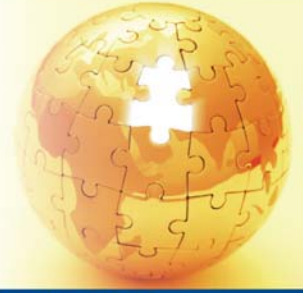




ISSUE Insights



BROUGHT TO YOU BY THE CALIFORNIA APARTMENT ASSOCIATION

Political Signs at Rental Property

With some exceptions, a landlord cannot prohibit a tenant from posting or displaying political signs that relate to any of the following:

- An election or legislative vote, including an election of a candidate to public office.
- The initiative, referendum, or recall process.
- Issues that are before a public commission, public board, or elected local body for a vote.

Location of Signs

A tenant can post political signs in the window or on the door of the premises leased by the tenant in a multifamily dwelling, or from the yard, window, door, balcony, or outside wall of the premises leased by a tenant of a single-family dwelling.

Exceptions to Posting

A landlord can prohibit a tenant from posting or displaying political signs in the following circumstances:

- The political sign is more than six square feet in size.
- The posting or displaying would violate a local, state, or federal law.
- The posting or displaying would violate a lawful provision in a common interest development's governing document's that satisfies the criteria of Section 1353.6 of the Civil Code.¹

Removal of Signs

A tenant must post and remove political signs in compliance with the time limits set by the ordinance for the jurisdiction where the premises are located. A tenant is solely responsible for any violation of a local ordinance. If no local ordinance exists or if the local ordinance does not include a time limit for posting and removing political signs on private property, the landlord may establish a reasonable time period for the posting and removal of political signs. A reasonable time period for this purpose shall begin at least 90 days prior to the date of the election or vote to which the sign relates and end at least 15 days following the date of the election or vote.

References

Civil Code Section 1940.4

¹ The governing documents of a common interest development may not prohibit posting or displaying of noncommercial signs, posters, flags, or banners on or in an owner's separate interest, except as required for the protection of public health or safety or if the posting or display would violate a local, state, or federal law. In a common interest development, a noncommercial sign, poster, flag, or banner may be made of paper, cardboard, cloth, plastic, or fabric, and may be posted or displayed from the yard, window, door, balcony, or outside wall of the separate interest, but may not be made of lights, roofing, siding, paving materials, flora, or balloons, or any other similar building, landscaping, or decorative component, or include the painting of architectural surfaces.

An association may prohibit noncommercial signs and posters that are more than 9 square feet in size and noncommercial flags or banners that are more than 15 square feet in size.

