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AMENDED IN ASSEMBLY APRIL 25, 2019

AMENDED IN ASSEMBLY APRIL 11, 2019

AMENDED IN ASSEMBLY MARCH 21, 2019

CALIFORNIA LEGISLATURE— 2019–2020 REGULAR SESSION

**ASSEMBLY BILL****No. 724****Introduced by Assembly Member Wicks  
(Coauthor: Senator Skinner)****February 19, 2019**

An act to add Section 50468 to the Health and Safety Code, relating to residential tenancies.

**LEGISLATIVE COUNSEL'S DIGEST**

AB 724, as amended, Wicks. Rental property data registry.

**Existing**

(1) *Existing* law regulates the terms and conditions of residential tenancies. Existing law creates various programs for the creation of housing. Existing law requires the Department of Housing and Community Development to develop specifications for the structure, functions, and organization of a housing and community development information system for this state, as specified.

This bill would require the Department of Housing and Community Development to create a rental registry online portal, which would be designed to receive specified information from landlords regarding their residential tenancies and to disseminate this information to the general public. The bill would require the department to complete the rental registry online portal, the form necessary to support it, by January 1, 2021, and would require landlords who own or operate property that includes more than 15 dwelling units to register within 90 days and annually thereafter. The bill would require landlords to provide a variety of information regarding the location of rental property, its ownership, and its occupancy, among other things. The bill would require the rental registry online portal to comply with all relevant state and federal laws regarding privacy and personally identifying information. The bill would require a landlord who completes a rental registry form to receive an Annual Statement of Registration certificate within a reasonable time after completing registration and would impose a civil penalty of \$50 per rental unit on a landlord who is subject to the bill's requirements and fails to register, as provided. *The bill would require a code enforcement officer, as defined, to report a residential*

*property owned or operated by a landlord who is subject to its provisions to the department and would require the department to require the landlord to register that property if specified contingencies are satisfied. By requiring local officials to perform new duties, this bill would impose a state-mandated local program.*

*(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.*

*This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.*

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: ~~no~~yes

## THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

**SECTION 1.** Section 50468 is added to the Health and Safety Code, to read:

**50468.** (a) For the purposes of this section, "landlord" means a person or entity that hires dwelling units subject to Chapter 2 (commencing with Section 1940) of Title 5 or Part 4 of Division 3 of the Civil Code.

(b) (1) The department shall create a rental registry online portal pursuant to the requirements of this section. The rental registry online portal shall be designed to receive information from landlords, as described in subdivision (c), and then disseminate the information to the public. The department shall create a rental registry form, to be available at the rental registry online portal, which each landlord shall complete and submit.

(2) (A) The rental registry online portal, and all forms necessary for its effective and efficient use shall be complete and operational by January 1, 2021.

(B) A landlord who owns or operates residential property that includes more than 15 dwelling units shall complete and submit the rental registry form *for that property* on or before 90 days after January 1, 2021. Each landlord subject to this section shall thereafter complete the rental registry form annually on or before March 31 of each year.

(c) The rental registry form shall be drafted to collect all of the following information from a landlord:

(1) The legal address of each property, and all associated rental unit numbers.

(2) The legal name of the owner or ownership entity for each property, including, but not limited to, limited partners, general partners, LLC members, and shareholders.

(3) The number and size of each rental unit, including the number of bedrooms, bathrooms, and approximate square footage of the unit.

(4) The month and year that the most recent occupancy began.

(5) The total number of days that the rental unit was rented during the most recent 12 months.

(6) The amount of payments collected for rent and utilities during the most recent 30-day period for each rental unit and the number of days the unit was vacant during this period.

(7) The month and year of the effective date of the last rent increase for each rental unit and the amount of the increase.

(8) The number of tenants that have been evicted from the landlord's rental units in the last 12 months.

(9) The number of unoccupied rental units during the previous year and the number of days in the year each unit was unoccupied.

(10) The number of tenants that have been displaced due to building renovation.

(11) Whether or not a property is subject to a rent stabilization ordinance.

(d) (1) A landlord *who is* subject to this section who completes a rental registry form as required by this section shall receive an Annual Statement of Registration certificate within a reasonable time after completing registration. A landlord shall not receive a certificate without substantial compliance with this section.

(2) A landlord who is subject to this section and fails to register shall be subject to a civil penalty of fifty dollars (\$50) per rental unit. These penalties shall be deposited into the Rental Registry Fund, which is hereby created, and these penalties shall be subject to appropriation by the Legislature.

*(e) A code enforcement officer, as defined in Section 829.5 of the Penal Code, shall report a residential property owned or operated by a landlord who is subject to this section to the department and the department shall require the landlord to register that property if both of the following apply:*

*(1) The code enforcement officer has inspected a rental unit within that property pursuant to a complaint filed by the tenant and determined that the unit violates Section 1941.1 of the Civil Code.*

*(2) The landlord who is subject to this section has not already registered that property pursuant to this section.*

~~(e)~~

*(f) The rental registry online portal created pursuant to this section shall comply with all relevant state and federal laws regarding privacy and personally identifying information.*

**SEC. 2.** *If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.*