



CALIFORNIA
ASSOCIATION
OF REALTORS®

April 25, 2023

The Honorable Aisha Wahab
California State Senate
1021 O Street, Suite 7330
Sacramento, CA 95814

RE: SB 395 (Wahab) – Notice of Termination and Rent Increase Database, as amended April 10, 2023 – Oppose

Dear Senator Wahab:

On behalf of the members of the California Apartment Association (CAA) and the California Association of REALTORS® (C.A.R.), we are writing to inform you that CAA and C.A.R. continue to oppose SB 395, your bill that would require a landlord to file with the Secretary of State (SOS) a copy of any notice of termination or notice of rent increase within 10 days of serving the notice on the tenant. The bill would make failure to file the notice an affirmative defense to a cause of action for unlawful detainer. This bill would also, among other things, require SOS to create and maintain a publicly available, searchable database to, among other things, compile all those notices received from landlords. We oppose SB 395 for the following reasons:

SB 395 Will Cost the State of California Millions of Dollars – Similar failed legislation has come with an estimated price tag to the state of over \$20 million to create the database plus \$8 million dollars per year to maintain. With the budget challenges facing California, this is not money well spent.

SB 395 is an Invasion of Privacy – SB 395 requires the filing of sensitive information about a tenant, their address, their amount of rent without a tenant ever consenting to the release of this information. This is incredibly invasive.

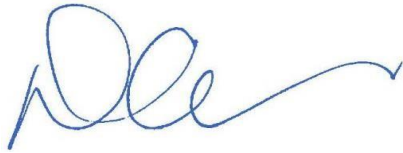
SB 395 Will Do Nothing to Solve Our Housing Crises – What's the Point? – There is no rational reason for mandating this information on a public website and no plausible argument that this information will be used in any productive way to address the current housing crisis – if that is the goal for SB 395. Laws already exist that cover the way in which these notices are prepared, served, and filed with the court.

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SB 395 is Unnecessary – While it's unclear what this database will solve, the issue of rental prices and eviction controls was addressed when the state enacted the most sweeping tenant protection legislation in the country - AB 1482 - placing rent caps and eviction controls on residential rental properties. If rental prices and eviction information is the focus of this bill, that information can be gathered from census data, public websites, or from the courts. We suggest that a much better way to direct public resources would be to provide funds to help families and homeless individuals in need.

For these reasons, we oppose SB 395.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Debra Carlton', with a long, sweeping tail extending to the right.

Debra Carlton, Executive Vice President
State Public Affairs & Compliance
California Apartment Association

A handwritten signature in black ink, appearing to read 'Karim Drissi', written in a cursive style.

Karim Drissi, Legislative Advocate Manager
California Association of REALTORS®

cc: Senate Appropriations Committee