

# Mariposa County Bar Association

Volume 3, Issue 21

[www.MariposaBar.org](http://www.MariposaBar.org)

[Newsletter@MariposaBar.org](mailto:Newsletter@MariposaBar.org)

January 2020

## President's Column

Casey Aitchison, MCBA President

The Mariposa County Bar Association (MCBA) invites all Mariposa area attorneys and colleagues to our next meeting, February 13, 2020, when we will hear from Dr. Eric Sergienko, Mariposa's Health Officer, regarding Public Health Law.



Those attending the luncheon may order lunch from the menu at their own cost. RSVPs are appreciated, but not required, by emailing [MCBA@MariposaBar.org](mailto:MCBA@MariposaBar.org).

Our meetings are held on the second Thursday of each month at the Miner's Roadhouse 140. Membership is not required. We invite all attorneys and colleagues to join us, whether you are a member, or just enjoy networking or having lunch with friends.

MCBA Membership is \$35.00 and includes access to several MCLE credits throughout the year as well as a listing on the MCBA website at [www.MariposaBar.org](http://www.MariposaBar.org). An application may be downloaded at our website, and will be available at the lunch. Those who are renewing their membership may forego the application and simply send in their dues or bring them to the next luncheon.

Come support the MCBA and hear from Mariposa County's Health Officer, Dr. Eric Sergienko, by joining us for lunch on February 13, 2020!



## Dr. Eric Sergienko to Speak at February 13, 2020 Meeting

The Mariposa County Bar Association is pleased to announce Dr. Eric Sergienko as the speaker for our next meeting, Thursday, February 13, 2020, at the Miner's Roadhouse 140, on the topic of Public Health Law. Dr. Sergienko is currently the Health Officer and Lead for the Director's Action Working Group (DAWG), Mariposa County Health & Human Services Agency (HHSA).



As the Health Officer he provides expertise in all areas of Public Health. As the DAWG, he coordinates across HHSA programs and ensures data-driven decision making. Because of the 4.5 million visitors coming to Yosemite National Park within Mariposa County, Dr. Sergienko also ensures close working relations with state and federal health officials.

In addition to his work with the county, Dr. Sergienko provides technical expertise to the World Health Organization Emergency Operations Center Network. He was one of the authors of the Framework for Public Health Emergency Operations Centres.

Dr. Sergienko retired from the Navy in 2016. His last role was as the Department of Defense (DoD) Liaison to the Centers for Disease Control and Prevention (CDC). In this position he coordinated DoD and CDC activities including responses to Ebola, MERS, and Zika. He was also involved in the development of Incident Management training for CDC staff and DoD Public Health Emergency Management training.

He earned a Bachelor's degree with honors from Oregon State University and his medical degree from the Uniformed Services University of the Health Sciences. He has a Master's of Public Health from the University of Massachusetts – Amherst. He is board certified in Emergency Medicine.

# New Rent Control Law Signed by Gov. Newsom in October 2019\*

by Anita Starchman Bryant

Governor Newsom recently signed a new law restricting residential rent increases and evictions. Assembly Bill 1482, the Tenant Protection Act of 2019, is being touted as the strongest tenant protection bill in the country. The law takes effect January 1, 2020. It is currently written to expire in 2030 and does not preempt any local rental ordinances.



## Assembly Bill 1482: Tenant Protection Act of 2019

Under current law there is no state-wide cap on rent increases. Assembly Bill 1482 will prohibit an owner of residential real property from, over the course of any 12-month period, increasing the rent more than 5 percent, plus inflation.

Under current law, when the term of a lease expires, it is automatically renewed at the end of that term unless the landlord or the tenant gives written notice of that party's intention to terminate the lease. If the tenant has resided there for less than one year, the notice must be given at least 30 days before the end of the lease. If the tenant has lived there for more than a year, there must be 60 days notice. Under the current law, the landlord doesn't need to give a reason for eviction, so long as it isn't illegal, such as for discriminatory or retaliatory purposes. The landlord can simply give a written notice to move and specify the date on which the tenancy would end.

Assembly Bill 1482, with certain exceptions, will prohibit a landlord from ending a lease without "just cause," when the tenant has lived there for at least one year. Examples of "just cause" could include a tenant's default in the rent, sublet of the property without permission, or an illegal activity on the property. Before a landlord can end a lease for these reasons, the tenant must be given an opportunity to fix the violation. The landlord can also terminate the lease for several allowable reasons, such as wanting to move a family member into the house or remove the property from the rental market. Depending on the reason, the law may require that the landlord provide relocation assistance to the tenant, such as waiving the last month's rent.

## Assembly Bill 1482 Exempts Certain Rental Properties

Assembly Bill 1482 does not apply to housing accommodations in which the tenant shares bathroom or kitchen facilities with the owner who maintains their principal residence at the residential real property. Also exempt are duplexes where the owner occupies one of the duplex units as their principal place of residence. It also does not apply to single family owner occupied residences in which the owner-occupant rents no more than two units or bedrooms, including but not limited to an accessory dwelling unit or junior accessory dwelling unit. New housing that was issued a certificate of occupancy within the previous 15 years is exempt. In addition, single family residential real property that is separate from the title to any other dwelling unit is exempt, provided that the owner is not a real estate investment trust, a corporation, or a limited liability company in which at least one member is a corporation.

If the rental is exempted, the tenant must be given a written notice that the residential property is exempt from the provisions of Assembly Bill 1482, using the language provided in the statute.

\* This column was originally printed in the Mariposa Gazette



Newsome signing bill 1482 | Photo by Ben Margot / AP

Anita Starchman Bryant, who earned her J.D. from UC Berkeley School of Law, is a Mariposa attorney practicing in the areas of real estate, land use, estate planning & administration, and probate law. Disclaimer: This article is intended to provide general information. The content of this publication is for informational purposes only. Neither this publication nor its author is rendering legal or other professional advice or opinions on specific facts or matters.

## MCBA 2020 Meetings

The MCBA meetings are held on the second Thursday of each month at the Miner's Roadhouse 140 banquet room. Everyone is invited to attend. The atmosphere is always fun, and we welcome new members. Our attendance grew significantly in 2019, and we look forward to the coming year. We have many exciting things planned, and hope to see everyone at our luncheons.

### January 9, 2020

Luncheon meeting: Strategic Planning Meeting for 2020

### February 13, 2020

Luncheon meeting: Speaker, Dr. Eric Sergienko, Mariposa County Public Health Officer, regarding Public Health Law

### March 12, 2020

Luncheon meeting: Speaker, Judge Michael Fagalde, .5 MCLE credit in Ethics with his presentation "Ethics-A Perspective After Crossing the Divide from Attorney to Judge"

### April 9, 2020

Luncheon meeting: Speaker To Be Announced

### May 14, 2020

Law Day - Speaker, Judge Michael Fagalde "Your Vote, Your Voice, Our Democracy: The 19th Amendment at 100"

### June 11, 2020

Luncheon Meeting: Speaker, Miles Menetrey, Chairman of the Mariposa County Board of Supervisors

### July 9, 2020

Luncheon meeting: Speaker, Chevon Kothari, Director of Mariposa County Health and Human Services, regarding the homeless situation in Mariposa County and the applicable laws the County must navigate to address the problem

### August 13, 2020

Luncheon meeting: Speaker To Be Announced

### September 10, 2020

Luncheon meeting: Speaker To Be Announced

### October 8, 2020

Luncheon meeting: Speaker To Be Announced

### November 12, 2020

Luncheon meeting: Speaker To Be Announced

### December 10, 2020

Luncheon meeting: Holiday Luncheon and Judges Appreciation Day

## Family Law News

by Casey Aitchison, President, Merced County Bar Association Family Law Section

At our upcoming meeting, the Merced Family Law Section will be discussing the recent case of *In re Marriage of McKean*, wherein the Appellate Court held that the Trial Court erred by determining an award of sole legal and physical custody to the mother of a severely disabled child meant she was incapable of being joint custodian of the two other children, and by failing to recognize and place enough weight in the sibling bond between the three children.

The Family Law Section of the Merced County Bar Association meets on the second Tuesday of each month at King's Asian Cuisine located at 360 W. Main Street, Merced, CA.

We invite any interested persons to join us, whether you are a Family Law practitioner, have crossover questions, enjoy networking, or just want to get together with friends for lunch. Our next meeting is:

Merced Family Law Section Meeting

Date: Tuesday, February 11, 2020 at noon

Location: King's Asian Cuisine, Merced

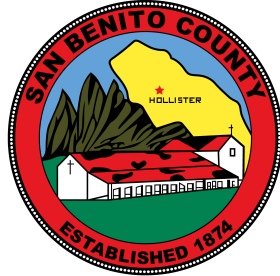
RSVPs are appreciated but not required. To RSVP or for more information, please email the Merced County Bar Association Family Law Section President, Casey Aitchison at [Casey@MercedDivorce.com](mailto:Casey@MercedDivorce.com).





## Employment Opportunity

County Counsel of San Benito County is now accepting applications for the position of Deputy County Counsel I, II or III. They are seeking an attorney with previous experience in the public sector (minimum of one year preferred) to provide legal counsel to County departments and districts as assigned, and to represent the County as needed in civil litigation matters.



Their office is small but busy, with a pleasant dynamic of 5 full-time attorneys on staff. Located in downtown Hollister, they are just an hour south of San Jose and 45 minutes northeast of the Monterey Bay, making them very commuter-friendly! They would like to recruit and retain a new attorney as soon as possible, and look forward to having you join their team!

### TO APPLY:

<https://www.governmentjobs.com/careers/sanbenito/jobs/2692810/deputy-county-counsel-i-ii-iii?sort=PostingDate%7CDescending&pagetype=jobOpportunitiesJobs>

Full description of each class can be found below:

#### Deputy County Counsel I:

<https://www.governmentjobs.com/careers/sanbenito/classspecs/96044?keywords=counsel&page=1&pagetype=classSpecifications>

#### Deputy County Counsel II:

<https://www.governmentjobs.com/careers/sanbenito/classspecs/96045?keywords=counsel&page=1&pagetype=classSpecifications>

#### Deputy County Counsel III:

<https://www.governmentjobs.com/careers/sanbenito/classspecs/96046?keywords=counsel&page=1&pagetype=classSpecifications>

Job Type: Full-time

Salary: \$63,980.80 to \$115,003.20 /year

- Recruitment open until 5:00 p.m. on Friday, February 28, 2020.

## MCBA Membership List

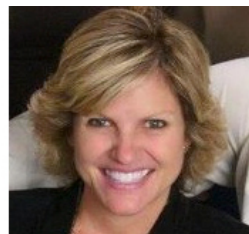
It's time to renew your membership for 2020! For renewal, please bring your \$35 payment to the next luncheon, no application is needed.

Thank you to our 2019 Members, listed below:

Casey Aitchison	Kimberly G. Flores
Alexandria Albertoni	Wayne Green
Ashley Albertoni	Melbourne N. Gwin, Jr.
Susan Albertoni	Robert Iwama
Deborah Bennett	Edward J. Johnson
Kevin Briggs	Andrew Kucera
Marvin Brown (retired)	Michael McAfee
Anita Starchman Bryant	Victoria Miller
Aaron Castleton	Cindy Morse
Jeffrey Castleton	Stephanie Perez
Thomas Cooke	Elizabeth Waldow
Steven W. Dahlem	Walter Wall
Skye Emery	

For new members who wish to have their information listed on the MCBA website, a Membership Application may be downloaded at [www.MariposaBar.org](http://www.MariposaBar.org). Bring the application and payment to the next luncheon, or mail it to MCBA, PO Box 628, Mariposa, CA 95338..

## 2020 MCBA Officers



Casey Aitchison  
President



Ed Johnson  
Vice-President



Anita Starchman Bryant  
Secretary



Skye Emery  
Treasurer

# MARIPOSA COUNTY BAR ASSOCIATION

## Membership Application – 2020

2020 dues: \$35.00

Please mail the completed application and dues payable to:

Mariposa County Bar Association

P.O. Box 628

Mariposa, CA 95338

The following data will be used for your Member Information of the MCBA records. Please indicate what information you would like included on the public web site.

	Include on Website?	
	Yes	No
Name: _____	<input type="checkbox"/>	<input type="checkbox"/>
Bar#: _____	<input type="checkbox"/>	<input type="checkbox"/>
Firm Name: _____	<input type="checkbox"/>	<input type="checkbox"/>
Address: _____	<input type="checkbox"/>	<input type="checkbox"/>
Phone: _____	<input type="checkbox"/>	<input type="checkbox"/>
Fax: _____	<input type="checkbox"/>	<input type="checkbox"/>
Email: _____	<input type="checkbox"/>	<input type="checkbox"/>
Website: _____	<input type="checkbox"/>	<input type="checkbox"/>
Areas of Practice: _____	<input type="checkbox"/>	<input type="checkbox"/>
Law School: _____	<input type="checkbox"/>	<input type="checkbox"/>
Languages: _____	<input type="checkbox"/>	<input type="checkbox"/>
Free Consultations: <input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/>	<input type="checkbox"/>

Dues Enclosed: \_\_\_\_\_