

## RRAC Staff Presentation 11/05/15

### Background:

- Rent Review Advisory Committee (RRAC) was formed by motion of the City Council in November 1979 upon the recommendation of the Ad Hoc Rent Evaluation Committee.
- The Committee is a volunteer committee that reviews rental increase complaints and allows tenants and landlords a neutral forum, providing mediation.
- Neither staff nor the Committee is authorized to provide legal advice to tenants and landlords. Legal questions regarding tenant/landlord rights are referred to ECHO housing.
- Echo Housing has been vetted as a referral service provider, as they receive CDBG public services funds to administer both a Fair Housing Program and a tenant/landlord counseling program.
- Evaluates increases, determines whether they are equitable and if not attempts to mediate a resolution acceptable to all parties.
- Comprised of 5 volunteer members: 2 landlords, 2 renters, 1 neutral homeowner.

### Process:

- To request review and mediation, the renter fills out a Rental Increase Complaint (RIC) form for submission to the Committee within seven days of receiving the Increase Notice.
- The front of the RIC asks for a history of the rents, a description of the size of the unit and amenities of the building; the reverse side is for complaints regarding maintenance.
- Staff contacts both the tenant and the landlord to discuss case. At this time staff provides a referral to ECHO housing for any tenant/landlord legal rights questions and counseling as needed.
- Both parties are encouraged to communicate directly to see if they can come to an agreement prior to the meeting.
- The owner is sent a copy of the RIC form and a letter requiring their attendance at the next meeting. The renter also receives written notice of the meeting.
- If an agreement is reached prior to the meeting, the landlord and tenant are asked to contact staff to confirm that they have reached an agreement and would like to remove the case from the agenda.

- When the case is reviewed the tenant has an opportunity to discuss the reason for filing a RIC and then the landlord is given an opportunity to respond. The committee may ask follow up or clarification questions.
- The committee then moves into mediation asking both sides a variety of questions to see if they can come to an agreement.
- There are times when both parties naturally will come to an agreement and a recommendation is not needed.
- Once the committee feels that they have come to a point where both parties are close to an agreement, but there may be some hesitation on the either side, the committee will make a recommendation and the landlord has 10 days to concur with the recommendation.
- After the Committee has issued a recommendation, if the parties do not concur, either the housing provider or tenant may within seven calendar days request that City Council review the recommendation.
- City Council would review the case as soon as it can be included on a Council Agenda and issue a letter under the Mayor's signature encouraging both parties to agree to the Committees recommendation.

#### **Success of RRAC:**

- The RRAC has been able to mediate an overwhelming majority of cases and is an effective process for communication that tenants and landlords would not otherwise have.
- Here is a snap shot of 2014 to date.

#### **January 2014 through December 2014**

#RICS Filed: 31

#RICS Mediated by RRAC: 22

#RICS Withdrawn by Tenant/Landlord: 9

Average percent of increase as stated on the RIC in 2014: 20% (Range from 7% to 54%)

#### **January 2015 to October 5, 2015:**

#RICS Filed: 57

#RICS Mediated by RRAC: 33

#RICS Withdrawn by Tenant/Landlord due to resolution: 24

Average percent of increase as stated on the RIC in 2015: 23% (Range from 5%-55%)

**CITY OF ALAMEDA  
FISCAL YEAR 2015-2016  
TENANT/LANDLORD COUNSELING & DISPUTE RESOLUTION  
FIRST QUARTER**

**ACTIVITY REPORT**

1. **200 low and moderate income households will be provided with access to housing counseling services for the purpose of gaining knowledge of rights and responsibilities.**  
Report on types of inquiries and assistance provided.

**Definition of an Inquiry:**

Counseling provides the client with information and education on rental housing rights and responsibilities, such as evictions, repairs, habitability, deposits, or rent increases. The Counselor may provide counseling in the form of education and options which may help the client to assert and protect his/her rights.

**Definition of a Conciliation:**

Conciliation and mediation are dispute resolution processes where renters and housing providers attempt to resolve their differences. The Counselor facilitates this by improving communications, reinterpreting issues, exploring solutions, and bringing about a negotiated settlement. In conciliation the parties rarely face each other across the table in the presence of the conciliator. Most of our conciliations occur via telephone. Mediation is a formal, structured process facilitated by a mediator aimed at getting the parties to reach a concrete resolution. In mediations, the parties sit across the table from each other, addressing and attempting to resolve each issue.

Thirty-nine households were served:

<b>Type of Inquiry</b>	<b>Achieved</b>	<b>Assistance Provided</b>
Eviction	8	Counseling provided and/or information mailed to 9 households: one case referred to Seasons of Sharing; one case referred to legal counsel.
Deposit	3	Counseling provided and/or information mailed in 3 cases: 2 cases referred to Small Claims Court.
Harassment	0	N/A
Retaliation	0	N/A
Entry	1	Counseling provided and/or information mailed in one.
Repairs	5	Counseling provided and/or information mailed in 5 cases: one case successfully conciliated.
Rent Increase	8	Counseling provided and/or information mailed in 8 cases: one case referred to the RRAC.
Other	23	Counseling provided and/or information mailed in 23 cases: one case referred to Small Claims Court; one case referred to CIL; one case referred to legal services; one case successfully conciliated; one case referred to Code Enforcement.
<b>TOTAL*</b>	<b>48</b>	