

FIRST SUPPLEMENT TO MEMORANDUM 2024-19
Landlord and Tenant Terminology: Discussion of Issues
(Public Comment)

Attached for the Commission's consideration in this study is a letter¹ from Whitney Prout, Executive Vice President for Legal Affairs of the California Apartment Association, supporting the staff recommendation in Memorandum 2024-19.

Respectfully submitted,

Steve Cohen
Staff Counsel

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). 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.



April 25, 2024

California Law Review Commission
925 L Street, Suite 275
Sacramento, CA 95814
Via E-Mail to scohen@clrc.ca.gov

Re: Study H-109, Landlord-Tenant Terminology – Memorandum 2024-19

Dear Commission members:

On behalf of the California Apartment Association (CAA), I am writing to inform you that CAA supports the staff conclusion outlined in Memorandum 2024-19, which recommends that the Commission advise the Legislature that it finds that the use of the terms “landlord” and “tenant” in California statutory provisions remain “useful and appropriate” at this time.

As was thoroughly and thoughtfully discussed in the memorandum, and previously in Memorandum 2024-8, the lack of definitions in many of the statutes using the terms identified in the study makes it very difficult – if not impossible – for the Commission to recommend *nonsubstantive* revisions that would replace existing terminology, let alone provide for consistency throughout the codes.

California landlord-tenant law is already in a phase of rapid evolution due to near-constant changes enacted by the Legislature and local governments, as well as through an increasingly active litigation landscape. For better or worse, the terms landlord and tenant are well established both in the law and vernacular, and attempting to refashion that terminology in the midst of this dynamic environment is neither prudent nor practicable.

Thank you for your consideration. Please do not hesitate to contact me if you have any questions or need additional information.

Sincerely,

California Apartment Association

By
Whitney Prout
Executive Vice President, Legal Affairs