

Resident Manager of Apartment Building Was Properly Compensated In Part By Free Rent

Article By:

Anthony J Oncidi

***Von Nothdurft v. Steck*, 2014 WL 2900132 (Cal. Ct. App. 2014)**

Brenda Leigh Von Nothdurft worked as a resident manager of an apartment building owned by John Steck. Both signed a management agreement that provided that Von Nothdurft would be compensated in part by “free rent of a three bedroom apartment during the term as manager.” Von Nothdurft later sued, claiming she was not adequately compensated and sought to recover wages for all of her work without deduction for the value of the rent-free apartment. The Court of Appeal affirmed judgment in favor of Steck on the ground that Wage Order 5-2001 provides that “...lodging may not be credited against the minimum wage without a voluntary written agreement between the employer and the employee. When credit for... lodging is used to meet part of the employer’s minimum wage obligation, the amounts so credited may not be more than ... two-thirds (2/3) of the ordinary [apartment] rental value, and in no event more than... \$451.89 per month [effective January 1, 2008].” The Court held that because the management agreement in this case satisfied the requirements of Wage Order 5, Steck was entitled to take a rental credit of \$451.89 per month against the minimum wage amounts owed to Van Nothdurft.

© 2025 Proskauer Rose LLP.

National Law Review, Volume IV, Number 195

Source URL: <https://natlawreview.com/article/resident-manager-apartment-building-was-properly-compensated-part-free-rent>