



19.40.030 Notice of Availability of Rent Review Required.

(a) Civil Code Section 827(b) requires that Landlords must provide Tenants with thirty (30) days' notice prior to a rent increase of 10 percent (10%) or less and sixty (60) days' notice prior to a rent increase of more than 10 percent (10%). In addition to the notice of a rent increase required by Civil Code Section 827(b), and at any time when a Landlord provides notice of any rent increase, the Landlord shall also provide notice of the availability of rent review as provided in this Chapter, including the means of obtaining a copy of this Chapter. The obligation to include this notice shall extend to rent increases in any amount.

(b) The notice of availability of the Residential Rent Review Program shall be provided in Spanish and English and shall be written as follows:

NOTICE: Under Civil Code Section 827(b), a Landlord must provide a Tenant with thirty (30) days' notice prior to a rent increase of ten percent (10%) or less and sixty (60) days' notice of a rent increase greater than ten percent (10%). In addition, Chapter 19.40 of the Concord Municipal Code requires that a Landlord must at the same time provide this notice of the City's Residential Rent Review Program. This Program provides a procedure for Landlords and Tenants to communicate when there are disputes over rent increases that exceed 10 percent (10%) in a 12-month period. Information about this Program and a copy of Chapter 19.40 of the Concord Municipal Code are available on the City's website at www.cityofconcord.org. Copies will also be made available in English and Spanish in the City of Concord Permit Center, located at 1950 Parkside Drive, Concord CA 94519.

You are encouraged to contact the owner or manager of your rental unit to discuss the rent increase and any maintenance or repair work that needs to be done. In addition, if you have received notice of a rent increase that is greater than ten percent (10%) above the base rent you paid last month, or greater than ten percent (10%) above the base rent that you paid twelve (12) months prior to the effective date of the rent increase, you may request rent review under Concord's Residential Rent Review Program. To use this Program, you must contact the City's Program Administrator within fifteen (15) calendar days following receipt of a notice of rent increase. Your Landlord will be notified of your request. You will also be contacted by a housing professional to discuss the rent increase and any issues relating to your request. Petitioning for rent review cannot guarantee a reduction in the rent increase.

Under Civil Code 1942.5, it is illegal for a Landlord to retaliate against a Tenant for lawfully and peaceably exercising his or her legal rights.

Contact information for the Program Administrator is noted below. You may initiate contact by telephone, but the request for rent review itself must be submitted in writing.

(c) The City shall make copies of this notice available to landlords in English, Spanish, and any other languages determined necessary by the City Manager or his or her designee.

(d) Any rent increase accomplished in violation of this Chapter shall be void and no Landlord may take any action to enforce such an invalid rent increase.

(e) Any rent increase in violation of this Chapter shall operate as a complete defense to an unlawful detainer action based on failure to pay any illegal rent increase. Any Tenant required to pay an illegal rent increase may recover all illegal rent increase amounts actually paid by the Tenant.

(f) If a Landlord fails to properly notice a Tenant pursuant to this Chapter, the Landlord must re-notice the Tenant in accordance with this section prior to demanding or accepting any increase in rent.

To request a rent review, please contact ECHO Housing at ConcordRentReview@echofairhousing.org or by phone at 855-ASK-ECHO (855-275-3246). For other questions please contact Brenda Kain, City of Concord Housing Manager, at 925-671-3088 or Brenda.Kain@cityofconcord.org.

This information is also posted on the City's website at:

www.cityofconcord.org/page.asp?pid=1003.