



# Monthly Newsletter

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## Reports indicate that PG&E is shutting off electricity without adequate notice to tenants.

*The following is a short notice from the owner of Classic Electric, one of our trusted vendors. To avoid unnecessary charges and headache, we are notifying tenants of this issue when they call us about power outages.*

By: Toby Mitchell, Classic Electric & Consulting (Lic #936269)

With Smart Meters, PG&E can turn your power on or off remotely through their computer system. As of this writing, we have not confirmed it, but it sounds like PG&E has automated this process and is automatically shutting off power for non-payment.

In the last few months, we have seen many instances of 'no power' due to billing issues. These reports have come from California West and other customers. Digital glitches and expired cards for auto-pay are just some of the reasons for non-payment. When you are set up for paperless billing, it's easy to miss a shut-off notice. The email can go to junk or simply be lost in the sea of emails. The hardest part is not knowing; you always pay your bills, your neighbors have power, and your meter is on.

Here are some tips before calling an electrician: If you ever lose power to the whole house, not just a couple of lights or plugs, call PG&E. It's free for them to come out, and if it's a billing issue, you can take care of it over the phone. They can also turn your power back on from their computer system.

Find where your PG&E electric meter is located. It is going to be outside, but depending on how the house was built, its location can vary. Typically, it's on the outside garage wall toward the front of the house. Watch the digital display, and it will cycle through a series of numbers, including Voltage and Usage. If you do not have power and, during the cycle, it says OPN or OPEN, that means PG&E has shut off your power through the meter, and you need to contact them.

Understanding these aspects of your power connection could save you time and hassle in the event of an unexpected power loss.

## The difficult implications of the Tenant Protection of 2019 continue to show themselves.

*The best approach for property managers and landlords is to screen tenants well, be proactive about addressing issues with tenants, and make sure to have correct lease language to avoid “just cause” requirements when possible..*

In 2019, immediately before Covid, the California legislature passed a major overhaul to landlord/tenant law in California. The new law, called the “Tenant Protection Act of 2019” (TPA) and sometimes referred to as “AB 1482” imposes statewide rent control and also requires landlords to prove “just cause” before ending most tenancies.

When Covid happened, the TPA became an after-thought as Covid protections made it practically impossible to evict even the most troublesome tenants, regardless of the new law. Now, with Covid firmly behind us, we are beginning to see the true impacts of the TPA.

While it is now possible to evict tenants who fail to pay rent, which is nice, the true challenge that arises from the TPA is in dealing with tenants who are general nuisances to their neighbors and others. A tenant might be too loud for neighbors one month. Then, the tenant may have too many people coming and going another month. Then the tenant may leave too many things lying around the property. And so on. Each time, a landlord must post a three-day notice to perform or quit, describing the nuisance at issue and giving the tenant an opportunity to fix his or her behavior. If the tenant complies each time then there is no “just cause” for the landlord to end the tenancy.

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In addition to playing this game of “whack-a-mole,” with lots of three-day notices and no real solution, another problem is one of proof. It is all well and good to know that a particular tenant is causing problems because multiple neighbors are calling, but that is not enough to end a tenancy.

As a property manager, if you are not living on the property and seeing the events unfold then you will often not be in a position to personally know who is causing the issues in question and therefore you will be unable to prove in court that there is “just cause” to end the tenancy.

Of course, neighbor disputes are nothing new. However, in the past, landlords could terminate the tenancies of everyone involved. The person complaining and the person causing the problems could both be told to leave. The threat of this solution would often cause the problem to fix itself. In the end, though, even if the problem did not go away, then telling everyone to leave would make everyone better off in the long run. Now, though, we must either do nothing or get first-hand proof of what is happening.

As for solutions, the best approach for property managers and landlords is to screen tenants well, be proactive about addressing issues with tenants, and make sure to have correct lease language to avoid “just cause” requirements when possible. All told, this is California so we must simply do what we can.