

On January 1, 2020, Assembly Bill No. 1482 (Bill), also known as the Tenant Protection Act of 2019, went into effect and imposed caps on contract rent increases for properties within the State of California that are not exempted by the Bill (link to Assembly Bill No. 1482: https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1482).

On February 11, 2020, Public Housing Authorities (PHAs) were told that both Project-Based Voucher (PBV) and Housing Choice Voucher (HCV) units were exempted from this Bill.

However, on June 29, 2023, Attorney General Rob Bonta told PHAs that while PBV units are exempt, HCV units that are not subject to a regulatory agreement with a government agency are not exempted from this Bill (link to the Attorney General's website: <https://oag.ca.gov/home>). On February 9, 2024, PHAs in California received a letter from HUD Principal Deputy Assistant Secretary Monocchio confirming the Attorney General's position regarding the Bill. The letter from HUD advises PHAs to implement this Bill and alert HCV owners when a rent increase is received that violates the Bill's requirements.

Effective September 1, 2024, all contract rent increases for Housing Choice Voucher units not subject to a regulatory agreement with a government agency will need to be in compliance with Assembly Bill No. 1482. If the OHA receives a contract rent increase for a Housing Choice Voucher unit not subject to a regulatory agreement with a government agency that violates the rent control requirements of Assembly Bill No. 1482, the OHA will alert you of the violation and provide an explanation of the applicability of Assembly Bill No. 1482 so that you may revise your contract rent increase request to comply. Please note that this is in addition to the current rent reasonableness requirement.

In short, this means the Housing Authority will reject contract rent increases for private market landlords that exceed the current maximum under AB1482. The current maximum is 8.8%, but please note that this maximum allowed amount changes regularly. If you are a member of the California Apartment Association, you can calculate the maximum allowable contract rent increase here: <https://caanet.org/topics/ab-1482/>.

If you have a rent change notice pending or coming up and you have questions, please feel free to contact Patricia Murphy via email at pmurphy@oakha.org. If you have any questions about the application of Assembly Bill No. 1482 itself, please contact the Attorney General's Office (link to the Attorney General's contact information: <https://oag.ca.gov/contact>). As this is not just a requirement for the HCV program, you may want to review the bill to ensure your compliance with your other units. As an aside, there are other provisions of the bill that you may want to review, such as those affecting evictions.

Please note that in the City of Oakland, the City of Oakland Rent Adjustment program also has rules that apply to rental housing <https://www.oaklandca.gov/topics/rent-adjustment-program>.