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# President's Message

By Elaine Hutchison

## Los Angeles City and County Coordinating End to Local Emergency Declarations

On September 13th, Los Angeles County Board of Supervisors stated their commitment to ending the local emergency moratorium on December 31, 2022, in addition to creating an outreach program for landlord and tenants to insure an informed and coordinated end to the moratorium. During their November 15th Board meeting, a "last minute" amendment was approved extending the County's no-fault eviction prohibition for specific tenants in the county until 2024.

The extension of the prohibition on "no-fault" evictions will last through December 31, 2023 for renters whose household income is at or below the 80 percent of Area Median Income (AMI), and who were unable to pay rent from July 1, 2022, through December 31, 2022 due to financial impacts related to COVID-19 as defined in the City's emergency ordinance. In addition, renters must provide rental property owners with the required notice. Tenants will have up to 12 months from the end of moratorium on December 31, 2022 to repay property owner deferred rent owed. During the 12-month repayment period tenants cannot be evicted for no-fault reasons, with the exception of owner occupancy for specific unit under certain guidelines.

The City of Los Angeles' own local emergency measures will expire on January 31, 2023. Starting February 1, 2023 renters are obligated to resume paying their full monthly rent. For households who were unable to pay rent due to the financial

impacts of COVID-19, eviction protections will remain during the 12-month period during are repaying unpaid rent accrued during the City's local emergency declaration. Annual rent increases are prohibited in rental units subject to the City's Rent Stabilization Ordinance (RSO). Property owner can look up their property address to find out if they are subject to RSO at [housing.lacity.org](http://housing.lacity.org). Furthermore, the County's rent freeze also applies to rent-stabilized units in the County's unincorporated areas.

Moving forward, the Board will address the preliminary injunction handed down by District Court Judge Pregerson, which prohibits the enforcement of the City's moratorium effective December 1, 2022. The injunction stated that the City's moratorium was a violation of the Constitution's "Vagueness Doctrine" and devoid of specificity in terms of whom who should rightfully receive protection under the moratorium. The injunction also states concerns owners have had since the inception of the local emergency moratorium, not limited to what constitutes a loss of income, such that there is a legitimate claim to the protections offered under the City's ordinance.

Looking forward, the Board will continue to specify what tenant need to prove their continued need for the County eviction protections, as well as actions property owner can take to reclaim unpaid rent due to them in 2023.



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## **Executive Director's Update**

*By John Edmond*

### **Legislation You May Not Have Noticed in 2022: Beyond the Moratorium**

Within few weeks from the start of a new year, owners of rental property in the City and County of Los Angeles have likely already committed to business plans for the coming months. Many of these owners have endured more than two years of sometime confusing, oftentimes overlapping, local and state tenant protections in response to the COVID-19 pandemic. Naturally, the attention of much of our industry's focus shifted to navigating these various legislative developments, and prolonging a fight to bring an end to the burdens placed on landlords by these policies. As is common during a momentous legislative period, a number of other bills affecting the rental housing industry were adopted, yet received far less attention than the ongoing moratoriums. The content of these bills, discussed below, demonstrate few of the oncoming challenges for 2023.

#### **Rental Housing Legislation Passed in 2022 AB-2559 Applicant Reuse of Credit Report**

Approved in September, AB-2559, drafted by Assemblyman Christopher Ward, D-San Diego, will allow, at the consent of the rental property owner, tenants to use a single credit report to apply to multiple rentals rather than processes a separate credit report for each submission of their application to rent. The credit report provided by the applicant must come from a credible third-party source and will be reusable for a period of 30-days.

#### **SB-1017 Tenant Protections for Victims of Domestic Violence**

Under California Civil Code 1946.7, a tenant may notify a landlord that he, she, or a household member was a victim of an act that constitutes an act of domestic violence as defined in the code. The was made a permanent 2013 law that allowed victims of abuse to terminate their rental agreements without penalty. Furthermore, it reduces the time limit for a resident's notice of termination of the rental agreement from 30 to 14 days.

SB-1017, authored by Senator Susan Eggman, D-Stockton, creates additional protections for tenants experiencing domestic violence. Under SB-1017, if the perpetrator of domestic violence does not reside in the residential unit, and the tenant/victim does not invite the perpetrator to the premises, the tenant can avoid an eviction if they file an answer claiming their status as a victim of domestic violence. In the case where the perpetrator lives in the unit with the victim, the courts can carry out the unlawful detainer on the perpetrator alone, allowing the victim to reside in the unit. If the victim has additional material breaches of the rental agreement, an unlawful detainer can also be filed against them, especially if he or she willfully invites the perpetrator to the premises.

#### **SB-1477 Wage Garnishment Limits on Unpaid Rent**

A bill which has significant relevance to landlords potentially pursuing civil action to recover unpaid rent due to them during the state and local moratoriums enacted over the past two years, SB-1477 sets limits on the application of wage-garnishment against debtors, including high-income earning tenants with unpaid rent due during the months pandemic. Authored by Senator Bob Wieckowski, D-Fremont, SB-1477, taking effect September 1, 2023, creates another disadvantage for landlords collecting unpaid rent due during the pandemic, especially with considerable dollar amounts. This is more often the case for many property owners with tenants who used, or in some cases abused, the tenant protections offered under state and local mandate for the entirety of the two-year period. Adding a cap on the amounts which can be garnished from debtors, even for high income-earning tenants, diminishes the few options landlords have to recover their financial losses accrued during the pandemic.

#### **Legislation That Failed**

Among the laws which failed in 2022, AB-1791 by Assemblyman Adrin Nazarian, D-North Hollywood, would have imposed a \$500 excise tax on all residential properties, including rental property. Later amended, AB-1791 would have granted cities and counties the authority to set rent increase limits on single family rentals, regardless of the age of the property, including those owned by corporations of 10 or more units and of a specified gross income.





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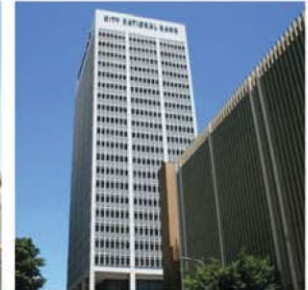
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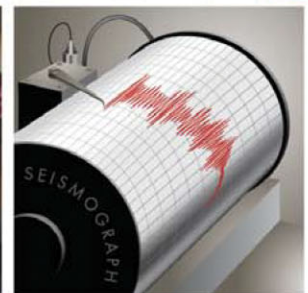
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# Real Estate Market Shows Signs of Growth Following Pandemic

Many realtors are familiar with the term “absorption rate”, which describes the speed at which homes are sold in a specific market within a specific period of time. It is one of many measures of the health of a real estate market. Data from the National Association of Home Builders, drawing from the Census Bureau’s Survey of Market Absorptions of New Multifamily Units, report the national absorption rate at a 25-year high following a solid second quarter performance. Apartment completions rose 25,000 in the first quarter of 2022 to 77,100, albeit at a level 8 percent less than the previous year. These trends demonstrate a consistent resilience in the industry despite the challenges numerous property owners across the state faced during the pandemic and the moratoriums enacted in response. Nationally, median asking rent increased to \$1,745 in Q2 from \$1,683 in Q2 2021—a 4percent increase. This is also the sixth straight quarter with a year-over-year increase in asking rent.

## Market Anticipation for New Year

Rent traffic has traditionally slowed during the winter season with many renters delaying their apartment search until the new year. With the rental housing market anticipating an increase in applicant traffic, some are considering alternatives to reach today’s renters. Online platforms such as Apartments.com, Zillow, and AppFolio offer both property owners and applicants convenience at their fingertips, as well as applying tactics like geofencing (location-based advertising), and social media advertising. Property management companies and leasing teams are looking for ways to target renters in locations and networks they frequent.

The new year is a perfect time to conduct a SWOT analysis (Strengths, Weaknesses,

Opportunities, Threats) on your property. Does the curb appeal of your property present itself to the public in a way you believe will attract potential applicants in the coming year? Where is the property located? Is it an urban or suburban setting? There are different avenues of marketing that you can approach with the different demographics.

## The Cost of Doing Business

Property owners have also seen a rise in their operating expenses leading up to and throughout the pandemic, much of which is attributed to the rise in building materials and construction costs, especially lumber purchases. These factors partly contributed to the 5.3 percent increase in construction spending from February 2020 up to April 1, 2021, Census economic report (Census, 2021). Key maintenance material prices, softwood lumber and iron, and scrap steel, increased by 73 percent and 50.8 percent respectively over the past 12-months. As of November 2022, the CPI rate of 7.1 percent suggests a receding of inflation for the coming year, despite the Fed admitting that it may take years to reach their 2 percent inflation target.

What is being mentioned here outlines some of the challenges facing our industry in the coming year, especially landlords recovering from the financial losses experienced during the pandemic in the past two years. While these are certainly unprecedented times, this not the first time we have faced and overcome challenges in this industry; the coming year is no exception. We look forward to a positive transition in our everchanging industry, as we work together in unity towards protecting our assets and flourishing our communities.





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# Dear Maintenance Men:

By Jerry L'Ecuyer & Frank Alvarez



**Dear Maintenance Men:**

**I need to do some caulking in my apartment unit, both inside and outside the unit. However, I am confused. I stood at the home improvement center's caulk section and stared for ten minutes. I still don't know what to buy!!! Can you help explain the different types of caulks and where to use them?**

**Frank**

Dear Frank:

Let us try to break down the most common of caulk types and when and where to use them.

- 1: Acrylic Latex caulk** (painter's caulk): Inexpensive, easy to use, water cleanup. Not for use in damp locations such as bathroom or kitchen or outdoors. Designed to be painted over.
- 2: Vinyl Latex caulk:** Easy to use, water cleanup and can be used outside. Not very flexible; use in expansion joints is not recommended.
- 3: Acrylic Tile Sealant:** Easy to use, water cleanup. The sealant is perfect for bathroom and kitchens and other wet locations. It is mold and mildew resistant. Paintable.
- 4: Siliconized Acrylic Sealant:** Easy to use, soap and water or solvent cleanup. Perfect for porcelain tile, metal and glass. Similar to Acrylic Tile Sealant, but tougher and longer lasting.
- 5: Pure Silicon:** Best for non-porous surfaces. Long lasting, indoor/outdoor caulk. Super flexible and strong. Harder to use than any

of the above caulks. Solvent cleanup. Mold and mildew resistant. Could smell until cured.

- 6: Butyl Rubber:** Best use is outdoors. Messy to use. Perfect for sealing roofs, valleys, gutters, flashing and foundations. Moisture and movement tolerant. Sticks to anything. Cleanup with solvents.
- 7: Elastomeric Latex Caulk:** Water cleanup. Longest lasting caulk. Great adhesion to almost all surfaces and can stretch close to 200%. Elastomeric caulk is very tolerant to wide temperature and weather extremes. It is most often used outdoors. This caulk can bridge gaps up to 2 inches wide and deep. The caulk dries very quickly, too the caulk immediately after application.

**Dear Maintenance Men:**

**I want to create a seating and relaxing area in the middle of my building's courtyard. My thoughts are to use decomposed granite and eliminate the current grass area. How do go about installing the surface without making a mess or a future headache for myself.**

**Bryan**

Dear Bryan:

Decomposed granite or DG for short is a great way to add a durable, natural and water wise surface. A few things you need to know before you get started. The key word in DG is "Decomposed". In other words, this granite is decomposing. There are three options: raw DG for flower beds, stabilized DG for walkways and resin-coated DG for driveways. For your purpose you need to use a stabilized DG for walkways. It has a binder mixed into the DG. Non-stabilized DG is much cheaper, but will of course decompose, create dust when dry and slush when wet. To properly install DG, dig down three inches overall and use a wood, rock or brick border to keep the edges of the DG from



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crumbling. As an option, lay down a weed barrier cloth under the DG. Apply DG in one and a half inch layers, water down (do not flood) and tamp or use a heavy roller to compress the DG. Wait eight hours between layers to let the DG settle. Repeat the above for each subsequent layer. When installed properly, the DG surface will be rock hard, stable, dust free and will allow water to drain.

**Dear Maintenance Men:**

**I have a resident who is complaining the garbage disposal smells. I have tried running lemon slices and ice cubes to clean the disposal unit. It works for a short time, but the smell comes back. What steps do you recommend for resolving this problem?**

**Barbra**

Dear Barbra:

The smell may come from a number of places.

- 1: The first and easiest to check is the rubber splash guard that keeps things from falling into the disposal. Remove the rubber splash guard and turn it inside out. Clean out the debris that have collected and wash with soap and water.
- 2: Use a small toilet type brush with soap and scrub the inside of the garbage disposal. This will remove any slime build-up. (For safety reasons, shut the garbage disposal off at the breaker or pull the plug.)
- 3: Remove the drain trap and clean out any sludge. Many times, the horizontal pipe between the trap and the wall may have hard deposits coating the inside of the pipe. The deposits will collect food and debris that may slow the drains considerably.
- 4: If you have a dishwasher, check the drain line leading from the air-gap or dishwasher to the garbage disposal. It may be full of sludge that will cause a smell to come through the air-gap located next to the

faucet. Clean or replace any pipes with deposits or sludge. Check both drain lines for the above problems.

- 5: Now if you wish, run the garbage disposal with a few slices of lemon and it should smell good and stay that way. Once in a while, throw some ice cubes in the garbage disposal unit to help scrape away any debris.

**WE NEED Maintenance Questions!!!** If you would like to see your maintenance question in the "Dear Maintenance Men:" column, please send in your questions to: **DearMaintenanceMen@gmail.com**

**Bio:**

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**Frank Alvarez** is licensed contractor and the Operations Director and co-owner of **Buffalo Maintenance, Inc.** He has been involved with apartment maintenance & construction for over 30 years. Frankie is President of the Apartment Association of Orange County and a lecturer, educational instructor and Chair of the Education Committee of the AAOC. He is also Chairman of the Product Service Counsel. Frank can be reached at (714) 956-8371 **Frankie@BuffaloMaintenance.com** **For more info please go to: www.BuffaloMaintenance.com**

**Jerry L'Ecuyer** is a real estate broker. He is currently a Director Emeritus and Past President of the **Apartment Association of Orange County** and past Chairman of the association's Education Committee. Jerry has been involved with apartments as a professional since 1988.





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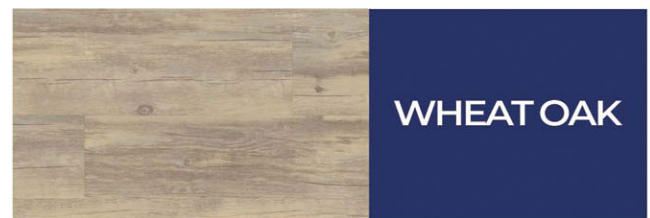
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# Simple strategies to planning an earthquake retrofit

By Ali Sahabi



California has an average of about 21 earthquakes per day, 150 quakes per week, 7,750 a year.

Most are too small to be noticed, yet our state sees more seismic activity than virtually any other place in the world. California also experiences more earthquake damage than other parts of the U.S. due to densely populated cities and infrastructure located along active faults.

We need to learn to live with earthquakes, and to prepare ourselves for when the next Big One strikes. That's why a growing number of cities throughout California are considering adopting new laws that would require retrofits of buildings that have been proven to be vulnerable in a quake.

Naturally, there can be concerns whenever a new law comes out. People frequently ask, "How much is it going to cost me?" "Will my tenants have to relocate?" "Why should I do it now?"

## It can be costlier to wait

Most earthquake retrofit laws give apartment owners several years to get the work done. Still, many owners are acting now to protect their investment and the safety of their tenants. They also know that as deadlines draw nearer, costs for the retrofit work will increase and construction timelines will be tighter.

There are liability issues to consider as well. Case law has set a precedent that puts the responsibility for death, injury or property damage in the hands of the property owner. Owners of the Northridge Meadows Apartment complex – the structure that collapsed during the 1994 Northridge quake, settled multiple claims filed by the families of the victims. A more recent case out of Paso Robles found property owners liable for \$2 million in damages due to negligence in the deaths of two people during the San Simeon earthquake of 2003.

Liability issues are also prompting lenders and insurance companies to require property owners to perform seismic retrofits on their buildings in order to obtain new financing or insurance coverage.

## A smart investment for the future

Retrofits have proven effective in preventing damage, and they can be cost-effective, too.

Property owners can expect to save up to \$7 in direct losses for every dollar spent on a soft-story retrofit, according to a Caltech study. Had the research factored in loss to contents, alternate living expenses or deaths and injuries, the cost-to-benefit ratio would have been significantly higher. Another study by NIBS put savings at \$13 for every dollar invested in retrofits. A more recent study from The study by



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structural engineer Keith Porter, an expert on California seismic safety issues put savings on multifamily buildings at \$32.

Incentives are available in some cities that are offering special low-cost loan programs or allowing apartment owners to recoup some of the cost through rent increases.

### **Plan your retrofit with tenants in mind**

Most cities require landlords to mitigate unacceptable living conditions caused by construction and/or renovation work. The thought of having to relocate tenants, can be daunting. But in virtually all circumstances, Optimum Seismic has found it to not be necessary.

It's important to select a seismic engineering and construction company that has a history of accommodating tenants while doing the work. Much of that entails their construction schedule, whether they cover and clean up their work to avoid disrupting tenants during non-business hours, and if they complete retrofits on time, on budget and without any complications in the local Tenant Habitability Process.

### **Preserve parking spaces**

You don't have to lose parking with a soft-story retrofit.

Proper engineering identifies the most effective and economical option for each individual property. When the done right, the project can be completed with minimal impact to the structure and its residents. It also avoids permitting delays and/or the need for costly revisions in the future.

If you own a building that you believe may be vulnerable to damage – or if you live or work in one – it's important to educate yourself on cost-effective measures that can be taken to save lives, protect property, and preserve the well-being of the community-at-large.

Find out the risks you face. Call Optimum Seismic at 833-978-7664 for a free building evaluation today.

Ali Sahabi, a licensed General Engineering Contractor (GEC), is an expert in seismic resilience and sustainability. He is Co-Founder and Chief Operating Officer of Optimum Seismic, Inc., which has completed more than 3,500 seismic retrofit engineering, construction and adaptive reuse projects for multifamily residential, commercial, and industrial buildings throughout California.





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*The Multifamily Energy Efficiency Rebate Program is implemented by ICF under a contract awarded by the administrator, SoCalGas®, through December 31, 2017.*

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## THROUGH YOUR CONTRIBUTIONS, OUR POLITICAL ACTION COMMITTEE WAS ABLE TO

- **OPPOSE AB 1791 – Rent control: local ordinances** (which would provide rental assistance for landlords and tenants who do not qualify for assistance under the state Emergency Rental Assistance Program)
- **OPPOSE AB 2179** – (would prohibit landlords from evicting tenants with pending applications up to June 30, 2022, provided the ERAP application was submitted prior to March 31)
- **OPPOSE AB 2710 – Sale of Rental Properties: Right of First Offer** (which would require rental property owners to provide a “qualified entity,” with advance notice of their intent to sell the residential rental property)
- **OPPOSE Rent Stabilization Ordinance in the City of Bell Gardens**
- **SUPPORT SB847** (which would provide rental assistance for landlords and tenants who do not qualify for assistance under the state Emergency Rental Assistance Program)



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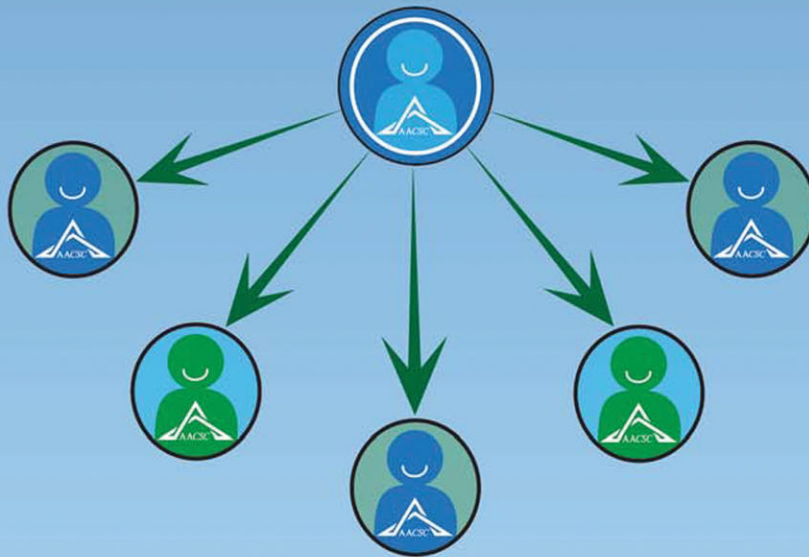






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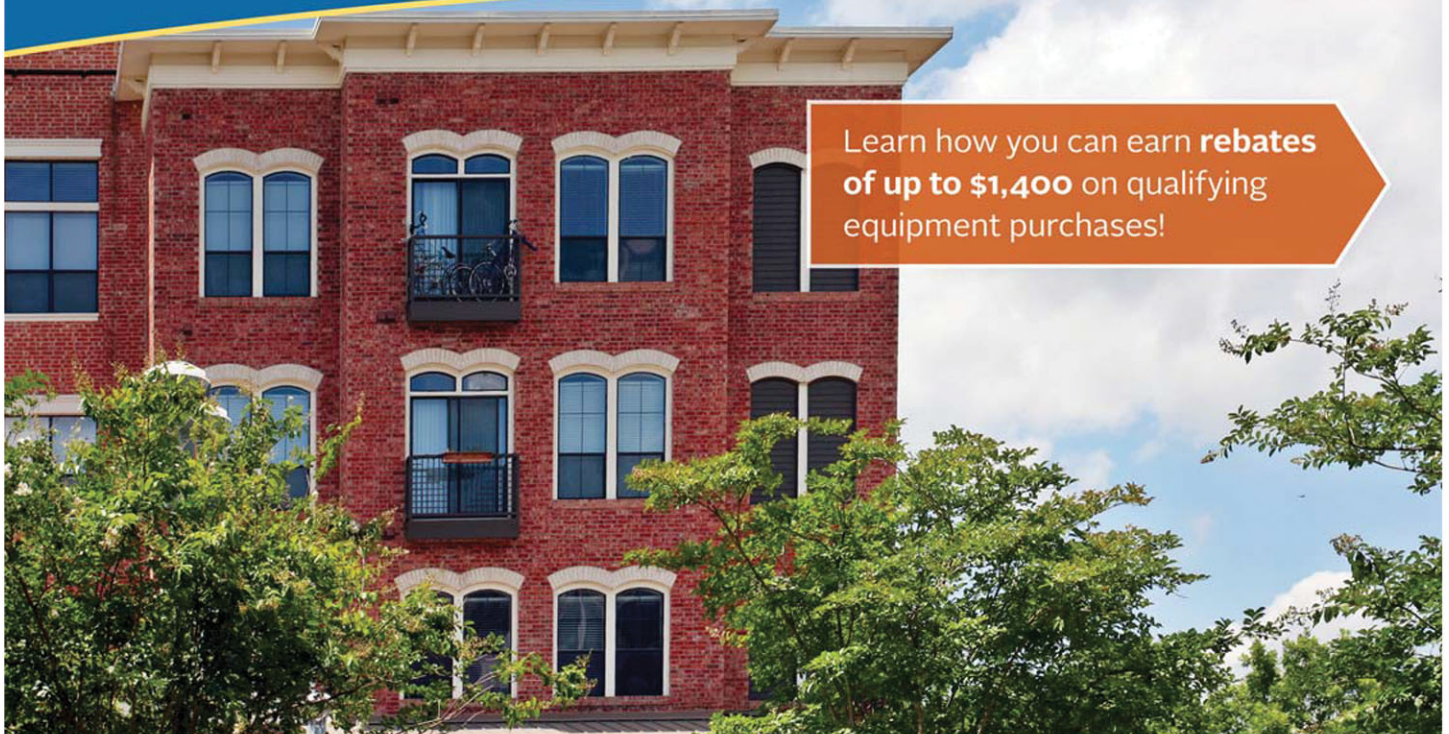




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