

Proposed amendments
to the City of Alameda
Rent Stabilization Ordinance

September 3, 2019

Recently Adopted Amendments

Spring
2019

- Removed Sunset Clause
- Ellis Act Policy Adopted

Summer
2019

- “No Cause” Terminations Prohibited
- Annual General Adjustment, Banking and Rent Registration Adopted

SEPT 3RD PROPOSED AMENDMENTS

- “Just Cause” and “AGA” amendments included
- Definitions clarified
- Eviction protections extended to Section 8 voucher holders
- “Temporary Tenancy” authorized
- Owner move-in terminations requirements added
- “Buyout Agreements” regulated
- Relocation payment required for constructive evictions (rent increase above 10% and tenant vacates)
- 50% program fee passed-through to tenants
- New permanent & temporary relocation payment formula

Urgency and
Non-Urgency
ordinances under
consideration

Just Cause/ Annual General Adjustment

- Previously adopted amendments incorporated into the proposed ordinance. Including, but not limited to:
 - “Just Cause” for all rentals
 - Registration for all rentals
 - Annual General Adjustment, rent banking and petition process for most rentals

Definitions clarified

Natural Disasters

- No relocation payments when tenant vacates due to natural disaster

Exempt Units

- Eviction protections extended to Section 8 voucher holders
- Certain units not subject to all regulations expanded to resolve ambiguity

Start of Tenancy

- Rent cannot be increased within the first 12 months of the tenancy

“Temporary Tenancy” authorized

Definition

- Must be at a landlord’s “primary residence”
- Cannot exceed 12 months for most tenancies
- Cannot exceed 5 years if in connection with military assignment
- When tenant vacates, landlord must reside at property for one year

Relocation Benefits

- No relocation payments are required when tenant vacates

Owner move-in terminations requirements added

Time

- After owner move-in termination, owner must reside in unit for 3 years

Frequency

- Only 1 owner move-in termination allowed every 24 months

Penalties

- If the landlord violates the provisions, rent for new tenant is restricted

Buyout Agreements

Definition

- In lieu of a termination, parties agree in writing that tenant will vacate, typically in consideration for a monetary payment

Requirements

- Any buyout offer must inform the tenant of the tenant's rights
- Tenant right to rescind a buyout agreement within 30 days after signing
- Landlords must file the buyout agreement

Relocation Payment for Constructive Evictions

Constructive Eviction Provisions

- Applies to all rental units
- Permanent relocation payment owed when
 - Rent increase above 10% is served, and
 - Tenant elects to vacate within 90 days of receiving notice

Program Fee Pass-Through

Tenant Portion

- 50% of the annual program fee may be passed-through to the tenant.
- Any pass-through to a tenant must be in 12 equal installments

Amount

- \$4.41 monthly based on the current fee amount of \$106
- Fee will be revised based on a few study

Relocation Payments

Permanent

Adopt by
resolution

- Based on fair market rents, actual moving expenses and other factors, such as taxes
- Eliminates option for tenant to trade extra time in the rental unit in exchange for a reduction in the relocation payments
- Establishes “Qualified Tenant Households” that are eligible for enhanced relocation benefits.

Apartment Size	Base Relocation Amount	Augmented Amount (HHs with senior(s), minor child(ern), disabled tenant(s))
Studio	\$ 5,782	\$ 7,472
One bedroom unit	\$6,494	\$8,542
Two bedroom unit	\$7,502	\$10,024
Three bedroom unit	\$9,420	\$12,930
Four (or more) bedroom unit	\$11,008	\$15,313

Relocation Payments

Temporary

Adopt by
resolution

- Temporary relocation payments required when unit is vacated due to a governmental order to vacate or “health or safety conditions” (other than resulting from a natural disaster)
- Appeal process available to resolve disputes regarding health or safety conditions
- Specifics per diem costs, see table below.

Covered Items	Temporary Relocation Amount
Temporary Housing	\$335/day
Meal allowance	\$64 per day per person
Laundry allowance	\$1 per day per household if rental included laundry facilities
Pet accommodations	\$50 per day per cat; \$85 per day per dog; and actual daily boarding cost for all other pets (if the temporary relocation accommodation does not accept pets.)

REGISTRATION FORM

Units subject to AGA

Already in system from fee collection process

Fields	Obligation to provide	Subject to disclosure under the Public Records Act
<input type="checkbox"/> Owner name/ business name	Required one time	Yes
<input type="checkbox"/> Owner mailing address	Required one time	No - Redacted information
<input type="checkbox"/> Owner phone number	Required one time	No - Redacted information
<input type="checkbox"/> Owner email	Required one time	No - Redacted information
<input type="checkbox"/> Owner preferred language	Optional one time	Yes
<input type="checkbox"/> Does owner have a property manager?	Required one time	Yes
<input type="checkbox"/> Property manager name/ business name	Required when applicable	Yes
<input type="checkbox"/> Property manager address	Required when applicable	Yes
<input type="checkbox"/> Property manager phone number	Required when applicable	Yes
<input type="checkbox"/> Property manager email	Required when applicable	Yes
<input type="checkbox"/> Last date [month/year] of property sale	Required one time	Yes
<input type="checkbox"/> Unit address	Required one time	Yes
<input type="checkbox"/> Would you like to receive e-statements in place of mailed notices?	Required one time	Yes
<input type="checkbox"/> Would you like to sign-up for program e-newsletters?	Required one time	Yes
<input type="checkbox"/> Number of bedrooms	Required one time	Yes
<input type="checkbox"/> Unit status (Rented, Owner-occupied, etc.)	Required annually	Yes
<input type="checkbox"/> Tenant name	Required one time	No - Redacted information
<input type="checkbox"/> Tenant phone number	Optional one time	No - Redacted information
<input type="checkbox"/> Tenant email	Optional one time	No - Redacted information
<input type="checkbox"/> Tenant preferred language	Optional one time	Yes
<input type="checkbox"/> Start date of tenancy	Required one time	Yes
<input type="checkbox"/> Date of last rent increase	Required annually	Yes
<input type="checkbox"/> Rent in effect on 9/1/19 [base rent]	Required one time	Yes
<input type="checkbox"/> Rent at time of registration	Required annually	Yes
Housing services <u>included</u> with rent	Required one time, unless changes occur.	Yes
<input type="checkbox"/> Parking <input type="checkbox"/> Refuse/ Recycling		
<input type="checkbox"/> Water <input type="checkbox"/> Pets		
<input type="checkbox"/> Gas/ Electric <input type="checkbox"/> Storage		
<input type="checkbox"/> Laundry <input type="checkbox"/> Gym/ Pool		
<input type="checkbox"/> Other _____ (e.g. A/C.)		

Units not subject to AGA

Already in system from fee collection process

Fields	Obligation to provide	Subject to disclosure under the Public Records Act
<input type="checkbox"/> Owner name/ business name	Required one time	Yes
<input type="checkbox"/> Owner mailing address	Required one time	No - Redacted information
<input type="checkbox"/> Owner phone number	Required one time	No - Redacted information
<input type="checkbox"/> Owner email	Required one time	No - Redacted information
<input type="checkbox"/> Owner preferred language	Optional one time	Yes
<input type="checkbox"/> Does owner have a property manager?	Required one time	Yes
<input type="checkbox"/> Property manager name/ business name	Required when applicable	Yes
<input type="checkbox"/> Property manager address	Required when applicable	Yes
<input type="checkbox"/> Property manager phone number	Required when applicable	Yes
<input type="checkbox"/> Property manager email	Required when applicable	Yes
<input type="checkbox"/> Last date [month/year] of property sale	Required one time	Yes
<input type="checkbox"/> Would you like to receive e-statements in place of mailed notices?	Required one time	Yes
<input type="checkbox"/> Would you like to sign-up for program e-newsletters?	Required one time	Yes
<input type="checkbox"/> Number of bedrooms	Required one time	Yes
<input type="checkbox"/> Start date of tenancy	Required one time	Yes
<input type="checkbox"/> Date of last rent increase	Required annually	Yes
<input type="checkbox"/> Rent at time of registration	Required annually	Yes

Recommendation

- Introduce two ordinances – urgency and non-urgency
- Adopt the resolution establishing the permanent and temporary relocation benefits
- Approve the Rent Registration Statement as provide in the staff report