

Residential Tenant Protection Program (San Mateo Municipal Code “SMMC” Chapter 10.100, Title 10) Frequently Asked Questions

1. ***What is the difference between this ordinance and AB 1482?***

AB 1482 is State law and applies throughout California. The ordinance is locally adopted and applies to San Mateo residents only. This ordinance adds to the requirements of the just cause provisions of AB 1482, which are implemented in Civil Code Section 1946.2. It “incorporates Civil Code Section 1946.2 by reference,” meaning that all provisions of that Code Section apply at the local level, with the additional protections specified in the ordinance. This ordinance extends the protections of no-fault just cause eviction procedures to tenants who have been in their unit for 11 months or longer (rather than one year as provided in State law). Additionally, the ordinance requires owners to notify a former tenant who is evicted from a unit for a substantial remodel when the unit becomes available for rent again.

2. ***What is the noticing requirement?***

For tenancies existing before January 1, 2026, landlords must provide written notice of tenant rights by **February 1, 2026** (SMMC Section 10.100.030(a)(2)). The notice may be provided as an addendum to the lease or rental agreement or as a separate written notice.

For tenancies starting or leases renewed on or after January 1, 2026, notice may be provided in the lease or rental agreement, as an addendum to the lease or rental agreement, or as a separate written notice signed by the tenant (with a copy provided to the tenant).

Notice must be provided in English and Spanish. The exact wording of the notice is provided in Section 10.100.030(a)(2), as follows:

California law limits the amount your rent can be increased. See Section 1947.12 of the Civil Code for more information. California law also provides that after all of the tenants have continuously and lawfully occupied the property for 12 months or more or at least one of the tenants has continuously and lawfully occupied the property for 24 months or more, a landlord must provide a statement of cause in any notice to terminate a tenancy. See Section 1946.2 of the Civil Code for more information. In addition, City of San Mateo Municipal Code Section 10.100.020 (Relocation Assistance for No-Fault Just Cause Evictions; Notice of Curable Lease Violations) extends the protections of state law to tenants who have continuously and lawfully occupied the property for 11 months; see City of San Mateo Municipal Code Section 10.100.020 for more information.

How the notice is provided depends on how the lease and application were processed:

- **If the application or lease is in paper form**, provide notice in paper form.
- **If there is an electronic application or lease**, provide notice electronically.
- **If the application or lease were processed in both forms**, provide notice in both forms.
- **If the tenant email is no longer valid**, provide notice in paper form.

3. *What is the relocation assistance amount, and how is it paid?*

Relocation assistance for No-Fault Just Cause Evictions is equal to one month of rent and is to be paid as follows:

- One half of the relocation assistance amount must be paid **in cash** within **15 calendar days** of providing the notice of termination to the tenant.
AND
- The remaining half of the relocation assistance amount can be provided **as a rent waiver** for the final month of tenancy, before the rent is due, OR **as a cash payment** no later than the day the tenant vacates the unit.

Note that if the owner provides other forms of relocation assistance required by state and local law, the amount of relocation assistance provided under this Ordinance is “credited” against the total.

4. *Does an owner have to pay relocation assistance under this ordinance and again under AB 1482?*

No. Per state law, a unit cannot be subject to both a local ordinance requiring just cause for termination and the just cause provisions under Civil Code Section 1946.2(i)(2). Section 10.100.020(b)(3)(D) also specifies that payments made under this ordinance are credited against any other relocation assistance. This means that landlords are not required to pay twice for the same no-fault eviction.

5. *What is the noticing requirement related to substantial remodels?*

Section 10.100.040 specifies that when a tenancy is terminated for a substantial remodel, the landlord must immediately issue a notice of availability to the evicted tenant when the unit is available for leasing. Civil Code Section 1946.2(b)(2)(D)(iv)(IV) requires an owner to include in their written notice to the tenant to terminate the tenancy for a substantial remodel a notification to provide their address, telephone number, and email address if they are interested in reoccupying the unit when the work is completed. Owners should therefore plan to notice former tenants simultaneously with listing the unit publicly for rent, using the information supplied by the tenant.