



CITY OF COSTA MESA

77 Fair Drive
Costa Mesa, CA 92626

Agenda Report

File #: 25-619

Meeting Date: 3/17/2026

TITLE:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA REPEALING, REPLACING AND AMENDING TITLE 9 (LICENSES AND BUSINESS REGULATIONS) OF THE COSTA MESA MUNICIPAL CODE, CHAPTER II (REGULATION OF CERTAIN BUSINESSES), ARTICLE 24 (JUST CAUSE RESIDENTIAL TENANT PROTECTIONS)

DEPARTMENT: CITY MANAGER

PRESENTED BY: NATE ROBBINS, NEIGHBORHOOD IMPROVEMENT MANAGER

CONTACT INFORMATION: NATE ROBBINS, 714-754-5274

RECOMMENDATION:

Introduce and give first reading to Ordinance No. 2026-xx repealing, replacing and amending Title 9 (Licenses and Business Regulations) of the Costa Mesa Municipal Code, Chapter II (Regulation of Certain Businesses), Article 24 (Just Cause Residential Tenant Protections).

BACKGROUND:

Assembly Bill 1482

On October 8, 2019, the Governor of California signed into law Assembly Bill 1482 (AB-1482), otherwise known as the Tenant Protection Act of 2019. In summary, AB-1482 prohibits owners of residential real property from evicting a tenant without just cause when said tenant has occupied a residential unit for a minimum of 12 consecutive months. AB-1482 further delineates just-cause evictions into two separate categories: At-Fault and No-Fault. As their names imply, just-cause at-fault evictions are triggered when a tenant performs or fails to perform specific actions that cause an owner to terminate a lease, whereas no-fault just-cause evictions are actions taken by the owner to terminate a lease in the absence of any wrongdoing by the tenant.

AB 1482 allows owners to issue an at-fault just cause eviction for any of the following:

- A. Failure to pay rent
- B. Breach of a material term of the lease
- C. Allowing or causing a nuisance
- D. Committing waste
- E. Failure to execute an extension upon expiration of the lease
- F. Criminal activity
- G. Subletting in violation of the lease

- H. Tenant's refusal to allow the owner to enter the real property
- I. Using the property for an unlawful purpose
- J. An employee or agent of the owner fails to vacate upon being terminated
- K. Tenant's failure to surrender the property after providing written notice of their intent to surrender

Further, AB 1482 allows owners to issue a no-fault just cause eviction for any of the following:

- A. Intent to occupy the property by the owner or an immediate family member
- B. Withdrawal of the property from the rental market
- C. Complying with an order from a government agency, court, or ordinance
- D. Intent to demolish or substantially rehabilitate the property

Costa Mesa Tenant Protections Ordinance

On November 7, 2023, the City Council voted to adopt Urgency Ordinance No. 2023-04 ("Ordinance") amending Title 9 of the Costa Mesa Municipal Code by adding Chapter II to support Costa Mesa renters facing no-fault eviction. The Ordinance was identical to the provisions of the State of California's Tenant Protection Act, including the enhancements listed below. As stated in the Ordinance, failure to perform any of these requirements renders a notice to vacate void.

1. The Ordinance requires property owners to notify the City within 72 hours after giving notice to their tenant of a no-fault eviction.
2. The Ordinance requires owners to pay tenants being issued a no-fault eviction relocation benefits equal to the greater of the tenant's current monthly rent, or one (1) month of Fair Market Rent (FMR) as determined annually by the U.S. Department of Housing and Urban Development (HUD).
3. The Ordinance requires owners to notify the City during the permitting process when a no-fault just cause eviction justification is to perform a substantial remodel of the housing unit.

On September 9, 2025, the City Council directed staff to bring forth an amendment to the Ordinance that would require property owners to notify the City when issuing an eviction notice to their tenant, including both no-fault and at-fault evictions. This direction followed requests from several members of the public for the City to track both no-fault and at-fault evictions in order to collect and analyze data.

ANALYSIS:

Currently, there is no mechanism for tracking at-fault eviction data in Costa Mesa. At-fault evictions that are uncontested by the tenant do not require reporting to any public agency, as the tenant chooses to vacate the property upon receipt of a notice from the property owner. Contested at-fault evictions require the property owner to file an Unlawful Detainer complaint with the Superior Court; however, this data is not available to the public except on a case-by-case basis, upon subpoena as

part of litigation proceedings.

Proposed Amendments to the Ordinance

The proposed amendments to the Urgency Ordinance (“Amendment”) would update the language in Sections 9-402.D. and 9-403.C. (Attachment 1). The proposed changes are italicized in bold below:

- Section 9-402.D. An owner of residential property who has issued a ***no-fault notice*** to terminate a tenancy, ***or who has filed an at-fault unlawful detainer complaint in the superior court, for*** just cause as provided in this Article, shall provide notice in writing to the City of Costa Mesa, City Manager or his or her designee, at 77 Fair Drive, Post Office Box 1200, Costa Mesa, California 92628-1200 within 72 hours of issuing the notice to terminate the tenancy to the tenant ***or filing the unlawful detainer complaint***. The notice shall be provided using a form prepared by the City and available on its website.
- Section 9-403.C. An owner's failure to strictly comply with section 9-402 or this section shall render ***a*** notice of ***no-fault*** termination void.

As indicated in the language above, the Amendment would require property owners to notify the City of both no-fault and at-fault evictions, but the penalty for failure to comply with the provisions of the Ordinance would be different for both.

- As currently stated in the Ordinance, failure to comply with the provisions regarding no-fault evictions results in the notice of termination being rendered void. Further, property owners who fail to render void a termination of tenancy deemed unlawful by the City may be subject to a Civil Citation for violation of the City’s Municipal Code.
- As proposed by the Amendment, failure to comply with the provisions regarding at-fault evictions would not affect the property owner’s ability to move forward with the eviction but may result in the issuance of a Civil Citation for violation of the City’s Municipal Code.

Civil Citation fines start at \$150 for the first violation (per landlord/property/unit) and increase to \$300 and \$500 for second and third violations, respectively, of the same Ordinance with a 12-month period. For example, if a property owner fails to notify the City of an at-fault eviction, they may be subject to a fine of \$150. If that same property owner fails to notify the City of a second at-fault eviction within the same 12-month period, they may be subject to a \$300 fine. A third failure to notify the City, and each failure thereafter during the same 12-month period, may result in a \$500 fine.

Grace Period for Enforcement

While the Amendment would impose potential enforcement action against property owners who fail to properly notify the City when issuing an at-fault eviction, the City’s intent is to provide a 12-month grace period where no enforcement action will be taken. This grace period will allow the City to conduct outreach to the community and property owners to ensure all are aware of the updates to the law.

Community and Property Owner Outreach

Should the Council choose to adopt the Amendment, City staff will conduct outreach to inform both renters and property owners of their rights and responsibilities regarding the City's tenant protection laws. This outreach will include:

- Updating the City's website to include the adopted provisions and provide technical information and documentation to assist property owners in satisfying the requirements of the law.
- Posting flyers at key locations around the City, including City Hall, libraries, community centers, etc.
- Mailing information to property owners of residential units covered by the Ordinance.
- Providing direct assistance to property owners via phone or email.

Additional Considerations

Staff met with representatives from the California Apartment Association and Orange County Apartment Association to receive feedback regarding the proposed amendments. Regardless of the City's intent in amending the Ordinance to require reporting of at-fault evictions, both groups stated that these changes will imply that the City will provide supportive services like landlord/tenant mediation, legal advice and/or in-court representation, financial assistance, housing navigation to locate/secure a new housing unit, and more. They believe additional supportive and financial resources need to be allocated to assist tenants facing an at-fault eviction. In their opinion, failure to do so will cause confusion and frustration among the rental community.

ALTERNATIVES:

The City Council can choose to reject the updated language proposed by the Amendment and direct staff to bring back alternative language, or direct staff to leave the language of the Ordinance as it was adopted.

FISCAL REVIEW:

The Amendment imposes enforcement action on property owners who fail to properly notify the City upon issuing an at-fault eviction, thus violating the Costa Mesa Municipal Code (CMMC). Civil Citations for this type of CMMC violation are subject to escalating fines of \$150 for the first violation and increase to \$300 and \$500 for second and third violations, respectively, of the same Ordinance with a 12-month period.

LEGAL REVIEW:

The City Attorney's office has reviewed this report and approves it as to form.

CITY COUNCIL GOALS AND PRIORITIES:

Diversify, stabilize and increase housing to reflect community needs.

CONCLUSION:

Introduce and give first reading to Ordinance No. 2026-xx repealing, replacing and amending Title 9 (Licenses and Business Regulations) of the Costa Mesa Municipal Code, Chapter II (Regulation of Certain Businesses), Article 24 (Just Cause Residential Tenant Protections).