

ORDINANCE NO. 4917**AN ORDINANCE AMENDING SECTION 8.42.010 OF THE COUNTY CODE RELATING TO TENANT'S INTEREST ON SECURITY DEPOSIT FOR RESIDENTIAL RENTAL PROPERTY**

The Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

Section 8.42.010 of the Santa Cruz County Code is hereby amended to read as follows:

8.42.010 Definitions.

As used in this chapter, certain words and phrases are defined as follows:

A. "Security deposit" means, as provided in Section 1950.5 of the California Civil Code, any payment, fee or charge including, but not limited to, an advance payment of rent, used, or to be used, for any purpose, including, but not limited to, any of the following:

1. The compensation of landlord for a tenant's default in payment of rent;
2. The repair of damages to the premises exclusive of ordinary wear and tear, caused by the tenant or by a guest or licensee of the tenant;
3. The cleaning of the premises upon termination of the tenancy;
4. To remedy future defaults by the tenant and any obligation under the rental agreement to restore, replace, or return personal property or appurtenances, exclusive of ordinary wear and tear, if the security deposit is authorized to be applied thereto by the rental agreement.

B. "Tenant's interest" means an amount of simple interest per year on all security deposits in excess of fifty dollars paid by a residential tenant to a landlord. The minimum rate of simple interest earned and payable under this chapter shall be established from time to time by resolution of the board of supervisors based on the recommendation of the Santa Cruz County treasurer-tax collector as follows:

1. The Santa Cruz County treasurer-tax collector shall contact a minimum of three major banking or savings and loan institutions in November of each year to determine the average interest rate that currently is being paid on savings passbook accounts. The treasurer-tax collector shall compute the average of these rates as the recommended interest rate to be paid on security deposits in the following calendar year.

2. On or before the last meeting of the calendar year, the treasurer-tax collector shall transmit to the board of supervisors a proposed resolution for adoption specifying the recommended interest rate.

C. A rental agreement may provide for a tenant's interest at a percentage rate greater than that established by the board of supervisors resolution then in effect; however, under no circumstances shall a rental agreement provide for a tenant's interest at a percentage rate less than that established by the board of supervisors resolution then in effect. Unless a rental agreement provides for a tenant's interest at a percentage rate greater than that established by the board of supervisors resolution then in effect, the tenant's security deposit shall bear interest at that percentage rate established by the board of supervisors resolution. (Ord. 4477 § 2 (part), 1997)

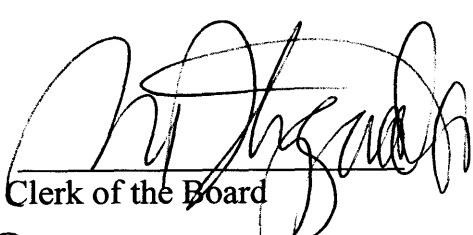
SECTION II

This ordinance shall take effect and be operative on the 31st day after the date of final passage.

PASSED AND ADOPTED this 8th day of April, 2008,
by the Board of Supervisors of the County of Santa **Cruz** by the following vote:

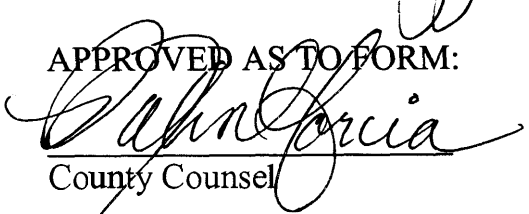
AYES:	SUPERVISORS	Campos, Stone, Beautz, Coonerty and Pirie
NOES:	SUPERVISORS	None
ABSENT:	SUPERVISORS	None
ABSTAIN:	SUPERVISORS	None

Attest:


Clerk of the Board


Chairperson, Board of Supervisors

APPROVED AS TO FORM:


County Counsel

Distribution: County Administrative Office
Sheriff's Office

IN THE SUPERIOR COURT of the STATE OF CALIFORNIA
in and for the County of Santa Cruz

CERTIFICATE OF PUBLICATION

Ad No.: 02512811

STATE OF CALIFORNIA }
COUNTY OF SANTA CRUZ } ss

I, Tess E. Fitzgerald, Supervising Clerk
of the Board of Supervisors of the
County of Santa Cruz, do hereby certify
that Ordinance No. 4917, adopted on
April 8, 2008, has been duly published in
accordance with Section 25124 of the
Government Code.

Tess E. Fitzgerald,
Supervising Board Clerk
By: [Signature]

PUBLIC NOTICE
ADOPTED ORDINANCE NO. 4917

NOTICE IS HEREBY GIVEN that at its regularly
scheduled meeting of the Santa Cruz County Board of
Supervisors on April 8, 2008 adopted Ordinance No.
4917 Amending Section 8.42.010 of the County Code
Relating to Tenant's Interest on Security Deposit for
Residential Rental Property. This Ordinance was

adopted by the following vote:

(page)

AYES: Campos, Stone, Beautz, Coonerty
and Pirie

NOES: None
ABSENT: None
ABSTAIN None

Copies of the full text of this Ordinance is available at
the Office of the Clerk of the Board, Room 500, Gov-
ernmental Center Building, 701 Ocean Street, Santa
Cruz, California, 95060

Dated: April 8, 2008
Tess Fitzgerald
Clerk Deputy Clerk

April 12, 2008
02512811

I, Patricia Turley,
hereby certify that the **Watsonville Register
Pajaronian**, a newspaper of general circulation,
within the provisions of the government code of the
State of California, printed and published in the
City of Watsonville, County of Santa Cruz, State of
California; that I am the principal clerk of the
printer of said newspaper; that the

Legal Notice; PUBLIC NOTICE

of which the annexed clipping is a true printed
copy was published in said newspaper on the fol-
lowing dates, to wit : **04/12/08**

I certify under penalty of perjury that the foregoing
is true and correct, at Watsonville, California, on
the **04/14/08**

Patricia Turley
Patricia Turley, Legal Clerk

"Proof of Publication must be filed with the County
Clerk's Office within 30 days of the last publication
date, pursuant to Civil Code Section 2466."