral Service for Santa Cruz County at (831) 425-4755 or at <https://lawyerreferralsantacruz.org/>.

If you are a UC Santa Cruz Student, call the UCSC Housing Office at (831) 459-2394 or email them at communityrentals@ucsc.edu or housing@ucsc.edu

If you have questions about this letter or the ordinance, please call the City of Santa Cruz at (831) 420-5111. Both the City and CRLA have Spanish speaking staff for translation services.

Sincerely,

The Department of Planning and Community Development, Code Compliance Division

Enclosure:

Chapter 21.03 Relocation Assistance for Displaced Tenants

Community Resource List

Tenants Fair Market Rent Schedule (2020)

Chapter 21.03 RELOCATION ASSISTANCE FOR DISPLACED TENANTS *

* Editor's Note: Prior ordinances codified herein include portions of Ordinance Nos. 88-49, 88-47 and 86-41.

21.03.010 INTENT AND PURPOSE.

The city council finds that tenants who are required to vacate structures rented for residential purposes due to unsafe or hazardous living conditions, or due to illegal use of the structure as a residence, or tenants who relocate due to a large rent increase, oftentimes confront difficulties in finding temporary housing while said structure is being repaired, and/or difficulties in finding other permanent affordable housing. Further, said difficulties create a financial hardship for said tenants. The city council also finds that property owners who do not maintain rental properties and who allow said structures to become unsafe or hazardous should bear responsibility for the hardship their actions create for said tenants. Therefore, the city council finds and declares it necessary to enact this chapter to protect the public health, safety and welfare. Nothing herein shall limit or preclude other remedies available to tenants under the law.

(Ord. 2018-20 § 1 (part), 2019: Ord. 2018-02 § 1 (part), 2018: Ord. 92-30 § 1, 1992: Ord. 91-43 § 5, 1991).

21.03.020 DEFINITIONS.

For purposes of this chapter, the following words and phrases, whenever used, shall be construed as defined in this section:

(a) "Large rent increase" shall mean a rent increase of more than five percent in one year or cumulatively more than seven percent in any two consecutive years (seven percent over two consecutive years includes compound interest; e.g., for a maximum five percent increase in one year followed by a one-and-nine-tenths percent increase in the following year).

(b) "Relocation assistance" shall mean a relocation payment and the right of first refusal to reoccupy a residential structure, as defined in this section.

(c) "Relocation payment" shall mean:

(1) For tenants who are required to vacate structures rented for residential purposes due to unsafe or hazardous living conditions, or due to illegal use of the structure as a residence, the immediate payment of three months' fair market value rent for a unit of comparable size, as established by the most current Federal Department of Housing and Urban Development schedule of fair market rents, or three months of the tenant's actual rent at the time of relocation, whichever is greater, or other arrangements of equal benefit which are agreeable to the tenant as evidenced by a written agreement between the tenant and the property owner. Such agreement shall at a minimum contain each of the following components:

(A) The names of the current occupants of the unit being vacated, and an indication of who is considered the head of household therein;

(B) The address and the number of the unit from which the tenant is being displaced;

(C) A statement indicating the amount of relocation payment to which the tenant is entitled, according to the most current Federal Department of Housing and Urban Development schedule of fair market rent for the size of the subject unit;

(D) A statement that the tenant has waived the right to such relocation payment, and describing what, if any, alternative arrangements of equal benefit the landlord has agreed to provide the tenant, which is acceptable to the tenant in lieu of relocation payment; and

(E) The address, if known, of the location to which the tenant plans to move.

(2) Where a tenant is required to vacate a structure with less than thirty days' notice, relocation payment shall also include the immediate payment of one additional month's fair market value rent for a unit of comparable size, as established by the most current Federal Department of Housing and Urban Development schedule of fair market rents, or the provision of alternative, safe and legal housing for thirty days after the tenant vacates, whichever the tenant prefers.

(3) For tenants who relocate due to a large rent increase, the immediate payment of two months of the tenant's actual rent, prior to the effective date of the large rent increase, at the time of relocation or sooner if applicable pursuant to Section 21.03.030(a)(2), or other arrangements of equal benefit which are agreeable to the tenant as evidenced by a written agreement between the tenant and the property owner. Such agreement shall at a minimum contain each of the following components:

(A) The names of the current occupants of the unit being vacated, and an indication of who is considered the head of household therein;

(B) The address and the number of the unit from which the tenant is being displaced;

(C) A statement indicating the amount of relocation payment to which the tenant is entitled, according to the most current lease or rental agreement;

(D) A statement that the tenant has waived the right to such relocation payment, and describing what, if any, alternative arrangements of equal benefit the landlord has agreed to provide the tenant, which is acceptable to the tenant in lieu of relocation payment; and

(E) The address, if known, of the location to which the tenant plans to move.

(4) "Immediate payment" of any relocation payment shall mean payment delivered to the tenant prior to the time the tenant vacates the unit.

(5) A relocation payment shall be a separate requirement and obligation payable to a tenant in addition to the refund of any security deposit pursuant to California Civil Code Section 1950.5 or the payment of interest accrued on said security deposit pursuant to Chapter 21.02.

(d) "Right of first refusal" shall mean the right of a tenant to reoccupy a residential structure on the site formerly occupied by said tenant, once the residential structure is repaired and becomes habitable, or once housing is redeveloped on the site.

(Ord. 2018-20 § 1 (part), 2019: Ord. 2018-02 § 1 (part), 2018: Ord. 92-30 § 2, 1992: Ord. 91-43 § 5, 1991).

21.03.030 RELOCATION ASSISTANCE REQUIREMENTS.

(a) Relocation Payment Due. The owner of any structure rented for residential purposes shall provide directly to each tenant a relocation payment as defined in Section 21.03.020 as follows:

(1) Within one week of the notice to vacate or prior to the time the tenant vacates the unit, whichever comes first, for any notice of eviction or other order requiring a tenant to vacate any structure rented for residential purposes due to unsafe or hazardous living conditions or due to illegal use of the structure as a residence; or

(2) Within twenty-one calendar days after a tenant gives the owner notice of intent to vacate due to a large rent increase. The relocation assistance shall be paid in the same manner and to the same individual(s) from whom rent payment has been received, or as otherwise agreed by all parties.

(b) Proof of Compliance. In order to provide proof of compliance by the property owner with the relocation payment requirements due to unsafe or hazardous living conditions or due to illegal use of the structure as a residence, a copy of the check or money order provided to the tenant, and a receipt signed by the tenant, or a copy of the written agreement executed by the property owner and the tenant providing for and describing alternative arrangements, shall be provided to the code compliance specialist of the city of Santa Cruz department of planning and community development within five days of the date that the unit is vacated by the tenant.

(c) Right of First Refusal. Any tenant evicted or required to vacate any residential structure due to unsafe or hazardous living conditions or due to illegal use of the structure as a residence shall be given the right of first refusal to reoccupy a residential structure on the site once said structure becomes habitable, or once housing is redeveloped on the site.

(1) The owner of said structure shall, at the time the tenant vacates, provide written notice advising the tenant of the right of first refusal. Said notice shall include a current address and telephone number which can be used by the tenant to contact the owner.

(2) It shall be the tenant's responsibility to provide the owner of said structure with contact information consisting of the tenant's current address and/or telephone number to be used for future notification, and to provide updated contact information to the owner upon change of said information.

(3) Thereafter, when said structure, or a redeveloped structure on the same site, becomes habitable, the property owner shall give written notice to the tenant advising said tenant that the structure is ready for occupancy. Said written notice shall be made by certified mail, return receipt requested.

(4) If the property owner cannot locate a previous tenant after two attempts over a period of two weeks, the property owner shall be deemed to have complied with the right of first refusal provision of this chapter, and the tenant's right of first refusal shall thereafter be forfeited.

(Ord. 2018-20 § 1 (part), 2019: Ord. 2018-02 § 1 (part), 2018: Ord. 92-30 § 3, 1992: Ord. 91-43 § 5, 1991).

21.03.040 EXCEPTIONS.

(a) Any tenant evicted or required to vacate as a result of unsafe or hazardous living conditions or illegal use, who is then in default of rent (except tenants withholding rent pursuant to state law for correction of unsafe or hazardous conditions), who refuses to vacate after the timely payment of the relocation payment, or who has caused or substantially contributed to the condition(s) giving rise to the abatement, shall not be entitled to receive relocation assistance from the property owner.

(b) Property owners are not required to provide relocation assistance to any tenant evicted or required to vacate a residential structure that becomes unsafe or hazardous due to recent events that are beyond the control of the property owner.

(c) For tenants who relocate due to a large rent increase, tenant shall provide such notice of intent to vacate no later than sixty days after the effective date of such increase. If such notice is not given by tenant within sixty days of effective date of rent increase, tenant is understood to have accepted such increase and is no longer eligible to claim relocation assistance from the property owner.

(Ord. 2018-20 § 1 (part), 2019: Ord. 2018-02 § 1 (part), 2018: Ord. 92-30 § 4, 1992: Ord. 91-43 § 5, 1991).

21.03.050 RENT INCREASES DURING REPAIRS.

(a) In those cases where the owner has been issued a notice and order by the city to repair or remedy unsafe or hazardous living conditions or illegal use of residential rental property and where said repairs or remediation does not require the relocation of tenants, thereby allowing tenants to remain in residence while said repairs are undertaken, it shall be unlawful for a property owner to increase the amount of rent for any structure rented for residential purposes during the time that repairs are being made pursuant to the city notice and order requiring said repairs. No rent increase shall thereafter be levied until the city has issued a notice of correction verifying the fact that said repairs or remediation has been completed.

(b) In those cases where a notice and order has been issued to a property owner by the city to repair or remedy unsafe or hazardous living conditions or illegal use of residential rental property, and where said notice and order has been issued by the city within ninety days of a rent increase levied by the property owner upon the tenants of the property, and where said repairs or remediation does not require the relocation of the tenants, thereby allowing tenants to remain in residence while said repairs are undertaken, the property owner shall be required to roll back rents to the rates of rent charged by the landlord prior to the subject rent increase. In addition, all excess rents collected by the property owner between the date of the rent increase and the date of the notice and order shall be refunded to the tenants. Thereafter, it shall be unlawful for the property owner to increase the amount of rent during the time that said repairs and remediation are being made pursuant to the subject notice and order requiring said repairs and no rent increase shall be levied until the city has issued a notice of correction verifying the fact that said repairs or remediation has been completed.

(Ord. 2018-20 § 1 (part), 2019: Ord. 2018-02 § 1 (part), 2018: Ord. 2001-12 § 1, 2001: Ord. 91-43 §5, 1991).

21.03.060 VIOLATION AND PENALTY.

Any violation of this chapter shall be deemed an infraction for the first offense. Any subsequent violation occurring within six months from the first offense shall be deemed a misdemeanor. In addition to any other available remedies and penalties, said offense(s) shall be subject to the remedies and penalties provided for in Title 4. In accordance with Section 4.12.030, an administrative civil penalty of up to two thousand five hundred dollars per day may be assessed for each day during which a property owner or manager fails to provide relocation assistance required by Section 21.03.030 following issuance of a written order or notice of violation by the city. Nothing herein shall limit the right of a tenant to enforce the obligations provided herein by civil action or by any other legal remedy which may be available to said tenant.

(Ord. 2018-20 § 1 (part), 2019: Ord. 2018-02 § 1 (part), 2018: Ord. 92-30 § 5, 1992: Ord. 91-43 § 5, 1991).

21.03.070 PRIVATE RIGHT OF ACTION.

Any person whose rights pursuant to this chapter have been violated shall have the right to file an action for injunctive relief and/or damages. Whoever is found to have violated this chapter shall be subject to appropriate injunctive relief and shall be liable for damages, costs and reasonable attorney's fees. Treble damages shall be awarded for willful failure to comply with the payment obligation established by this chapter. Any action pursuant to this section shall be a civil matter and adjudicated through civil court.

(Ord. 2018-20 § 1 (part), 2019: Ord. 2018-02 § 1 (part), 2018)

Housing Resources

Housing Authority of Santa Cruz County Rent/Mortgage Assistance Application Forms: The rent/mortgage assistance program serves low income households with children or households without children if one of the people is temporarily or permanently disabled and cannot work or is 60 years of age or older. The purpose of the program is to prevent eviction or foreclosure; it is not to help move into a new home. For assistance with a deposit to move into a new home, call the Housing Authority of Santa Cruz County at: (831) 454-9455 or at 2160 Capitola, CA 95010.



Additional Programs and Resources for Tenants & Low- Income Residents
Recursos y Programas para Inquilinos y Familias de bajos Ingresos



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|---|---|
| <p>1. California Rural Legal Assistance, Inc.
 <i>Tenant-Landlord legal services / Servicios legales para inquilinos y propietarios.</i>
 www.crla.org</p> | <p>831-724-2253</p> |
| <p>2. Catholic Charities Diocese of Monterey
 <i>Services and programs for low income families. / Servicios y programas para familias de bajos ingresos.</i>
 catholiccharitiesdom.org</p> | <p>831-431-6939</p> |
| <p>3. Community Action Board of Santa Cruz County, Inc.
 The Rental Assistance Program (RAP)
 <i>Services for low-income families with children or disabled and elderly (60 years of age or older) households. / Servicios para familias de bajos ingresos con niños o discapacitados y hogares de ancianos (60 años de edad o más).</i>
 https://cabinc.org/2017/04/21/rap/</p> | <p>Santa Cruz:
 831-457-1741
 Watsonville:
 831-763-2147
 ext 210</p> |
| <p>4. Nueva Vista Community Resources
 <i>Services and programs for low income families / Servicios y programas para familias de bajos ingresos.</i>
 www.communitybridges.org</p> | <p>831-423-5747</p> |
| <p>5. Families in Transition
 <i>Providing temporary rental assistance and case management to families who are homeless or at imminent risk of becoming homeless / Brindar asistencia de alquiler temporal y administración de casos a familias sin hogar o en riesgo inminente de quedarse sin hogar.</i>
 www.fitsantacruz.org/</p> | <p>831-728-9791</p> |
| <p>6. County of Santa Cruz Human Services Department
 Adult and Long Term Care
 <i>In-Home Supportive Services / Servicios de apoyo a domicilio</i>
 www.santacruzhumanservices.org</p> | <p>831-454-4101</p> |
| <p>7. Housing Authority of the County of Santa Cruz
 <i>Tenant services / Servicios para inquilinos</i>
 www.hacosantacruz.org</p> | <p>831-469-4272</p> |
| <p>8. New Life Community Services
 <i>Treatment for addiction / Tratamiento para la adicción</i>
 www.Newlifesc.org</p> | <p>831-427-1007</p> |
| <p>9. The Salvation Army Santa Cruz Corps Community Center
 <i>Services and programs for low income families / Servicios y programas para familias de bajos ingresos</i>
 www.Salvationarmyusa.org</p> | <p>831-426-8365</p> |

10. **Santa Cruz County District Attorney's Office** 831-454-2050
Consumer Fraud/ Environmental Protection Unit / Unidad de Fraude al Consumidor y Protección Ambiental
www.datinternet.co.santa-cruz.ca.us/Home/ConsumerProtection.aspx
11. **St. Vincent de Paul Society** 1-888-245-9187
Services for low-income families / Servicios y programas para familias de bajos ingresos
www.svdpusa.org
12. **Walnut Avenue Family & Women's Center** 831-426-3062
wawc.org
13. **Monarch Services** Santa Cruz:
831-425-4030
Watsonville:
831-722-4532
Safe shelter and services for domestic violence victims /Refugio seguro y servicios para víctimas de violencia doméstica <https://www.monarchsc.org>
14. **Housing Matters** 831-458-6020
Homeless Services / Servicios para personas sin hogar
Housingmatterssc.org
15. **Central Coast Energy Services** *Energy assistance program / Programa de Asistencia de Energia Electrica* 1-888-728-3637
www.EnergyServices.org
16. **Senior Network Services** 831-462-1433
Services for elderly senior residents / Servicios para personas mayores
<http://www.seniornetworkservices.org/>
17. **Santa Cruz County, Commission on Disabilities** 831-454-2772
Disability services / Servicios para persona discapacitadas <http://scccod.net/>
18. **UC Santa Cruz Housing Office** 831-456-2394
<https://housing.ucsc.edu/index.html>
 Email at : housing@ucsc.edu
communityrentals@ucsc.edu
19. **Santa Cruz County Superior Court** 831-786-7200 (Option 4)
Self-help legal assistance/ Asistencia legal
<http://www.santacruzcourt.org/self-help>
20. **State of California Housing and Community Development**
Tenant Landlord Handbook / Manual de Propietarios e Inquilinos
<https://www.hcd.ca.gov/manufactured-mobile-home/mobile-home-ombudsman/docs/Tenant-Landlord.pdf>



FY 2020 FAIR MARKET RENT DOCUMENTATION SYSTEM

Final FY 2020 FMRs By Unit Bedrooms				
Efficiency	One-Bedroom	Two-Bedroom	Three-Bedroom	Four-Bedroom
\$1,641	\$1,913	\$2,519	\$3,342	\$3,746

The FY 2020 Fair Market Rents for Santa Cruz-Watsonville, CA MSA are based on the results of a local rent survey conducted in June, 2018.

The locally conducted survey is more current than the available ACS data. Therefore HUD calculates the locally based survey 2-bedroom FMR using the following steps:

1. The local survey is adjusted to 2018 dollars by multiplying the survey rent value for 2018 by the annual CPI-U value for 2018 divided by the CPI-U value for June, 2018. This calculation is:

$$\$2,382 * (251.107/251.989) =$$

\$2,374

2. The annually adjusted survey value of \$2,374 is trended forward to the mid-point of FY2020 using the *West Census region* trend factor of 1.0612. This calculation is:

$$\$2,374 * 1.0612 =$$

\$2,519