

## Let's avoid over-burdening our R.R.A.C. Board

Our R.R.A.C. process is the most vital component of the Rent Review Ordinance. Having been closely involved with Rent Mediation programs in various cities for years it has become obvious that an overcrowded Review Board will diminish its ability to function efficiently.

*Tenant Notification* - Our Alameda R.R.A.C. had no mandated notification till recently. With tenants receiving instructions on how to file for a hearing, attached to their rent increases from now on regardless of increase amount, and with the new Ordinance stating that every increase above 5% will automatically trigger an R.R.A.C. hearing we are being naïve if we think our R.R.A.C. Board will be able to handle the load.

*Annual Cost of Operations* – Tenants pay half. Landlords pay half. Obviously the cost of operations will depend on the number of cases filed. Since the tenants can file regardless of the increase amount, why mandate an automatic filing once the Landlord notifies the City of a 5% or more increase? That's redundant. That runs up the costs to tenants and to landlords.

Now the obvious way to avoid this would be to move this threshold back up to 8% or to 7% but I am not so naïve to expect that this will happen tonight.

Then, let's take a look at some alternatives.

### *Alternative One*

1. A tenant may initiate a Rent Review case regardless of the increase amount. When a landlord issues an increase above 5% he must notify R.R.A.C. R.R.A.C. would take no action unless the increase exceeded 7% in which case the Tenant would be notified and an R.R.A.C. process would be initiated.

### *Alternative Two*

2. If a Landlord issues an increase exceeding 5% he notifies R.R.A.C. R.R.A.C. would take no action if the Landlord demonstrates in his notification to R.R.A.C. that: A and B

Submitted by John Sullivan  
Re: 6-E  
B-1-16

- a. Since tenant moved into the Property the average annual rent increases has not exceeded 5%.
- b. The increase being proposed does not exceed 7%.

If the goal is to collect information on increases above 5%, then that is being accomplished. Three vital concerns are also being addressed.

- A. Safeguarding our R.R.A.C. – less cases.
- B. Protecting Landlord/Tenant relationships. No Redundancy. Tenant can file if they wish.
- C. Keeping Operational costs down – No Duplication.

Choosing one of those alternatives would be a win-win solution.



## A few other concerns that need clarification

### *Concern Two*

Habitability Questions: Typically, a Tenant bringing a case before R.R.A.C. In order to strengthen his/her case brings up the issues of the apartment allegedly being in an uninhabitable condition.

To avoid having Review Board get bogged down with such allegations any such questions to be turned over to E.C.H.O. Housing. Such cases would normally be handled by E.C.H.O. who has the obligation to investigate and correct any such issues – just as they do in other cities.

### *Concern Three*

Landlord Rep - Our Ordinance mandates that at R.R.A.C. Hearings the Landlord must be represented by someone with an ownership interest. This could be problematic if an Owner is out of state, is incapacitated maybe deceased.

Suggestion – This matter to be at the discretion of R.R.A.C. Board or the City Manager.

### *Concern Four*

*Relocation Fees* - Our Ordinance mandates that 50% of Relocation Fees must be paid before the Tenant vacates. What if the Tenant takes the money and simply refuses to vacate and refuses to pay further rent? An eviction and lost rent, because of delays, avoiding service of papers etc. can cost in excess of \$10,000.00.

Suggestion – This money to be paid directly to a new Landlord when Tenant provides verifiable evidence of a signed lease or Rental Agreement on alternate housing for the tenant.

Thanks,

John Sullivan

## Thank you Mayor and City Council Members

I obviously have voiced my concerns on some of these issues already. I am passionate in my desire to see this “New Look” Rent Review Board operate successfully.

None of my requests – suggestions involve a major change – Just vital clarification. Please do take the time to do that tonight.

### *To Finish UP*

I have been actively involved with this Housing issue for the last 18 months or so. I appreciate your enormous efforts. You were dealt a Non-Winning hand. I thank you – every member of our City Council for your heroic efforts. Obviously, my similar Thanks to the Staff.

John Sullivan

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