

New laws for 2011 that affect landlords, tenants

Numerous state and federal laws went into effect on Jan. 1, 2011 (California alone enacted 725 new laws). California landlords and tenants should be aware of the following new laws which affect their rights and obligations.

Carbon Monoxide Detectors Required. SB 183 requires a carbon monoxide detector (battery or hard-wired) to be installed in existing homes and single-family dwelling units on or before July 1, 2011. Carbon monoxide detectors must be installed in existing dwellings other than single-family dwellings (such as apartment units) on or before Jan. 1, 2013.

This law is applicable to dwelling units having a fossil fuel burning heater or appliance, fireplace, or an attached garage. This law applies to homeowners generally as well as to owners of residential rental property. Tenants are required to notify owners of residential rental property of an inoperable or defective carbon monoxide detector. This law will complement 2010 code provisions that require the installation of carbon monoxide detectors in new California dwellings, commencing January 2011. Note that, according to the American Medical Association, carbon monoxide poisoning is the foremost cause of accidental poisoning death in the United States.

Post-Foreclosure Protection for Tenants. SB 1149 prohibits access to court



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Guest column

records related to an eviction proceeding involving residential property sold in foreclosure unless at least 60 days have passed since the complaint was filed and judgment was entered against all defendants (all tenants). This prohibition, however, does not apply to parties to the eviction proceeding and residents of the property. In addition, any Notice to Quit served on a tenant of residential property who remains on the property following a foreclosure sale of the property must include a separate cover sheet setting forth a statutory notice of the tenant's rights.

This requirement applies to an immediate successor-in-interest for one year after a foreclosure sale and sunsets on Jan. 1, 2013. The new notice must state, in part:

"You may have the right to stay in your home for 90 days or longer, regardless of any deadlines stated on any attached papers. In some cases and some cities with a 'just cause for eviction law,' you may not have to move at all. But you must take the proper legal steps in order to protect your rights."

101 IDEAS

This time of year in SoCal is a perfect time to de-clutter

Home and Garden Television

A continuing compendium of tips and tricks from Home & Garden Television:

Winter is the perfect time to de-clutter and clean interior spaces, organize and pack away unused items and make plans for your spring garden and outdoor rooms.

Are the faucets in the kitchen and bathrooms closing securely? Replace washers as needed or call a plumber for bigger jobs. Small leaks can cause big trouble, and waste precious water.

Sort strategically, creating folders tied to the key categories of information that you or your accountant will need, such as mortgage interest, real-estate taxes, health-care costs including medical travel, charitable donations and work expenses not reimbursed by your employer. Much of the rest is just clutter and needs shredding.

Put 10 seeds from each leftover seed packet in a damp paper towel within

Please see **101 IDEAS** on 17

Improper Renting of Residential Property. AB 1800 increases the penalties for someone who wrongfully claims ownership or takes possession of another's residential property for the purpose of renting or leasing the property to a third party. This law increases the penalties for this misdemeanor to a maximum of \$2,500 and/or imprisonment in a county jail up to one year.

Landlords Must Provide 1099s for Payments of \$600 or More. H.R. 5297, a federal law, provides that any person who receives rental income (not just property managers) must provide a Form 1099 to the IRS and the service provider for all payments of \$600 or more made to the service provider (such as a plumber, handyman or landscape maintenance service). The purchase of goods is not included with the reporting requirement.


Tenant Protection for Domestic Violence Victims. SB 782 provides that a residential landlord shall not terminate or fail to renew a tenancy based on domestic violence, sexual assault, or stalking against

the tenant or tenant's household members. This only applies if the person restrained from contact with the tenant by court order or named in a police report is not also a tenant of the same dwelling unit.

If the restrained person is allowed to visit the property by the protected tenant, or if the landlord reasonably believes the restrained person poses a physical threat to others, including other tenants, the landlord may serve a three-day notice to correct or quit.

For leases entered into after Jan. 1, 2011, this laws also requires that a landlord change the exterior locks of a protected tenant's dwelling unit within 24 hours after the tenant provides a written request and supporting court or police documentation.

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John J. Ryan

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BANK OWNED SPECIAL VALUES

CALL AND SAVE!!!!

 <p>2392 WAXWING AVENUE, VENTURA Wow!!!! Bank owned</p>	 <p>1660 TAPIR CIRCLE, VENTURA Wow!!!! Bank owned</p>	 <p>6296 CARDINAL STREET, VENTURA Wow!!!! Bank owned</p>	 <p>4235 VARSITY STREET, VENTURA Wow!!!! Bank owned</p>
<p>owned 4 bedroom, 2 bath. townhome. Bank owned. New interior and exterior Diamond in the rough paint. New interior carpet. Front facing living room. New kitchen stove, dishwasher, dining area with washer and vent hood, rear yard. Kitchen faces rear living room with fireplace, yard. 3 bedrooms, 1 bath Dining area. Small fam-upstairs. One bedroom has ily room adjoins kitchen, balcony. Fenced yard with Master bedroom has private patio slab. 1-car garage, bath. Interior laundry room Fix and save. and 2-car attached garage. Reduced to \$179,900. Price to sell at \$362,100.</p>	<p>owned 4 bedroom, 2 bath. townhome. Bank owned. New interior and exterior Diamond in the rough paint. New interior carpet. Front facing living room. New kitchen stove, dishwasher, dining area with washer and vent hood, rear yard. Kitchen faces rear living room with fireplace, yard. 3 bedrooms, 1 bath Dining area. Small fam-upstairs. One bedroom has ily room adjoins kitchen, balcony. Fenced yard with Master bedroom has private patio slab. 1-car garage, bath. Interior laundry room Fix and save. and 2-car attached garage. Reduced to \$179,900. Price to sell at \$362,100.</p>	<p>the Bird Tract. 3 bedroom, 2 bath. Concrete driveway and 2-car attached garage with rollup garage door. Backs to park. Interior entry has tile floor and closet. Kitchen has tile floor and counter top, Kenmore gas stove, microwave and dishwasher. Eating area in kitchen. Living room with fireplace and French style doors to rear yard. Master bedroom with private bath. Rear yard has patio and fence. Close to Ralphs shopping center and park. Hurry on this one. Only \$319,000</p>	<p>Holiday Homes. Close to Camino Real Park. Easy walk to Ventura College. Single level, 3 bedrooms, 2 1/2 bath. Entry has parquet floor and closet. Living room with Slumpstone style fireplace, Kitchen has granite floor and garden window. Adjoining dining area (was 4th bedroom). Utility room. Master bedroom with private bath. Most windows have been replaced. 2-car garage. Looking for location? You'll like this property. Reduced to \$424,900.</p>
 <p>646 FLATHEAD RIVER ST., OXNARD Wonderful newer townhouse in</p>	 <p>265 GENEVIEVE CIRCLE, CAMARILLO Wow!!!! Bank owned. Huge</p>	 <p>246 MARCH STREET, UNIT 2, SANTA PAULA Wow!!!!</p>	 <p>1215 DROWN AVENUE, OJAI Wow!!!! Quiet location/toward</p>
<p>River Park. Front entry has tile floor, dining and garage access. Living room and dining area open to modern kitchen with granite counters, island and whirlpool gas stove, microwave, dishwasher and refrigerator. Large balcony overlooking green belt has nice mountain views. Plenty of room for a BBQ and there is a storage closet too. 100 sq. ft. 2 bedrooms (Mirror closet doors) and one bath on the second level. Private master bedroom on third floor. 2-car tandem style garage. Ready to move into. I could be a dream home. Fannie Mae financing available. This home is unique but very large. Call listing agent for details. \$249,900. Act fast on this one.</p>	<p>home on large lot. 4 bedrooms, 3 baths Views of field and point Mugu. Large deck with built-in bar-b-q. Lot extends down hill to field road. Gated exterior. Covered walkway to front entry door. New interior carpet and some vinyl flooring. 3 bedrooms, 2 baths on north side of home. Large living room with fireplace. Dining room adjoins kitchen. Family room with fireplace. Bedroom and private bath on south part of home. This home is unique but very large. Call listing agent for details. \$480,500.</p>	<p>Bank owned. Excellent unit the Ojai foothills, less than 1 mile to in Heritage Park Villas. downtown Ojai. Single story, 3 bed-Newer. Move-in condition. room, 2 bath with 2-car detached 2 story with entry, laundry garage and pool! Upgraded living and garage on level 1. 2 room, dining room and kitchen with bedrooms, 2 baths on level dark woodlike flooring and new 2. Living room has a fire-lighting. Fireplaces in living room place and balcony. Kitchen and back family room. Kitchen with with appliances. 1-car tile counters, and stainless refrig-attached garage. Approved erator. Laundry room. Mature fruit for HomePath financing. Call trees and cement slab patio out listing agent for details. A back by sparkling swimming pool. must see. \$174,900.</p>	<p>Wow!!!! Quiet location/toward</p>

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