Ballot Title: Measure __:

City Attorney's Impartial Analysis:

Measure placed on ballot by a petition signed by requisite number of voters and a majority vote is needed for passage. Measure adds to Burbank Municipal Code just cause eviction and rent regulations for residential units, creates independent Landlord-Tenant Commission.

Certain housing is **totally exempt**, such as units:
- restricted as affordable;
- owned by government entity or non-profit;
- subsidized by government including Section 8;
- owner shares bathroom or kitchen with renter.

Civil Code Section 1946.2 provides until 2030, statewide just cause eviction with exemptions and payment of relocation expenses.

Measure would apply more protective just cause eviction requirements than state law to approximately 24,285 units:
- Landlords may only **evict based on stated reason.**
- Fault evictions, such as:
    - non-payment of rent;
    - violation of lease and failure to cure;
    - tenant creates nuisance or illegal activity in unit or rental complex;
    - refusing Landlord reasonable access.
- No-fault evictions:
    - demolishing or substantially rehabilitating unit;
    - recovering unit for resident manager or family member;
    - permanent removal of unit from rental market.
- For no-fault evictions:
    - Landlord must pay relocation to tenants.
    - Relocation $7,750 to $20,050 based on:
        - tenancy length;
        - elderly or disabled.
    - Landlord-Tenant Commission may set new relocation fees.
- No retaliatory actions or evictions.
- Landlord may buyout tenant.

Civil Code Section 1947.12 provides until 2030, yearly rent cap of no more than 5% plus change in CPI or 10% whichever is less. Landlord sets initial rents for new tenancies. Applies to non-exempt units, except those built in the last 15 years. If Measure passes Civil Code still applies to units built after February 1, 1995 that are at least 15 years old.

Measure's Rent Regulations:
- Units **built after February 1, 1995** or single-family homes or condominiums **are exempt**.
- Apply to estimated 22,000 units **built before February 1, 1995**.
- Allows an annual rent increase based on CPI, but no greater than 7%.

- Landlord sets initial rents for new tenants;
    - but if state law changes Landlord-Tenant Commission will set.
- Landlord may petition Landlord-Tenant Commission for a Fair Return rent increase.
- Tenant may petition for rent reduction based on specific criteria.

Measure establishes new unit of City government overseen by 5-member Landlord-Tenant Commission:
- Commission members appointed by and may be removed by City Council.
    - minimum of 2 tenants and
    - maximum of 2 residential rental property owners.
- Duties:
    - implements, oversees Measure;
    - develops rules and regulations;
    - determines annual rent adjustments;
    - adjudicates rent petitions;
    - establishes penalties for non-compliance;
    - initiates litigation;
    - establishes own budget;
    - hires staff including attorneys.

Landlords shall pay annual fee set by Landlord-Tenant Commission for administration of Measure. City's General Fund obligated to fund initial implementation likely up to first year's operations. Similar commissions cost over $5,000,000 annually with staffs of over 20.

Landlord-Tenant Commission "**shall exercise its powers and duties under this Chapter independent from the City Council, City Manager, and City Attorney**"; outside of powers granted by City Charter to City Council, City Manager and City Attorney. Landlord-Tenant Commission by Measure's terms operates autonomously with no oversight.

A "yes" vote is for Measure.

A "no" vote rejects Measure.

Amy Albano
Burbank City Attorney

The above statement is an impartial analysis of Measure _____. If you desire a copy of the Measure, please call the Burbank City Clerk's Office at (818) 238-5851 and a copy will be mailed to you at no cost. You may access the Measure and other election material on the City's home page at www.burbankca.gov.