

**16 Landlord Rules to Avoid Trouble and Save Money:  
Follow These Laws in 2010!  
by Patricia A. Harris**

Along with the ever-changing laws, AOA advisors encounter landlord situations that are overlooked, can be confusing, are sometimes neglected and have become very costly to many property owners.

It is our continuous goal to aid and support you in making this business of providing housing for others more profitable, easier *and* yes, more enjoyable. AOA wishes each and every one of you a happy, healthy and prosperous New Year and we look forward to being of service to you throughout the years to come!

Below is a compiled list of suggestions, new laws for 2010, regulations and standard requirements which landlords must follow to avoid trouble, stay out of court, and save money in unnecessary penalties.

**1. *Pay your Rent Registration and service fees on time.***

**SAN FRANCISCO-** The Rent Board fee is billed to the landlord each year on the property tax statement, and the law permits the landlord to collect a portion of this fee from those tenants in occupancy as of ***November 1st of each year***. For the 2009-2010 tax year, the rental unit fee is \$29.00 per apartment unit and \$14.50 per residential hotel room. The landlord may collect 50% of the fee from tenants, which is \$14.50 per apartment unit and \$7.25 per residential hotel room. **For more information, call (415) 252-4602.**

**OAKLAND** - Rent Program Service Fee used to cover the costs of operating the City of Oakland's Rent Adjustment Program (formerly Residential Rent Arbitration) and implementation of the Just Cause for Eviction Ordinance ***are due January 1st of each year and delinquent after March 1st.***

If the \$30 fee is paid on time, property owners are entitled to collect half of the fee (\$15) from the tenant(s) of the rental unit for which the fee is paid. This amount is not rent and cannot be included when calculating a rent increase. For more information contact the **Oakland Rent Adjustment Program at 510-238-3709.**

**BERKELEY-** Registration information and bills are mailed to property owners and/or managers around May 21, 2008. ***These registration fees are due on July 1<sup>st</sup>. Payments not received in the Rent Board Office or postmarked by the due will be assessed 100% penalty.***

The annual registration fee is \$194 for each unit covered by the Rent Stabilization Ordinance. For units where the tenancy commenced prior to January 1, 1999, the Board has authorized a direct pass-through of a portion of the registration fees under certain conditions and with proper notice. The \$4.00 rent increase is temporary and can begin on

July 2<sup>nd</sup> but must end by December 31<sup>st</sup> of the following year. A special 30-day notice must be used which can be found on the Rent Board's website or by calling the **Berkeley Rent Stabilization Board 510-981-7368 (981-RENT)**

2. Get your pool up to the new state code standards (Virginia Graeme Baker Act) **before July 1, 2010 or it could be closed down. If your pool is closed down when inspected, you will be required to reduce the rent for all units until you are in compliance, as it will be a decrease in services.**
3. Read and understand Attorney Dale Alberstone's article in this issue regarding resident managers. Prepare and **sign a Written Employment Agreement** with all of your resident managers.
4. Make sure to offer all vacating tenants the **AB2330 Walk Through Move-Out Inspection** at least 15 days before tenant is due to move to avoid Small Claims court action and penalties on security deposit refunds.
5. Send your **Security Deposit Refund Letter** to vacated tenants **within 21 days after move-out** along with required receipts and proper interest payments. Failure to do so could cost you the entire security deposit plus substantial penalties.
6. **Before April 22, 2010**, get your EPA Firm Certification for pre-1978 housing – the Renovation, Repair and Painting Rule – (RRP – please see [www.aoausa.com](http://www.aoausa.com) – AOA magazine article archives for November 2009.)
7. Be sure to give all new tenants a copy of the **EPA Lead-Based Paint pamphlet with all leases**. (Recently, a Long Beach property owner was fined \$8,000 for violating this federal lead-based paint disclosure requirement.)
8. Run credit, eviction and criminal reports **BEFORE** renting.
9. Send the required AOA "Tenant Rejection Notice" to all unaccepted applicants.
10. Prepare and plan ahead to replace plumbing fixtures with the required water-conserving fixtures **before January 1, 2019**. **SB 407** [Padilla] will require all plumbing fixtures be replaced with water-conserving plumbing fixtures on or before January 1, 2019 for any residential, multifamily or commercial property. SB 407 also requires any building permit applicant to replace noncompliant plumbing fixtures with water-conserving ones as a condition to receive a certificate of final completion and occupancy or approval of a final building permit for any building alterations after January 1, 2014.
11. Know and be in compliance with all **Fair Housing Laws**. Do not discriminate.
12. Test and maintain the working order of all smoke detectors.
13. **Save money** with AOA's Low-Cost Workers' Compensation Group Policy.
14. Go Green this year! Save money with a recycling program, increase your bottom line by replacing burnt out incandescent light bulbs with compact fluorescent light bulbs. (CFL) or save money by using Energy Star appliances. **You may qualify for rebates or federal tax credits. For more information, visit [http://www.energystar.gov/index.cfm?c=tax\\_credits.tx\\_index](http://www.energystar.gov/index.cfm?c=tax_credits.tx_index).**
15. Serve 3-Day Pay or Move-Out notices the day after unpaid rent is due. Do not wait until the tenant is months behind in payment. **Do not include late fees** in the 3-Day Notice as that will nullify proper service.
16. Join AOA and regularly attend the FREE member seminars and workshops. Learn the laws. Knowledge is power!

*If you have any additional suggestions, or have an experience that you'd like to share with other members, please email [editor@aoausa.com](mailto:editor@aoausa.com). Patricia A. Harris is Senior Editor of the AOA Magazine.*