

ZONING / PERMIT PROCESSING
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PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
809 Center Street • Room 206 • Santa Cruz, CA 95060 • www.cityofsantacruz.com
Lee Butler, Director, AICP, LEED, AP

Tenant:

Housing Inspection and Relocation Guide



Includes ordinance changes approved by City Council,
February 27, 2018

City of Santa Cruz, Tenant Relocation Ordinance and 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, 2016 California Residential Code, 2016 California Health and Safety Code, 1997 Uniform Housing Code and the City of Santa Cruz Municipal Code.

The unit may not meet code due to:

- Hazardous conditions /conditions not meeting code.
- Unpermitted construction or conversion (i.e. garage to dwelling unit).

What happens if the unit must be repaired?

Should the City find dangerous/hazardous, or life-safety violations, 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 occupies the unit. However, some work can only be done if the rental is vacant. If you must move out, 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 or they are not made in the time set by the City. The City may post the unit as "substandard" and order it to be "vacated." If the City orders a unit vacated, nobody will be allowed to live there until the unit is repaired, or made safe for occupation..

Why do I need to leave my rental?

The Inspector may find that the rental is not a legal unit or that due to the scope of repairs you cannot live in the unit while work is 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 rental or make another "agreement of equal value." If you, the tenant, wish to accept the other rental or the "agreement of equal value," this agreement must be in writing.

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. We have enclosed the most recent Housing and Urban Development (HUD) fair market rent schedule.

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).

Enclosed you will find information about the City's Relocation Ordinance (Chapter 21.03). Please read it carefully, the details are Important. It will give you Information about the owner's and your own obligations.

Are there exceptions to the relocation assistance rules?

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

- The tenant is not current with the rent. Exception1: The tenant withheld rent pursuant to state law for correction of unsafe or hazardous conditions.
- The tenant substantially caused the substandard housing conditions.
- The tenant needs to leave because the rental became unsafe or hazardous due to recent events "beyond the control of the property owner" (i.e. earthquake, flood, or other disaster).

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

- For legal help, please call the California Rural Legal Assistance (CRLA) at (831) 724-2253, website: 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.
- If you are a UC Santa Cruz Student: UCSC Housing Office at (831) 459-4435, or communityrentals@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.

Sincerely,

Department of Planning and Community Development, Code Compliance Division

Enclosure: Chapter 21.03 Relocation Assistance for Displaced Tenants
Community Resources List
Tenants Fair Market Rent Schedule

Chapter 21.03

RELOCATION ASSISTANCE FOR DISPLACED TENANTS

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, 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 sold 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.

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) "Relocation assistance" shall mean a relocation payment and the right of first refusal to reoccupy a residential structure, as defined in this section.
- (b) "Relocation payment" shall mean:
 - (1) The immediate payment of three (3) 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 property owner 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 (4-months) 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) "Immediate payment" of any relocation payment shall mean payment delivered to the tenant within one week of the notice to vacate or prior to the time the tenant vacates the unit, **whichever occurs first**.
- (4) 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 sold security deposit pursuant to Chapter 21.02 of this code.
- (c) Right of first refusal. **Any tenant evicted or required to vacate any residential structure pursuant to the provisions of this chapter 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 developed on the site.**

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: within one week of any notice of eviction or prior to the time the tenant vacates the unit, whichever occurs 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.
- (b) **Proof of Compliance.** In order to provide proof of compliance by the property owner with the relocation payment requirements of this code, 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 Santo Cruz department of planning and community development, within five (5) 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 pursuant to the provisions of this chapter 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 sold structure shall, at the time the tenant vacates, provide written notice advising the tenant of the right of first refusal. Said notice shall include 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 sold structure, or redeveloped structure on the same site, becomes habitable, the property owner shall give written notice to the tenant advising sold tenant that the structure is ready for occupancy. Said written notice should be made by certified mail, return receipt requested.
 - (4) If the property owner cannot locate 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.

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.

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 do 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 have 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 90 days of a rent Increase levied by the property owner upon the tenants of the property, and where said repairs or remediation do not require the relocation of the tenants, thereby allowing tenants to remain in residence while said repairs ore undertaken, the property owner shall be required to roll back rents to the rates of rent charged by the property owner 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 have been completed.

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 of this code. In accordance with Section 4.12.030, an administrative civil penalty of up to \$2,500.00 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 the 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.

21.03.070 PRIVATE RIGHT OF ACTION

Any person whose rights pursuant to this chapter have been violated shall have a 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.

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: 831-469-4272; 2931 Mission Street, Santa Cruz.

Un-Sheltered Persons Hotline

The Shelter Hot-Line, Santa Cruz (831-457-1741) and Watsonville (831-728-4634) provides information on availability of services to homeless and shelter-less people and people at risk of becoming homeless. The program coordinates with shelter providers in the County.

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

1. **California Rural Legal Assistance** / Tenant-Landlord issues / servicios legales www.crla.org 724-2253
2. **Catholic Charities/ catholiccharitiescentralcoast.org**
servicios y programas para familias de bajos ingresos 722-2675
3. **Community Action Board** / Services for low-income residents, www.Cabinc.org
servicios y programas para familias de bajos ingresos 763-2147
4. **Familia Center** / www.communitybridges.org
servicios y programas para familias de bajos ingresos 423-5747
5. **Families in Transition/ Housing Services** – www.fitsantacruz.org/
refugio de emergencia para familias 458-7124
6. **Family/Children Services/** servicios y programas para familias de bajos ingresos www.santacruzhumanservices.org 454-4101
7. **Housing Authority of Santa Cruz County** / servicios para inquilinos www.hacosantacruz.org 469-4272
8. **New Life Community Services/ Drug Treatment/ tratamiento para drogas**
www.Newlifesc.org 427-1007
9. **Salvation Army** / servicios y programas para familias de bajos ingresos www.Salvationarmyusa.org 426-8365
10. **Santa Cruz County Consumer Affairs/** servicios legales www.Santa-cruz.ca.us 454-2128
State of California Tenant-Landlord Handbook at Ca.gov
11. **St. Vincent de Paul/** Services for low-income families
servicios y programas para familias de bajos ingresos www.svdpusa.org 423-0878
12. **Women’s Crisis Support/** Family Services / Women’s Health / Domestic Violence Support and Prevention
Defensa de Mujeres www.Santacruzhealth.org
[wawc.org](http://www.wawc.org) 426-4030
722-4532
13. **Homeless Services Center**
Homeless Resources Guide at: www.scsHELTER.org 458-6020

14. **Central Coast Energy Services**
Home energy assistance program
www.EnergyServices.org 1-888-728-3637
15. **Senior Network Services** 462-1433
Services for elderly/senior residents
1777-A Capitola Road, Santa Cruz
<http://www.seniornetworkservices.org/>
16. **Santa Cruz County, Commission on Disabilities** 454-2355
701 Ocean Street, Room 30
<http://www.scccod.net/Home.aspx>
17. UC Santa Cruz Housing Office 429-4435
communityrentals@ucsc.edu
18. Self-help Legal Center, Santa Cruz County Superior Court
701 Ocean Street, Santa Cruz
<http://www.santacruzcourt.org/self-help>



FY 2018 FAIR MARKET RENT DOCUMENTATION SYSTEM

The Final FY 2018 FMRs for All Bedroom Sizes

Final FY 2018 FMRs by Unit Bedrooms

Year	Efficiency	One-Bedroom	Two-Bedroom	Three-Bedroom	Four-Bedroom
FY 2018 FMR	\$1,125	\$1,326	\$1,764	\$2,348	\$2,658

Santa Cruz County, California is part of the Santa Cruz-Watsonville, CA MSA, which consists of the following counties: Santa Cruz County, CA. All information here applies to the entirety of the Santa Cruz-Watsonville, CA MSA.

Fair Market Rents for metropolitan areas and non-metropolitan FMR areas