

## **Chula Vista Tenant Protection Ordinance**

The City of Chula Vista recently passed what is referred to as the Tenant Protection Ordinance (TPO). This will require specific verbiage to be INCLUDED IN every lease agreement beginning March 1, 2023. For leases PRIOR to March 1, it can be added as a NOTICE (meaning it doesn't require a signature but does require proof of mailing and/or receipt).

The TPO can be found online, and I HIGHLY recommend that you read through and understand it. <https://chulavista.municipal.codes/CVMC/9.65>

The TPO, in general, gives tenants of multi-family/multi-unit properties additional protections from landlord harassment and no-fault lease terminations/evictions ("no-fault" is when the lease is terminated by the landlord even though the tenant has not breached the lease contract). These protections include limitations on landlords to terminate leases, additional notice requirements to tenants (60, 120 or 360 days depending on the reason and situation) and stipulation of relocation assistance given and/or credited to tenants upon notice of termination for allowable no-fault reasons (1,2 or 3 months depending on the reason and situation). The TPO also defines harassment and stipulates fines and punishments for offending landlords.

Here are screen shots showing the exact wording that is required to be given to every tenant either INCLUDED in the lease (beginning March 1, 2023) or as a NOTICE with proven receipt/ mailing (leases existing PRIOR TO March 1, 2023). Only the shaded is required, I left in additional wording of the ordinance for clarification.



9.65.060 Just cause required for termination of tenancy.



D. *Notice to Tenant of Tenant Protection Provisions Required.* An Owner of a Residential Rental Unit subject to this chapter shall provide written notice in no less than 12-point type to the Tenant as follows:

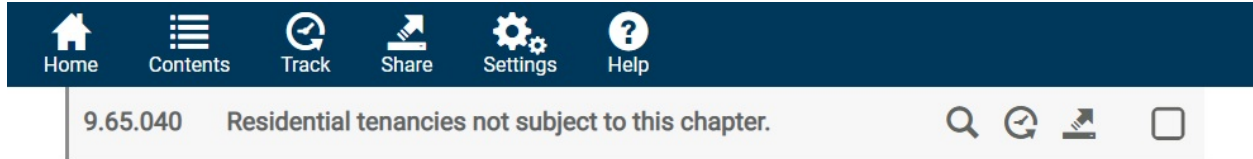
"California law limits the amount your rent can be increased. See Civil Code Section [1947.12](#) for more information. Local law also provides an Owner must provide a statement of cause in any notice to terminate a Tenancy. In some circumstances, Tenants who are elderly (62 years or older) or disabled may be entitled to additional Tenant protections. See Chula Vista Municipal Code chapter [9.65](#) for more information."

For a Tenancy in a Residential Rental Unit subject to this chapter existing before the effective date of this chapter, the notice required above shall be provided to the Tenant directly or as an addendum to the lease or rental agreement no later than March 1, 2023. For a Tenancy in a Residential Rental Unit subject to this chapter commenced or renewed on or after March 1, 2023, the notice required above shall be included as an addendum to the lease or rental agreement, or as a written notice signed by the Tenant, with a copy provided to the Tenant.

The provision of this notice shall be subject to Civil Code Section [1632](#).

## Exemptions

The TPO by default applies to ALL properties, however, single family homes NOT owned by a corporation can be exempted by including the following provision in the lease (for more details on exact exemption requirements please read the ordinance). Only the shaded is required, I left in additional wording of the ordinance for clarification. If the property can be exempted, you need to provide the statement below in place of the statement from page 1:



- C. 2. The Tenants have been provided written notice that the Residential Rental Unit is exempt from this section using the following statement:

"This property is not subject to the rent limits imposed by Section [1947.12](#) of the Civil Code and is not subject to Just Cause requirements of Section [1946.2](#) of the Civil Code and Chapter [9.65](#) of the Chula Vista Municipal Code. This property meets the requirements of sections [1947.12\(d\)\(5\)](#) and [1946.2\(e\)\(8\)](#) of the Civil Code and section [9.65.040\(C\)](#) of the Chula Vista Municipal Code, and the Owner is not any of the following: (1) a real estate investment trust, as defined in Section [856](#) of the Internal Revenue Code; (2) a corporation; or (3) a limited liability company in which at least one member is a corporation."

For a Tenancy existing before March 1, 2023, the notice required above may, but is not required to, be provided in the rental agreement. For a Tenancy commenced or renewed on or after March 1, 2023, the notice required above shall be provided in the rental agreement. Addition of a provision containing the notice required above to any new or renewed rental agreement or fixed-term lease constitutes a similar provision for the purposes of CVMC [9.65.060\(B\)\(5\)](#).

If you have any questions, please contact me directly (voice or text) at 619-370-6555 or email [peter@praeHomes.com](mailto:peter@praeHomes.com)

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