



ADMINISTRATIVE REGULATIONS

TENANT PROTECTION ORDINANCE



HOUSING &
HOMELESS SERVICES

Effective April 20, 2023



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020 Promulgation of Administrative Regulations

A. Purpose of Administrative Regulations

In accordance with Chula Vista Municipal Code (“CVMC”) 9.65.020, these Administrative Regulations (the “Regulations”) are intended to clarify and facilitate implementation of Chapter 9.65.

B. Organization of Administrative Regulations

The section numbers of these Regulations correspond to the sections in CVMC 9.65. For example, Regulations section 070 below is intended to clarify or facilitate implementation of one or more provisions of CVMC 9.65.070.

C. Governing Terms in the Event of Conflict

To the extent of any conflict between these regulations and Chapter 9.65, the terms of Chapter 9.65 shall govern.

D. Capitalized Terms

Capitalized terms used herein shall have the same definitions provided in Chapter 9.65 except as otherwise provided.

E. Effective Date of Administrative Regulations

These Regulations, and any amendments thereto, are effective and enforceable in accordance with Chapter 9.65 thirty days after the date of publication of these Regulations on the City’s website. The Regulations and any amendments will be published at the following location: www.chulavistaca.gov/landlordtenant.

F. Summarized Guide for CVMC 9.65 Requirements

The Tenant Protection Ordinance requirements are summarized in Appendix A, which is intended to be a guide only.

G. Questions Regarding Administrative Regulations

Users are encouraged to seek their own legal counsel to aid in understanding the requirements of these Regulations and CVMC 9.65. For any general questions regarding the Regulations, you may call (619) 691-5047 or visit www.chulavistaca.gov/landlordtenant for Frequently Asked Questions (FAQs).

H. Notification of Updates

Individuals who wish to receive notifications related to the Ordinance and Regulations may sign up for the Tenant Protection Ordinance listserv at: www.chulavistaca.gov/landlordtenant.



030 Definitions

A. Family Member.

For purposes of CVMC 9.65.030, the term “children” in the definition of “Family Member” means all legal children of the residential unit Owner, including step children and adopted children.

B. Substantial remodel.

For purposes of Chapter 9.65, the City may rely on the City Building Official’s determination regarding compliance with the required criteria described in CVMC 9.65.030.

040 Residential Tenancies Not Subject to CVMC 9.65

A. Notice of Tenancy Exempt from CVMC 9.65

CVMC 9.65.040(C)(2) requires an Owner to provide notice to certain tenants whose tenancies are exempt from Chapter 9.65. In accordance with Civil Code section 1632, if the rental lease or agreement is negotiated in Spanish, Chinese, Tagalog, Vietnamese, or Korean, a translation of the CVMC 9.65.020(C)(2) notice must be provided in the same language in which the lease or agreement was negotiated.

B. Form of Notice

The form attached as Appendix B (provided in English, Spanish, Chinese, Tagalog, Vietnamese, and Korean) complies with the requirements of CVMC 9.65.040(C)(2) and may be used by Owners. A substantially equivalent form may also be used.

060 Just Cause Required for Termination of Tenancy

A. Notice of Tenancy Protected by CVMC 9.65

CVMC 9.65.060(D) requires an Owner to provide notice to certain tenants whose tenancies are protected by Chapter 9.65. In accordance with Civil Code section 1632, if the rental lease or agreement is negotiated in Spanish, Chinese, Tagalog, Vietnamese, or Korean, a translation of the CVMC 9.65.020(D) notice must be provided in the same language in which the lease or agreement was negotiated.

B. Form of Notice

The form attached as Appendix C (provided in English, Spanish, Chinese, Tagalog, Vietnamese, and Korean) complies with the requirements of 9.65.060(D) and may be used by Owners. A substantially equivalent form may also be used.



070 Requirements Upon Termination of Tenancy

A. Owner Notice to City Regarding Termination

1. Notice Not Required

Owners are not required to notify City of At-Fault Just Cause terminations.

2. Notice Required

In accordance with 9.65.070(B), Owners of Residential Rental Unit(s) are required to notify City of No-Fault Just Cause terminations (intent to occupy by Owner or Family Member, compliance with a government or court Order, withdrawal from the rental market, substantial remodel or complete demolition) within 3 business days of such notice being served to the tenant. This mandatory information is intended to be used by the City in assessing available resources and for data collection purposes to track no-fault terminations of tenancy in the City.

B. Content of Notice

A CVMC 9.65.070(B) notice by Owner to City of a No-Fault Just Cause termination must contain the following information:

- Property Address;
- Owner name, phone and email;
- Number of total units within complex;
- Number of units vacant at time of noticing;
- Number of termination notices issued;
- Contracted rent at time of notice, for all terminated tenancies; and
- Copy of all termination notices.

C. Form of Notice

The form attached as Appendix D complies with the requirements of CVMC 9.65.070(B) and may be used by Owners. A substantially equivalent form may also be used.

D. Delivery of Notice

Notice must be delivered to the City within three business days of the date the termination notice was issued to the Tenant. Such notice shall be provided via the methods identified in the table below. Confirmation of delivery will be provided by City to Owner as noted in the table. In all cases, Owner is advised to retain a copy of such notice as proof of delivery.



Acceptable No-Fault Termination of Tenancy Delivery Formats	Delivery Confirmation
Hand delivery to City at: City of Chula Vista Housing & Homeless Services 276 Fourth Avenue Chula Vista, CA 91910	Hand stamped & signed copy of delivery packet.
Web based form found at www.chulavistaca.gov/landlordtenant	Email confirmation generated by form.
USPS Certified Mail to: City of Chula Vista Housing & Homeless Services 276 Fourth Avenue Chula Vista, CA 91910	USPS Certified Mail Confirmation Receipt.

E. Tenant Information to City

Upon receipt of a termination of tenancy notice from an Owner, the City may mail a “Tenant Information Inquiry”, Appendix E, to the Tenant. The Tenant Information Inquiry is not required to be completed by Tenant. Any information voluntarily provided by Tenant is intended to be used by City to prescreen the Tenant for *possible* housing program eligibility or other available resources.

F. Right of First Return Upon Termination of Tenancy for No-Fault Just Cause

1. Tenant Right to Return to Unit for Two Years

Tenants who indicated a desire to consider an offer to renew the tenancy shall have the right to return to the unit that they were terminated from if the Residential Rental Unit in a Residential Rental Complex they were terminated from is offered for rent or lease for residential purposes within two (2) years of the date the Tenancy was terminated. The Tenant must notify the Owner of their intent to accept an offer to rent or lease the Residential Rental Unit within 14 days of their receipt of the offer, and must enter into a new rental agreement or lease for the Residential Rental Unit within 45 days of their receipt of the offer.

2. Owner Notice to Tenant of Offer to Return

In accordance with 9.65.070(C)(5), an Owner shall first offer the Residential Rental Unit for rent or lease to the Tenant displaced from that unit by the No-Fault Just Cause termination if the Tenant advised the Owner of their prior desire to consider an offer to renew the Tenancy and provided a place to direct such offer. Such notice must inform the



Tenant that: (1) the Tenant must notify the Owner of their intent to accept the offer within 14 days of their receipt of the offer; and (2) if the Tenant intends to accept the offer, the Tenant must enter into a new rental agreement or lease for the Residential Rental Unit within 45 days of their receipt of the offer.

3. Industry Screening Methods

In accordance with 9.65.070(C)(5), the Owner shall have the right to screen the Tenant using industry accepted methods and shall communicate such minimum screening criteria in the offer for the new Tenancy. Such accepted screening criteria may include proof of identity, verification of employment and income, a review an applicant's rental history, credit history, and criminal background, and shall be consistent with screening criteria required for all other market rate units offered for rent by Owner.

4. Failure of Tenant to Accept Offer

If the Tenant has failed to accept the Owner's offer to return or has failed to enter into a new rental agreement or lease for the offered unit within 45 days of the date of the offer, the Owner may consider the offer rejected.

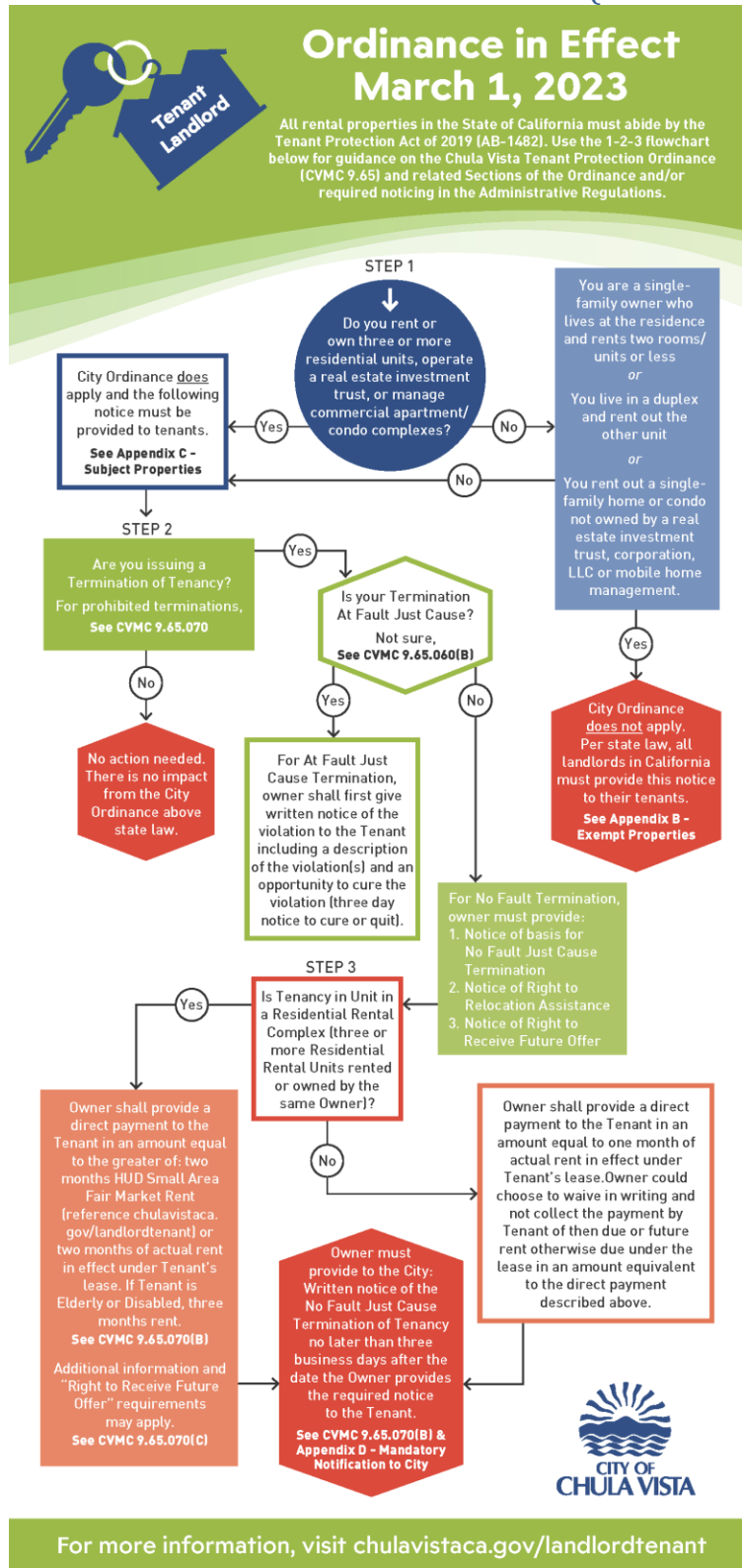


Appendices

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Appendix A Tenant Protection Ordinance Flow Chart (Guide Only)



Appendix B
Required Notice of Applicable Law for Properties
EXEMPT FROM CVMC 9.65 [Section 9.65.040(C)(2)]

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.

Esta propiedad no está sujeta a los límites de alquiler impuestos por la Sección 1947.12 del Código Civil y no está sujeta a los requisitos de Causa Justa de la Sección 1946.2 del Código Civil y el Capítulo 9.65 del Código Municipal de Chula Vista. Esta propiedad cumple con los requisitos de las secciones 1947.12(d)(5) y 1946.2(e)(8) del Código Civil y la sección 9.65.040(C) del Código Municipal de Chula Vista, y el Propietario no es ninguno de los siguientes: (1) un fideicomiso de inversión en bienes raíces, según se define en la Sección 856 del Código de Rentas Internas; (2) una corporación; o (3) una sociedad de responsabilidad limitada en la que al menos un miembro es una corporación. *(Spanish)*

该物业不受《加州民法典》(California Civic Code)第 1947.12 条规定的租金限制, 也不受《加州民法典》(California Civic Code)第 1946.2 条和《丘拉维斯塔市政法典》(Chula Vista Municipal Code) 第 9.65 章的正当理由要求的限制。该物业符合《加州民法典》(California Civic Code) 第 1947.12(d)(5) 和 1946.2(e)(8) 节以及《丘拉维斯塔市政法典》(Chula Vista Municipal Code) 第 9.65.040(C) 节的要求, 业主不是以下任何人: (1) 房地产投资信托, 定义见 国内税收法典 (Section 856 of the Internal Revenue Code) 第 856 条; (2) 公司; (3) 至少有一名成员是公司的有限责任公司。 *(Chinese)*

Ang ari-arian na ito ay hindi napapailalim sa mga limistasyon sa upa/renta na ipinataw ng Seksyon 1947.12 ng Civil Code at hindi napapailalim sa mga kinakailangan ng Dahilan na Naaayon sa Pamantayan (Just Cause) Seksyon 1946.2 ng Civil Code at Chapter 9.65 ng Municipal Code ng Chula Vista. Nakakatugon ang ari-arian na ito sa mga kinakailangan ng mga seksyon 1947.12(d)(5) at 1946.2(e)(8) ng Civil Code at seksyon 9.65.040(C) ng Municipal Code ng Chula Vista, at ang May-ari ay hindi alinman sa mga sumusunod: (1) isang real estate investment trust, gaya ng tinukoy sa Seksyon 856 ng Internal Revenue Code; (2) isang korporasyon; o (3) isang kompanyang limitado ang pananagutan (limited liability company) kung saan hindi bababa sa isang miyembro ay isang korporasyon. *(Tagalog)*

(Cont.)

Tài sản này không bị ảnh hưởng bởi các giới hạn tiền thuê theo Mục 1947.12 của Bộ luật Dân sự và không bị ảnh hưởng bởi các yêu cầu về Lý do Chính đáng của Mục 1946.2 của Bộ luật Dân sự và Chương 9.65 của Bộ luật Thành phố Chula Vista. Bất động sản này đáp ứng các yêu cầu của các mục 1947.12(d)(5) và 1946.2(e)(8) của Bộ luật Dân sự và mục 9.65.040(C) của Bộ luật Thành phố Chula Vista và Chủ sở hữu không phải là bất kỳ đối tượng nào sau đây : (1) công ty ủy thác đầu tư bất động sản, như được định nghĩa trong Mục 856 của Bộ luật Doanh thu Thuế Nội địa; (2) một tập đoàn; hoặc (3) công ty trách nhiệm hữu hạn trong đó có ít nhất một thành viên là một tập đoàn. *(Vietnamese)*

본 부동산은 민법 1947.12항에 의해 부과된 임대료 제한의 적용을 받지 않으며 민법 1946.2항 및 출라 비스타 시법 9.65장의 정당한 사유 요건의 적용을 받지 않습니다. 본 부동산은 민법 1947.12(d)(5)항 및 1946.2(e)(8)항과 출라 비스타 시법 9.65.040(C)항의 요건을 충족하며 소유자는 다음 중 어느 것에도 해당 사항이 없습니다. : (1) IRS법의 856항에 정의된 부동산 투자 신탁 (2) 법인 또는 (3) 최소 한 명의 구성원이 있는 유한책임회사 *(Korean)*

Appendix C
Required Notice of Tenant Protections for Properties
SUBJECT TO CVMC 9.65 [Section 9.65.060(D)]

California law limits the amount your rent can be increased. See Civil Code section 1947.12 for more information. Local law also provides a landlord 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.

La ley de California limita la cantidad que puede aumentar su alquiler. Consulte la sección 1947.12 para obtener más información. La ley local también establece que el Propietario debe proporcionar una declaración de causa en cualquier notificación para rescindir un contrato de Arrendamiento. En algunas circunstancias, los Inquilinos de edad avanzada (62 años o más) o discapacitados pueden tener derecho a protecciones adicionales para Inquilinos. Consulte el capítulo 9.65 del Código Municipal de Chula Vista para obtener más información. *(Spanish)*

加州法律限制您可以增加的租金数额。有关详细信息，请参阅《加州民法典》(California Civic Code) 第 1947.12 节。当地法律还规定，业主必须在终止租赁的任何通知中提供事由声明。在某些情况下，年长（62 岁或以上）或残疾的租户可能有权获得额外的租户保护。有关详细信息，请参阅丘拉维斯塔市政法典(Chula Vista Municipal Code) 第 9.65 章。 *(Chinese)*

Nililimitahan ng batas ng California ang halaga na maaaring itaas ng iyong upa/renta. Tingnan ang Civil Code seksyon 1947.12 para sa karagdagang impormasyon. Isinasaad rin ng lokal na batas na ang isang May-ari ay dapat magbigay ng pahayag ng dahilan sa anumang abiso/pabatid upang wakasan ang isang Pangungupahan (Tenancy). Sa ilang mga pagkakataon, ang Mga Nangungupahan na may edad na (62 taon o mas matanda) o may kapansanan ay maaaring may karapatan sa karagdagan mga proteksyon ng Nangungupahan. Tingnan Minicipal Code ng Chula Vista chapter 9.65 para sa karagdagang impormasyon. *(Tagalog)*

Luật pháp California giới hạn số tiền thuê nhà của bạn có thể bị tăng lên. Xem phần Bộ luật Dân sự 1947.12 để biết thêm thông tin. Luật pháp địa phương cũng quy định rằng Chủ sở hữu phải đưa ra tuyên bố về nguyên nhân trong bất kỳ thông báo nào để chấm dứt Hợp đồng thuê nhà. Trong một số trường hợp, Người thuê nhà là người cao tuổi (62 tuổi trở lên) hoặc người khuyết tật có thể được hưởng các biện pháp bổ sung bảo vệ Người thuê nhà. Xem Bộ luật Thành phố Chula Vista chương 9.65 để biết thêm thông tin. *(Vietnamese)*

캘리포니아 법은 임대료를 인상할 수 있는 금액을 제한합니다. 자세한 내용은 민법 1947.12항을참조하십시오. 또한 지방 법률에 따르면 소유주는 임대를 종료하기 위해 모든 통지에서 이유 진술을 제공해야 합니다. 경우에 따라 노인(62세 이상) 또는 장애가 있는 세입자는 추가적인 세입자 보호를 받을 수 있습니다. 자세한 내용은 출라 비스타 시법 9.65장을 참조하십시오. *(Korean)*

Appendix D
Mandatory Owner Notice to City
Upon Residential Rental Complex
No Fault Just Cause Termination of Tenancy

*Per Chapter 9.65.070(B)(1)(b) of the Chula Vista Municipal Code (“Residential Landlord and Tenant Ordinance”), Residential Rental Complexes (three or more units) that serve a no-fault termination of tenancy notice to tenants due to removal from market, demolition or substantial remodel are REQUIRED to submit each termination of tenancy along with the information contained in this form, or a substantial equivalent within 3 business days of the termination notice being served to the tenant. **This mandatory information shall be used by the City in assessing available resources and for data collection purposes to track no-fault terminations of tenancy in the City.***

Complex Information

Complex Name: _____
Complex Address: _____
Chula Vista, _____ (zip code)

Owner Information

Owner Name: _____
Owner Phone #: (____) _____ - _____ Owner email: _____

Units Impacted

Number of Units in Complex: _____
Number of Vacant Units: _____
Number of Tenants Served a Termination Notice: _____
Current contracted rent for each unit issued a termination of tenancy:

Unit #	Contracted Rent at time of Notice	Unit #	Contracted Rent at time of Notice	Unit #	Contracted Rent at time of Notice	Unit #	Contracted Rent at time of Notice

(Attach pages as needed)

Please return the complete form to: City of Chula Vista - Housing & Homeless Services
276 4th Avenue, Chula Vista, CA 91910
Questions: Please call the Housing Line at 619-691-5047.

Or via email to: affhousing@chulavistaca.gov

Appendix E
 Voluntary Tenant Information
 Upon Residential Rental Complex
 Notice of No-Fault Just Cause Termination of Tenancy

The City is reaching out to you since you were identified as an impacted resident for a no-fault termination of tenancy. This voluntary information will be used for data collection purposes to track no-fault terminations of tenancy in the City and may be used by the City in assessing available resources.

Per Chapter 9.65 of the Chula Vista Municipal Code (“Residential Landlord and Tenant Ordinance”), Residential Rental Complexes (three or more units) that serve a no-fault termination of tenancy notice to tenants due to removal from market, demolition or substantial remodel are required to submit information to the City regarding all impacted tenants.

Impacted Address

↓ Address	Unit #	City, State	Zip Code
		Chula Vista, CA	

Contact

↓ Last Name, First Name, MI	
↓ Contact Phone Number	↓ Email Address
() -	

Household Demographics

Total number of adult(s) in your existing household: _____

Total number of minors (under the age of 18) in your existing household: _____

↓ Last Name, First Name, MI	↓ Marital Status
	<input type="checkbox"/> Single <input type="checkbox"/> Married <input type="checkbox"/> Widowed <input type="checkbox"/> Divorced <input type="checkbox"/> Separated
↓ Best Contact Phone Number	<input type="checkbox"/> White <input type="checkbox"/> Black/African American <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> Non-Hispanic
() -	<input type="checkbox"/> Asian <input type="checkbox"/> American Indian/Alaska Native <input type="checkbox"/> Pacific Islander
	<input type="checkbox"/> Other

1. What is your preferred language?

English

- Spanish
- Other: _____

2. Are you receiving or have you ever received rental assistance from the City of Chula Vista or from another agency?

- Yes
- No

Household Income

List ALL occupants residing in the household, including the head of household:

↓ Last Name, First Name, MI			↓ Marital Status			
			<input type="checkbox"/> Single <input type="checkbox"/> Married <input type="checkbox"/> Widowed <input type="checkbox"/> Divorced <input type="checkbox"/> Separated			
↓ Best Contact Phone Number			<input type="checkbox"/> White <input type="checkbox"/> Black/African American <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> Non-Hispanic			
() -			<input type="checkbox"/> Asian <input type="checkbox"/> American Indian/Alaska Native <input type="checkbox"/> Pacific Islander <input type="checkbox"/> Other			
↓ Address			City, State		Zip Code	
			Chula Vista, CA			

1. _____

Head of Household

\$ _____

Monthly Income and Source(s)

2. _____

Name, Age, and Relationship to Head of Household

\$ _____

Monthly Income and Source(s)

3. _____

Name, Age, and Relationship to Head of Household

\$ _____

Monthly Income and Source(s)

4. _____

Name, Age, and Relationship to Head of Household

\$ _____

Monthly Income and Source(s)

(Use additional paper if you need more space)

Certification

I certify that the above information provided is true and complete.

Head of Household Signature

Date

Please return the complete form in person or by mail to:
City of Chula Vista – Housing & Homeless Services
276 4th Avenue
Chula Vista, CA 91910

Or via email: affordablehousing@chulavistaca.gov

Questions: Please call the Housing Line at 619-691-5047 or email affhousing@chulavistaca.gov.