

SECOND SUPPLEMENT TO MEMORANDUM 2023-51  
**Landlord and Tenant Terminology: Discussion of Issues**  
**(Public Comment)**

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Attached for the Commission's<sup>1</sup> consideration in this study is an email from California Strategic Advisors,<sup>2</sup> a firm representing the Apartment Association of Orange County.<sup>3</sup> The Apartment Association of Orange County was the sponsor of the legislation that assigned this study to the Commission.<sup>4</sup>

The email was sent in response to an inquiry from Commission staff seeking examples of problems experienced by parties to a residential real property rental agreement (or persons associated with those parties), based on the terminological issues that are the subject of this study.

Respectfully submitted,

Steve Cohen  
Staff Counsel

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1. Any California Law Revision Commission document referred to in this memorandum can be obtained from the Commission. Recent materials can be downloaded from the Commission's website ([www.clrc.ca.gov](http://www.clrc.ca.gov)). Other materials can be obtained by contacting the Commission's staff, through the website or otherwise.

The Commission welcomes written comments at any time during its study process. Any comments received will be a part of the public record and may be considered at a public meeting. However, comments that are received less than five business days prior to a Commission meeting may be presented without staff analysis.

2. See <https://calstrategic.com/about/>.

3. See Exhibit.

4. See Senate Judiciary Committee Analysis of AB 2503 (June 17, 2022).



**EMAIL FROM RAE BEAM, CALIFORNIA STRATEGIC ADVISORS**  
**(12/18/23)**

Good morning Steve,

Please consider this email in response to your query as to providing descriptions of instances in which the various terms have caused confusion within the residential rental housing industry. This response is representative of our client the Apartment Association of Orange County, which is the sponsor enabling this study through AB 2503, which was passed during the 2020/2021 legislative session.

It seems the present issues relating to various terms used are more systemic rather than specifically demonstrative. Clarity in the statutory code defining the realm of residential rental housing is necessary and long overdue. Additionally, the other terms of art defining interested parties do not lend themselves to conducive representation of their true meaning.

The Housing Industry as a whole has been modernizing terms used, as of late, to describe rooms in homes for sale - moving away from terms like “Master Suite” and modernizing them to “Primary Suite” or “Owner’s Suite”. Not unlike the term “master”, “landlord” references those individuals of a higher class or higher ranking than those individuals who need to rent housing. Furthermore, renting is ostensible and tantamount to “need”. However, as we know to be true, almost half of Californians rent housing, and a great majority rent from choice, not necessarily need.

As California centers its concern on inclusivity, many legislators who author Bills are introducing language that modernize terms that have become offensive in the Civil Code, Government Code, and the Code of Civil Procedure. Additionally, the modernization of terms is being sought when introducing law that pertains to domestic violence, sexual assault, or stalking when referenced to safe housing for victims of these horrific crimes and civil liabilities.

In fact, during the deliberations of AB 1482 during the 2019-2020 legislative session, over 100 organizations were involved in negotiating the Bill’s terms. Nearly all the organizations struggled to reach an agreement regarding modern universal inclusive terms to describe “property owners” and “renters”. And in recent legislative sessions, more legislators are beginning to amend residential rental housing laws by using terms they or their sponsors feel are most appropriate, which have included terms that add to the confusion of terms already used within the statutory law to describe the same “interested party”.

All ranks of state government are also choosing to modernize terms within the residential rental housing industry from cities and counties to state departments like the Civil Rights Department. And some local governmental agencies, such as the Los Angeles City Council are weaponizing the term “landlord” by creating local ordinances that shift a bias balanced in favor of “tenants” by grouping the term “slumlords” with “landlords” giving the impression to the general public that all landlords provide housing out of greed rather than desire.

Weaponization of the term “landlord” was used during the COVID-19 eviction moratoriums that some cities and counties placed on “landlords”, which did not sunset until late 2023, well after the COVID-19 emergency Orders were terminated by the

Federal and State Executive Branches. Moreover, weaponization can also be seen within recent California State ballot initiatives that intend to deny a “landlords” business opportunity, thereby discriminating against property owners as business owners in the State of California.

It seems that the California Law Revision Commission is the only nexus between the constant changes of terms within the residential rental housing industry and those peoples and entities who attempt to modernize terminology that creates inclusivity without weaponization. If all levels of governments are left to create terms to describe laws pertaining to the residential rental housing industry then unification will more likely than not be a futile matter; therefore, we must rely on the California Law Revision Commission to bring about a more balanced viewpoint for all bodies of government to follow, which will undoubtedly have a great impact on those actually using and referencing residential rental housing laws for all interested parties.

If additional information is required, we would be happy to provide additional specific examples of the necessity of unification of terms, upon request.

Thank you for your consideration. We look forward to working with the California Law Revision Commission until it finishes its *just* work.

Respectfully,

Rae A. Beam  
On Behalf of California Strategic Advisors