



New Law FAQs for HCV Tenants and Housing Providers

What is SB 329, and how does it affect voucher holders?

As of January 1, 2020, SB 329 expands the source of income definition in the State of California's Fair Employment and Housing Act to include Housing Choice Vouchers. It is a Fair Housing violation to discriminate against voucher holders.

What are some signs of possible discrimination against voucher holders?

After January 1, 2020, these practices may be interpreted as discriminatory. If a housing provider:

- Has a blanket policy of "No Vouchers or "No Section 8".
- Tells a voucher holder that a unit is off the market while still actively advertising and accepting applications from other candidates.
- Advertises that a unit or complex does not accept vouchers.

Is there any reason why a housing provider does not have to accept vouchers?

Housing Providers do not have to consider voucher holders:

- That don't qualify or meet the selection criteria for the property.
- If the unit's rent amount is not affordable for the tenant (Tenant's portion is above 40% of their income).
- If the owner lives in the home and is renting bedrooms.

Will new rent control laws affect voucher holders?

No, housing that is in contract with the Housing Choice Voucher (HCV) program is exempt from both the new state rent control law AB-1482 and the City of Sacramento's Tenant Protection Program. Both laws were passed to protect renters from significant rent hikes. HCV voucher holders already have protections from rent gouging as all rent increase requests must be approved by the Housing Authority which conducts a rent reasonable determination test on each request.

Can a HCV tenant still receive a 90-day notice if they live within Sacramento City limits?

Yes, properties contracted with the Housing Choice Voucher program are exempt from the City of Sacramento's Tenant Protection Program and families can receive 90-day notices.

Are housing providers required to pay a relocation fee if they issue a 90-day notice to an HCV tenant?

No, properties contracted with the Housing Choice Voucher program are exempt from AB1482, and it is not required for a housing provider to pay a relocation fee.

How long of notice does a housing provider need to give the HCV tenant for a rent increase now?

In order to adhere to the new state law AB1110, if the requested rent is greater than a 10% increase, a housing provider must serve the tenant a 90-day notice as of January 1, 2020. If the requested rent increase is less than a 10% increase, a housing provider must serve the tenant a 60-day notice.

What are some new protections that military families have when renting?

Active military and veterans now have protection from housing discrimination based on their military/veteran status as of January 1, 2020. Those that serve in the armed forces and can be called into duty also have additional protections through SB 644 on how much they can be charged for security deposit.

For more information on tenant/landlord and Fair Housing law contact:

Renters Helpline—916-389-7877

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