



AB 2219 (Ting)

Effective Rental Assistance and Homelessness Prevention

Summary: This bill would address a significant barrier to preventing homelessness by ensuring that landlords accept payments made on behalf of a current tenant by a third party. This includes payments made by relatives or caretakers of the tenant, as well as direct payments made through a tenant's participation in a rental assistance program designed to help the tenant remain housed.

Background: In light of the affordable housing crisis, a growing number of jurisdictions and nonprofits have created programs to help lower-income tenants afford their rent and prevent evictions for nonpayment, which often lead to homelessness. These programs include ongoing rental assistance provided by mental health and social service agencies and one-time grants of rental assistance to help a tenant remain housed. In addition, many tenants rely on less formal arrangements to ensure that their rent gets paid, such as a caretaker who manages the finances of a disabled tenant or a religious institution willing to pay accrued rent for a tenant who has fallen behind on payments.

These programs and arrangements are critical to preventing homelessness, yet a growing number of landlords refuse to accept such payments. This practice has severe impacts on highly vulnerable

tenants, such as disabled renters and seniors, who may lack the ability or capacity to manage funds or make rental payments on their own.

Current law does not clearly require the acceptance of a rental payment made by someone other than the tenant, and many landlords maintain a policy of refusing payments that are not made directly by a tenant. However, homelessness prevention programs generally do not provide funds directly to tenants, instead making the payment directly to the landlord. As a result, vulnerable tenants may end up facing evictions for nonpayment of rent despite the availability of funds specifically intended to pay their rent and prevent homelessness.

The Bill: This bill would require landlords to accept rent payments on behalf of a tenant from any party who has been designated by the tenant, so long as the third party acknowledges that accepting such a payment does not form a new tenancy with, or confer new contractual rights upon, the party making the payment.

Support:

- California Rural Legal Assistance Foundation (co-sponsor)
- Western Center on Law & Poverty (co-sponsor)