

CITY OF ALAMEDA RESOLUTION NO. _____

ESTABLISHING RELOCATION PAYMENTS IN ACCORDANCE WITH
THE CITY OF ALAMEDA'S RENT CONTROL ORDINANCE

WHEREAS, the City Council of the City of Alameda has adopted an Ordinance concerning Rent Control, Limitations on Evictions and Relocation Payments for certain displaced tenants; and

WHEREAS, the Ordinance requires landlords seeking to recover possession of rental units under certain subsections of Section 6-58.80 of the Ordinance, and requires landlords who have served Rent Relocation Increases and thereafter the tenant vacates the rental unit, to make relocation payments to "Eligible Tenants" in amounts to be determined by the City Council through resolution; and

WHEREAS, Government Code Section 7060.1(c) authorizes local governments to mitigate any adverse impact resulting from tenants being permanently displaced from their homes through no fault of their own; and

WHEREAS, judicial decisions interpreting section 7060.1(c) consistently authorize monetary payments as a form of mitigation for displaced tenants; and

WHEREAS, the temporary and permanent relocation benefits are vital to Alameda tenants, especially to those who must vacate their homes through no fault of their own, and such benefits are consistent with section 7060.1 and decisional precedents; and

WHEREAS, relocation benefits must be sufficient in amount to reasonably mitigate the multitude of adverse impacts faced by tenants being permanently or temporarily displaced from their homes through no fault of their own; and

WHEREAS, certain households, such as households with a Senior Adult, a person who has a disability and/or a household with one or more minor child, have a need for an increased relocation payment because finding alternative, permanent housing is more limited; and

WHEREAS, tenants who are temporarily displaced due to a governmental order to vacate their rental units or other justifiable reasons as provided in the Ordinance have an immediate need for financial assistance in order to provide for housing, meals and the like; and

WHEREAS, requiring landlords to provide such relocation payments will help mitigate the challenges faced by tenants who must vacate a rental unit through no fault of their own; and

WHEREAS, the City Council finds and determines that the relocation payments set forth in the attached Schedule of Relocation Payments reflects Fair Market Rents

associated with permanent relocation in Alameda and market rates for costs associated with temporary relocations in Alameda; and

WHEREAS, these permanent and temporary relocation benefits are reasonably necessary and do not impose a prohibitive price on landlords' right to exit the rental housing business.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of the City of Alameda as follows:

Section 1: The City Council adopts and approves the attached Relocation Payment Schedule (Exhibit A).

Section 2. All permanent and temporary relocation payments, including Rent Differential Payments, shall be adjusted annually for inflation by the percentage change in the rent of primary residence component of the CPI-W Index for the San Francisco-Oakland-Hayward area published by the United States Department of Labor, Bureau of Labor Statistics, commencing on July 1, 2020 and on July 1st of each year thereafter.

Section 3. The City Clerk shall certify to the adoption of this Resolution, and thereafter the same shall be in full force and effect.

EXHIBIT A
RELOCATION PAYMENT SCHEDULE

Permanent Relocation Payment

Rental Unit	Base Amount	Qualified Tenant Household Amount
Studio	\$5,782	\$7,472
1 bedroom	\$6,494	\$8,542
2 bedrooms	\$7,502	\$10,024
3 bedrooms	\$9,420	\$12,930
4+ bedrooms	\$11,008	\$15,313

A Qualified Tenant Household is defined in Section 6-58.15 FF of the Alameda Municipal Code.

The Relocation Payment will be distributed on a pro-rata basis to each Eligible Tenant.

Temporary Relocation Payment

Per Diem Description	Amount	Term(s)
Hotel or Motel	\$335	per day per household
Meal Expenses	\$64	per day per person
Laundry	\$1	per day per household
Pets		\$85/Dog per day/per animal
		\$50/Cat per day/per animal

Applicable temporary relocation amounts shall be, calculated on a daily basis and paid at least on a weekly basis. A tenant continues to pay rent to the Landlord while receiving temporary relocation payments.

The hotel/motel portion shall be distributed on a pro-rata basis to each Eligible Tenant. The meal portion shall be distributed to each person in the displaced household.

Rent Differential Payment

The Rent Differential Payment is calculated by subtracting the lawful rent the tenant is paying at the time the tenant vacated the rental unit from the Fair Market Rent, as set forth below, based on the number of bedrooms in the rental unit from which the tenant has been displaced.

Studio	\$1409
1 bedroom	\$1706
2 bedrooms	\$2126

3 bedrooms	\$2925
4+ bedrooms	\$3587

The Rent Differential Payment will be distributed on a pro-rata basis to each Eligible Tenant.

An Eligible Tenant receiving a Rent Differential Payment shall not pay rent to the landlord.

* * * * *

I, the undersigned, hereby certify that the foregoing resolution was duly and regularly adopted and passed by the Council of the City of Alameda in a regular meeting assembled on this 3rd day of September 2019 by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said City this 4th day of September 2019.

Lara Weisiger, City Clerk
City of Alameda

Approved as to form:

Yibin Shen, City Attorney
City of Alameda