



RENT *Stabilization*

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ADDITIONAL TENANT RENT INCREASE

The Rent Stabilization Ordinance (RSO) is designed to protect tenants from excessive rent increases while providing landlord(s) with a reasonable return on their investments. The RSO became effective May 1, 1979. Since November 17, 1982, the Rent Adjustment Commission (RAC) has allowed a 10% rent increase for additional tenants under RAC Guidelines 310.00. Section 151.06G was added to the RSO, to disallow additional tenant increases for the first minor dependent child added to the household. The amendment became effective December 8, 1990.

What is an additional tenant?

Section 151.06G of the RSO defines an additional tenant as: Any tenant joining the occupants of the rental unit which results in an increase in the number of tenants existing at the inception of the tenancy. A guest is not considered an additional tenant until they have lived in the unit for 30 consecutive days.

How much is the additional tenant rent increase?

Landlords may increase the rent by 10% for each additional tenant. Landlords are required by the California Civil Code to give a written 30-day notice for all rent increases. However any increase which would result in more than a 10% within the prior twelve months, must be have a 60 day written notice. (RAC 310.03).

Are there any exemptions to the rent increase?

Yes, the exemptions are:

- 1) The rent may not be increased for the first minor dependent child (multiple births are considered as one child) added to the unit after December 8, 1990. The additional child must be the child of a tenant of record.
- 2) No additional rent increase is allowed for minor dependent children already residing in the unit before December 8, 1990.

Can a landlord refuse to allow an additional tenant?

Yes. The landlord does not have to allow more than one additional adult or two additional minor dependent children. The landlord has the right to approve an additional adult tenant. However, the landlord's approval cannot be unreasonably withheld.

When may the landlord increase the rent?

The landlord may increase the rent only after the additional tenant has resided in the unit for at least thirty days. Landlords are required by State law to give a written 30-day notice for all rent increases.

What happens if the additional tenant vacates the unit?

When the additional tenant(s) vacate(s) the unit, the rent for the remaining roommates must be reduced by an amount equal to the previous additional tenant increase, following notification in writing (a 30-day written notice) by the remaining tenant(s) to the landlord. To avoid later disagreements, tenants should date the written notice, state the date the tenant intends to vacate the unit, and make a copy for themselves. It's best to deliver the notice to the landlord in person, or mail it by certified mail.