

Rent Increases

What laws apply to limit rent increases?

Generally, there are three types of laws that may limit rent increases: state law under the Tenant Protection Act "TPA"; the state anti-price gouging law during a declared state of emergency; and local city or county rent control ordinances and rent freeze moratoriums. *If more than one law applies, an owner must comply with the most restrictive law.*

What is the state law that applies to rent increases?

The TPA, limits rent increases to 5% plus inflation as indicated by the applicable Consumer Price Index (CPI) up to a maximum of 10%. Not every property is subject to the TPA, and there are exemptions. (See below). Depending on where the property is located, different CPIs are used. A property owner is limited to the rent cap maximum for any 12-month period.

What is the maximum rent increase for properties subject to the TPA for rent increases that take effect **between August 1, 2022, and July 31, 2023?**

10% for all properties. The maximum rent increase under TPA properties is 5% plus CPI, up to a maximum of 10%.

What is the maximum rent increase for properties subject to the TPA for rent increases that take effect **between August 1, 2023, and July 31, 2024?**

Counties	CPI	Total of CPI + 5% up to 10%
LA, Orange	3.8%	8.8%
Riverside, San Bernardino	4.2% (based on March)	9.2%
San Diego	5.3% (based on March)	10.0%
SF, Alameda, Contra Costa, Marin, San Mateo	4.6%	9.6%
All other counties	Not Yet Available	Not Yet Available

What types of properties are exempt from the state law?

There are several exemptions, but the two most important are: 1) Single-family residences, condominiums, townhomes if not owned by a corporation or a REIT and a notice of exemption has been provided (Use C.A.R. form RCJC); and 2) Housing that has been issued a certificate of occupancy within the previous 15 years.

What is the anti-price gouging law?

Even if the property is exempt from the TPA, the anti-price gouging law may still apply. It is triggered by a declaration of emergency from the Governor, city or county authorities, or even the President. While in effect the anti-price gouging law may limit rent increases to 10%.

How long do the restrictions of the anti-price gouging law stay in effect?

In regard to rent, the statute generally applies for 30 days after a declaration of emergency. However, it may be extended. According to the Attorney General, State and local officials have the authority to extend the effective period of the law beyond 30 days. See [the Attorney General's FAQ here](#). Check [the chart at the Governor's Office of Emergency Services](#) site for a list of counties which are currently under the Governor's price gouging protections. Unfortunately, there is no such easily accessible list for local emergency declarations.

How much notice is required to increase rent?

Rent increases of 10% or below require 30-day notice. For rent increase over 10%, a 90-day notice is required. In determining whether the increase is over 10%, the landlord must count all rent increases within the previous 12 months. If those rent increases plus the immediate rent increase total over 10%, then a 90-day notice is required.