

Rent Control and Housing Authorities

Housing authorities do not have the legal authority to enact rent control measures for privately owned units.

Local governments, such as a city or county, are able to enact ordinances controlling rents within the limits of State law.

How are rents determined for Section 8 units?

With Section 8 vouchers, the tenant finds a private landlord willing to rent to the tenant and accept the voucher. The owner requests the rent for the unit. The housing authority must verify that the requested rent is reasonable and that it is not the highest rent being charged in the building. In order to verify reasonable rent, the housing authority needs to locate three similar units near the proposed unit renting for the same amount or more than the proposed rent. If the rent is deemed reasonable, the housing authority can approve the proposed rent.

Are there caps on how much the rent can be raised?

If the unit is not subject to rent control or deed restrictions, then there are no caps on rent increases. After the initial term of the lease, the owner must give at least 60-days' written notice to the tenant and the housing authority of the new rent amount. Again, the housing authority must verify that the rent is reasonable and not the highest rent in the building.

Do California housing authorities support the repeal of Costa Hawkins?

Housing authorities support the success of both landlords and tenants. Thus, the California Association of Housing Authorities (CAHA) has a neutral position on the repeal of Costa Hawkins.

For more information about the Housing Choice Voucher Program or CAHA, visit us at <http://www.cahahousing.org>