

9.65.040 Residential tenancies not subject to this chapter.

- A. Single-family **Owner**-occupied residences, including a mobile home, in which the **Owner-occupant** rents or leases no more than two units or bedrooms, including, but not limited to, an accessory dwelling unit or a junior accessory dwelling unit.
- B. A **property** containing two separate dwelling units within a single structure in which the **Owner** occupied one of the units as the **Owner's** principal place of residence at the beginning of the **Tenancy**, so long as the **Owner** continues in occupancy, and neither unit is an accessory dwelling unit or a junior accessory dwelling unit.
- C. A **Residential Rental Unit** that is alienable is separate from the title to any other dwelling unit; provided, that both of the following apply:
 - 1. The **Owner** is not any of the following:
 - a. A real estate investment trust, as defined in Section **856** of the Internal Revenue Code.
 - b. A corporation.
 - c. A limited liability company in which at least one member is a corporation.
 - d. Management of a mobile home park, as defined in Civil Code Section **798.2**.
- D. A homeowner in a mobile home, as defined in Civil Code Section **798.9** or a **tenancy** as defined in Civil Code Section **798.12**. This chapter shall also not apply to a nonowner **Tenant** of a mobile home. Instead, a nonowner **Tenant** of a mobile home shall retain the rights stated in the **State Tenant** Protection Act.
- E. Transient and tourist hotel occupancy as defined in Civil Code Section **1940(b)**.
- F. Any residential occupancy by reason of concession, permit, right of access, license or other agreement for a period for 30 consecutive calendar **days** or less, counting portions of calendar **days** as full **days**, including Short-Term Rental occupancies as defined in Chapter **5.68** CVMC.
- G. Housing accommodations in a nonprofit hospital, religious facility, extended care facility, licensed residential care facility for the **elderly** as defined in Health and Safety Code Section **1569.2**, or an adult residential facility as defined in Chapter 6 of Division 6 of Title 22 of the Manual of Policies and Procedures published by the **State** Department of Social Services.

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- H. Residential **Property** or Dormitories owned by the **City**, an institution of higher education, or a kindergarten and grades one to 12, inclusive.
- I. Housing accommodations in which the **tenant** shares a bathroom or kitchen facilities with the **Owner** who maintains their principal residence at the **Residential Rental Unit**.
- J. Housing restricted by deed, regulatory restriction contained in an agreement with a government agency, or other recorded document as affordable housing for individuals and families of very low, low, or moderate income as defined in Health and Safety Code Section **50093**, or subject to an agreement that provides housing subsidies for affordable housing for individuals and families of very low, low, or moderate income as defined in Health and Safety Code Section **50093** or comparable federal statutes. This exclusion shall not apply to a **Tenant** with a Section 8 Housing Choice Voucher and such **Tenancies** shall be governed by this chapter. (Ord. 3527 § 2, 2022).