



# CWP Newsletter

CWP Property Management, Inc.



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## New Laws for 2010

### Green Building Limitations

This law clarifies existing statute by making it clear that a local jurisdiction can only modify “green building standards” if lawmakers make findings based on local climatic, geologic, or topographical conditions. **CAA supported this legislation.** AB 210 (D-Hayashi).

### Pools: Anti-Entrapment Devices

The language of this new law provides that it is the intent of the California Legislature to occupy the field of health and safety standards for public swimming pools, including those at apartment communities. This law preempts local health departments from adopting new or additional safety standards relating to public swimming pools. **At CAA’s request**, the law also contains language to limit the fees that may be imposed by local and state governments to determine compliance and language to grandfather in those properties that have been deemed compliant with the federal law prior to adoption of the state law. CAA was neutral on this legislation. AB 1020 (R-Emmerson).

### Meth Lab Clean Up

This new law changes existing methamphetamine remediation standards, making it easier to get property back on line after contamination from a meth lab. **CAA supported the legislation.** AB 1489 (R-Smyth).

### Water-Conservation Plumbing

This law requires noncompliant plumbing fixtures (as defined) to be replaced with water-conserving plumbing fixtures on or before January 1, 2019. Secondly, a building permit applicant must install water-conserving plumbing fixtures in a unit where work is done, as a condition for a certificate of completion or approval of a final building permit on or after January 1, 2014. CAA was neutral on the bill. SB 407 (D-Padilla).

### Tenants- Utility Service at Foreclosed Properties

In order to prevent the utilities from being shut off at a tenant-occupied foreclosed property, this new law allows a tenant or occupant who has made a payment to a public utility (in place of the owner who was the original customer of record), to deduct the amount of the payment from the rent when due, provided that a copy or original payment receipt for utilities is provided as evidence of payment before, or at the same time as, the rent payment.

CAA was neutral on this legislation. SB 120 (D-Lowenthal).

### Unlawful Detainer: Controlled Substances and Firearms

Existing law establishes when a tenant is guilty of an unlawful detainer and includes illegal drug possession and/or possession or use of illegal weapons. In these cases, a city prosecutor may file an unlawful detainer on the owner’s behalf against any person who is in violation of the illegal actions listed above. This law has been a pilot program in specified cities and counties. This law extends and expands these provisions. **CAA supported the legislation.** AB 530 (D-Krekorian).

### 60-Day Termination Notice

This law deletes the January 1, 2010, sunset date and thereby extends the 60-day termination notice requirement indefinitely. The law includes CAA’s amendments that require the landlord to serve a 60-day termination notice only in those cases where the tenant has been in the unit for one year or longer. If a new roommate moves in, the clock starts again for counting the one year requirement. CAA was neutral on the legislation. SB 290 (D-Leno).

198 Juana Avenue

San Leandro, CA 94577

(510) 352-6310

www.cwpmgmt.com

### New Website

We invite you to visit our new website and give us your feedback. Also become our Fan on Facebook. You can find the link on our homepage.

www.cwpmgmt.com

### Free CWP Parking

Tired of looking for parking during your visit to CWP? The city has created a FREE parking lot across the street from our office!

The CWP parking lot is dedicated employee parking.

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## A Plan For Job Creation In 2010

Most Americans are glad to have 2009 behind them. It was a rough year for businesses, the country, and families alike. As we begin 2010, things look a little brighter, although many people and companies are still struggling. What will the state of American business be in 2010?

Most likely, it will be uncertainty with a dose of optimism.

The uncertainty facing American businesses is primarily a result of actions being taken in Washington. With elected officials debating significant changes to health care, tax, and climate change policies--to name just a few--businesses are understandably hesitant to make the investments necessary to create jobs. But there is also cause for optimism--the economy has started to grow modestly and should continue to do so in the coming months.

Unfortunately, modest economic growth will not be sufficient to quickly reduce high unemployment and put Americans back to work.

That's why the U.S. Chamber believes that, of all the important challenges facing our nation, no domestic challenge is more critical than creating the 20 million jobs we'll need by the end of the next decade. Only with a strong and growing private sector--backed by sensible government policies with modest levels of regulation and taxation and a reasonable degree of certainty--can we reach this goal.

Doubling U.S. exports over the next five years must be a top priority. To do so, we should enact pending trade pacts that work heavily to our advantage, pursue new commercial arrangements in emerging economies, enforce existing trade agreements, modernize export controls, and help smaller firms export.

The modernization of America's aging and insufficient infrastructure is also an imperative. If we can remove regulatory and legal impediments, private sector investment could spur job creation and long-term economic prosperity. Upgrades to our transportation, energy, water, and broadband systems will make it possible

for people, goods, and information to move more quickly and safely.

Many Americans are excited by the potential for green jobs resulting from technological breakthroughs in the energy sector. We share this enthusiasm and support private and public sector investments in alternative and renewable energies. But we should also rapidly expand our supply of clean, safe nuclear energy.

We must find ways to ensure that businesses--especially small businesses--can get the credit they need to expand and create jobs. Congress should overhaul our financial regulatory system with smarter, more efficient regulations and promote greater transparency.

Let's make 2010 the year when we empower our job creators and push the economy back toward sustainable growth.

By Tom Donohue, President and CEO, U.S. Chamber of Commerce

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## Bills Vetoed by the Governor

### Green Building Standards

This bill authorized any state agency to bypass the Building Standards Commission and to propose its own

mandatory green building regulations. **CAA requested the Governor's veto.** AB 828 (D-Lieu).

### Multi-Family Recycling

This bill attempted to require multifamily properties with 5 or more units to arrange for recycling services "appropriate for the multifamily dwelling" and "consistent with state or local laws or requirements." **At CAA's urging, the bill was amended** to exempt properties from the recycling requirement where there was inadequate space for recycling containers (as certified by a solid waste hauler), if no recycling services were available for the property or if the cost of recycling services created a financial hardship for the multifamily property owner. Despite these amendments, the Governor

vetoed the bill. CAA was neutral on the legislation. AB 473 (DBlumenfeld).

### Employment Discrimination

This bill attempted to provide that the 180-day statute of limitations (the maximum period of time, after certain events occur, that legal proceedings based on those events may be initiated) for filing an equal-pay lawsuit regarding pay discrimination "resets" with each new discriminatory paycheck. This bill, however, was more expansive than a federal law it attempted to model. It applied the new statute of limitations rule to any California employment law, while the federal law was limited to specific types of cases. **CAA requested the Governor's veto.** AB 793 (D-Jones).

### Employment Credit Reports

This bill would have prohibited employers from using consumer credit reports for employment purposes unless the information was "substantially job

related," including a management position that handles cash, other assets, or personal information, and meets specified criteria.

**CAA requested the Governor's veto.** AB 943 (DMendoza).

### Tax Withholding

This bill attempted to impose a new 3 percent withholding mandate on all payments to California independent contractors and a 7 percent withholding mandate on all payments to nonresident independent contractors. **CAA opposed the legislation.** SBX3 17 (D-Ducheny).

### Signature Gathering - Initiative Process

This bill attempted to impose a misdemeanor penalty for a person to receive anything of value based on the number of signatures obtained on a state or local initiative, referendum, or recall petition. **CAA opposed the legislation.** SB 34 (D-Corbett).