

LARA WEISIGER

From: Robert Schrader <rjschrader@yahoo.com>
Sent: Friday, April 07, 2017 4:37 PM
To: Trish Spencer; Frank Matarrese; Marilyn Ezzy Ashcraft; Jim Oddie; LARA WEISIGER; Michael Roush; Jill Keimach; Malia Vella
Cc: Penelope Schrader
Subject: The continuation of the Ordinance 3148 review.

I was a little surprised to see an additional 'correspondence' document attached to the agenda for today's meeting that had emails regarding this agenda item dated post 4/4/17. I had presumed that no further public input would be accepted, as the period for public comment had lapsed, and the meeting was being continued during Council discussion.

So - are emails exempt from this process?

Well, if so - I just wanted to say that I have read the staff recommendations in detail - and am in favor of exempting mother-in-law units (one of the few things I liked in M1, by the way) even though I recall that Ms. Potter referred to this as an oversight and in error.

Secondly, I think that the idea of using some other category of rent value instead of the actual rent being charged will lead to serious inequities - as we have a wide range of rentals in Alameda, of differing values and circumstances, and it can be assumed that the displaced tenant has chosen his rental situation carefully and has determined that his situation is acceptable, or even preferred to other choices.

In addition, I have looked at the AHA Eviction database, and compared the individual category of the rental specified in their database with Google Map, Zillow or other methods, and found significant concerns with their category of listings. As an example, on 3/30/17, there was an eviction at '3255 Liberty Street, Garage Unit'. This was categorized as a Single Family House on the AHA website, but had a rent of \$920.00 per month.

The AHA Section 8 'Payment Standard' being proposed by ARC is not fine enough to distinguish among the variety of rentals in Alameda. If it were applied to the case above (wrongfully, I might add, as the main house at 3255 Liberty Street is 2 bedroom, 2 bath house, and the only category in the Payment Standard that correlates is a 2 bedroom apartment) would be \$2,390.00.

One could not rent a 2 bedroom house in Alameda for that amount, nor does it even apply, as the rental, pretty clearly, is the second unit on this property - the garage - converted into an apartment.

How does one propose to handle situations like this? The simplest solution is to use existing rent as a measure of value and go forward with that in the relocation fee calculation.

Let's keep this complex ordinance as simple as possible, and allow for real-world flexibility.

Best Regards,

Robert Schrader

LARA WEISIGER

From: Janet Kern
Sent: Friday, April 07, 2017 4:02 PM
To: LARA WEISIGER
Subject: FW: Just Cause in M1 Campaign (Images and Photos)

From: Jose Cerda-Zein [mailto:jose@cerdazein.com]
Sent: Friday, April 07, 2017 3:56 PM
To: Trish Spencer <TSpencer@alamedaca.gov>; Jim Oddie <JOddie@alamedaca.gov>; Malia Vella <MVella@alamedaca.gov>; Frank Matarrese <FMatarrese@alamedaca.gov>; Marilyn Ezzy Ashcraft <MEzzyAshcraft@alamedaca.gov>
Cc: Janet Kern <JKern@alamedacityattorney.org>; City Manager <MANAGER@alamedaca.gov>; DEBBIE POTTER <DPOTTER@alamedaca.gov>
Subject: Just Cause in M1 Campaign (Images and Photos)

Hi Trish, Jim, Malia, Frank, Marilyn and staff.

It was mentioned at the last city council meeting (4-4-2017) that voters of Alameda were not informed regarding the Just Cause Provision in M1.

Attached are 13 images/photos that where online that show the marketing material used by the M1 Campaign.

Based on the attached images/photos it is clear the voters of Alameda were fully informed and aware when the put in their votes against any Just Cause Provision (NO on M1).

Based on the following items, a just cause eviction provision should not be considered as this time:

1. The Just Cause Provision was a major reason as to why M1 was rejected by the voters of Alameda, and;
2. The data that has been presented by staff does not show any evidence that evictions in Alameda are at a crisis level.

Let me know if you have any additional thoughts, questions, suggestions, and/or concerns.

As always, I am available to you by voice or text at 510-523-5673 or by simply replying back to this email.

Committed to your Success.

Jose Cerda-Zein
Cerde-Zein Real Estate | Broker | License #01403669
1417 Everett Street Alameda CA 94501-4631
510.523.5673 (voice or text) | jose@cerdazein.com
www.cerdazein.com



VOTE YES on M1

to keep Alamedans in their homes by ending evictions without cause and exorbitant rent increases. *M1 provides just-cause protections, so that our neighbors can stay in their homes.*

VOTE NO on L1

because it *forces our neighbors out of Alameda by allowing evictions for no reason, and it does not cap rent increases.*

KEEP ALAMEDA DIVERSE AND INCLUSIVE - VOTE

Trust your neighbors – more than 7,300 of your neighbors put M1 on while outside real-estate investment companies have spent more than \$75

VOTE Yes on M1 to keep Alamedans in their homes.

ALAMEDA RENTERS COALITION

Keeping Alamedans in Their Homes



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- **BECOMING** self-sustaining after implementation

Get involved! Talk with us at:

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Facebook: Yes on M1

Twitter: @AlamedaRenters

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Measure L1 disrupts our community by

- **ALLOWING** no-cause evictions (25% of a building year)
- **NOT** capping rent increases
- **PERMITTING** a nearly 8% average rent increase the city's mayor-appointed mediation process
- **NOT** providing additional homeowner protection

JOIN THE FOLLOWING INDIVIDUALS AND GROUPS IN SUPPORTING MEASURE M1:

Assemblyman Rob Bonta - Congresswoman Barbara Lee - Alameda Board of Education candidates Gray Harris, Matt Hettich, Dennis Popalardo, and Ardella Dailey - Alameda Planning Board member David Mitchell - Alameda Labor Council - Alameda County Democratic Party Central Committee - Alameda Progressives - East Bay Young Democrats - Filipino Advocates for Justice - Renewed Hope

ENDORSED BY CONGRESSWOMAN
BARBARA LEE,
ASSEMBLYMEMBER ROB BONTA,
AND STATE SENATE CANDIDATE
SANDRÉ SWANSON

M1

VS

L1

JUST CAUSE

Per state law, allows eviction in cases of breach of lease, nonpayment of rent, criminal activity, owner move-in, and capital improvement plans.



EVICITION
PROTECTIONS

NO CAUSE

Allows 25% of a building to be evicted per year for no reason and without due process

\$0

No new taxes or drain on the General Fund. Fiscally self-sustaining after implementation without any loss of city services.



TAXPAYER
COST TO DATE

\$1.2 MILLION

City Council has not been collecting the existing landlord fee, so they've been draining the General Fund (your dollars)

\$1.8 MILLION

Funded by a \$120 annual fee on landlords (collected by the elected rent board, not City Council)



ANNUAL COST

\$1.95 MILLION

Funded by a \$131 annual fee and currently paid for by the General Fund (your tax dollars)

Exempts "in-law" units and temporary tenancies under 12 months from rent control and relocation fees. Requires written notice and approval for roommates, and requires primary tenant to live in unit.



ADDITIONAL
PROTECTIONS

Does not exempt "in-law" units and imposes relocation fees on homeowners who rent out their homes for even one month! No sub-letting protections like under M1

On November 8, stand with Alamedans.

**VOTE YES ON M1
AND NO ON L1.**

www.TheAlamedaRentersCoalition.org

@Alameda_Renters fb.com/mlyes

Paid for by Alameda Renters Coalition. FPPC #: 1184224
Sources: East Bay Times, East Bay Citizen,
Alameda County Registrar of Voters, Alameda City Clerk.

Dear fel

We are **Homeowners for M1**, support
No

We are a diverse group of Alameda residents
city. We proudly support Measure M1
provide just-cause for eviction protection

- **M1 will stabilize our community**
in Alameda. That means Alameda students
and work. That means our kids' circles of friends
together and preserving relationships and
- **M1 will free up our City Council**
rent board helps remove the issue from City
meetings earlier this year? With an election
is important, and it deserves a democratic

Measure M1 is fair, balanced, and provides long-term protection for renters

**YES on
M1**

- Sustainable rent increases tied to local rate of inflation
- An end to no-cause evictions that put families out of their homes
- Protects homeowners with “in-law” exemptions
- Self-supporting through lower business fee per rental unit of \$120
- NO NEW TAX
- Independently elected rent board free of City Council politics

**NO on
L1**

Alameda Renters Coalition gathered signatures to put M1 on the ballot. This is the measure that you signed a petition for!

M1 is endorsed by: Civic Leaders: Congresswoman Barbara Lee, Assemblymember Rob Bonta, Former Assemblymember and State Senate Candidate André Swanson, Alameda Board of Education Member & Candidate Gray Harris, Alameda Board of Education Candidates Matt Hettich, Dennis Popalardo & Ardella Dailey, Alameda Planning Board Member David Mitchell, Cynthia Bonta, Mari Perez-Ruiz

Organizations: Alameda County Democratic Party, Alameda Labor Council, Alamedan Homeowners for M1, Alameda Progressives (formerly Alameda for Bernie Sanders), Asian Pacific Environmental Network Action, Bay Rising, East Bay Express, East Bay Young Democrats, Filipino Advocates for Justice, Green Party of Alameda County, League of Conservation Voters of the East Bay, International Longshore and Warehouse Union (ILWU), International Brotherhood of Electrical Workers (IBEW) 1245, Renewed Hope Housing Advocates-Alameda, Tenants Together, Urban Habitat, United Food and Commercial Workers (UFCW) Local 5

Faith Leaders: Fr. Dana P. Michaels, La Luz del Mundo Church, Rabbi Barnett J. Brickner, Rev. Emily Lin, Rev. Jeanelle Ablola, Rev. Michael Yoshii, Rev. Tita Valeriano, Sister Pat Nagle

Paid for by Alameda Renters Coalition

P.O. Box 2322, Alameda, CA 94501 FPPC# 1384224



www.TheAlamedaRentersCoalition.org





M1 / L1 Crib Sheet

A Snapshot of 2 Ballot Measures

M1	L1
Rolls back rents to levels in May 2015.	No rollback.
Permanency - M1 amends Alameda's city charter and cannot be changed except by voters.	L1 is temporary, expiring December 2019, and can be modified or repealed any day by the City Council.
\$1.8 million cost to administer, fully funded by Program Fees paid by Landlord.	\$2 million cost to administer, fully funded by Program Fees assessed to Landlord; half recoupable from Tenant.
Requires \$600K to fund a Rent Board special election.	No special election required.
Relies on an elected Rent Board; so renters are not as vulnerable to the whims of local politics. Decisions by the Board are binding.	Relies on a tribunal (called the "RRAC") of political appointees serving at the will of the mayor. Decisions are non-binding in many cases.
Ties rent increases linked to inflation via the Consumer Price Index. Landlords can petition for more if justified.	Up to 5% increases go unquestioned, and landlords can petition for more. (Average increase has been 7.9%.)
Requires realistic relocation fees to compensate displaced renters.	Relocation fees are inadequate and have strings attached.
Rent Board decisions and deliberations are public record.	Relies on expensive and secretive mediation, hampering enforcement of housing discrimination laws.
Prohibits No-cause evictions. A concise 20-page compendium of California best practices from a two-year study of <u>proven</u> California rent law. Does not repeal existing rent control law, but overrides most of it, leaving important parts intact.	Allows 25% No-cause evictions annually per apartment complex. Complicated, 8 pages longer. Controversial <u>untested new law</u> inviting expensive legal challenge.
	If both measures pass and L1 gets one more vote than M1, all of M1 is nullified.
Annual Program fee of \$120/unit	Annual Program fee of \$131 charged to Landlord; half recoupable from Tenant. Program Fees of \$471 (Landlord) or

Alan

Alan
Ren
Coal-

Just
Cause

ENDORSED BY
BARBARA
ASSEMBLY
AND STATE
SANDRE

ENDORSED BY
CALIFORNIA APARTMENT

ENDORSED BY
CALIFORNIA APARTMENT



Dear neighbor,

Hi, I'm an Alameda resident and volunteer with the **YES on M1** campaign. I'm sure you've seen the multiple mail pieces from the **L1** campaign. It's alarming that so much outside money is being spent on fear-mongering in our city. There are real sides in the **M1 / L1** debate:

**7,300 ALAMEDA
VOTERS (M1)**

VS.

\$750,000

in outside real-estate
money to undermine
residents (L1)

Our journey began last spring when the Alameda Renters Coalition collected 7,300 Alamedan voter signatures to put true rent control on the ballot. If you signed a petition, thank you! Your support now helps finish nine months of hard work by volunteers.

M1 is supported mostly by individuals (averaging \$52/donor) who want to protect renters from no-cause evictions and huge rent increases. Over the past five years, the average rent in Alameda has increased 86%!

Please take a look at the other side for information that clears up misconceptions and misinformation about **M1**.

Join us in standing with Alamedans who want to stay in their homes.

On Nov 8th, vote **YES on M1** and **NO on L1**.

Thank you for your time,

REPORT CODES: H=HOME PHONE M=MOBILE PHONE PTY=PARTY VTS=COUNT OF VOTES SUP=SUPPORT FIELD ID *VOTER IN SELECT PAY=PERMANENT ABSENT
RESPONSE CODES: BN=BAD NUMBER BNH=BAD NUMBER (HOME) BNM=BAD NUMBER (MOBILE) DEAD=DECEASED DNC=DO NOT CALL GTD=GATED LM=LEFT MESSAGE MV=M

CAMPAIGN MESSAGE:



Avoid over-soaping. Pre-measure detergent before adding to the washer. For non-HE detergents, **USE 1/4 OF THE RECOMMENDED AMOUNT.** For best results, use high-efficiency (HE) detergent.



ALAMEDA RENTERS COALITION

Keeping Alamedans in Their Homes



Vote YES on M1

Put on the ballot by 7400 registered Alamedan voters

Measure M1 preserves our neighborhoods by

- **ENDING** no-cause evictions
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- **CREATING** an elected Rent Board free of City Council politics
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- **NOT** providing additional homelessness protection

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LARA WEISIGER

From: Robert Schrader <rjschrader@yahoo.com>
Sent: Friday, April 07, 2017 3:49 PM
To: Trish Spencer; Frank Matarrese; Marilyn Ezzy Ashcraft; Jim Oddie; LARA WEISIGER; Jill Keimach; Malia Vella
Subject: No Cause Eviction not mentioned during the L1/M1 campaign?
Attachments: ARC Flyer 1.docx

Council Members:

I just finished watching the video of the council meeting, and have a couple of comments regarding Council Member Vella's recollections regarding Cause vs No-Cause evictions.

Firstly, there was a comment that Cause/No-Cause evictions were not discussed during the campaign last fall. They were. In fact, I have attached a scan of the ARC flyer, which was widely distributed during their campaign. You will note that the first bullet point highlights just this topic. Not only was it discussed, but it was given position of first importance.

Secondly, during Tuesday's meeting, Ms. Vella said that 'All the speakers talked about it.' during her comments beginning at about 5:22:00.

I looked over the video, and found that there were a total of 29 speakers, of which 17 talked about it - 58% - certainly not 'All', and barely 'most'. Of those 17 speakers, 11 were in favor of maintaining No-Cause evictions as written in 3148, and 6 were opposed to it, and wanted No-Cause evictions removed. You will note that this is about 2:1 in favor of maintaining the No-Cause eviction sections of 3148 - about the same as the L1/M1 vote.

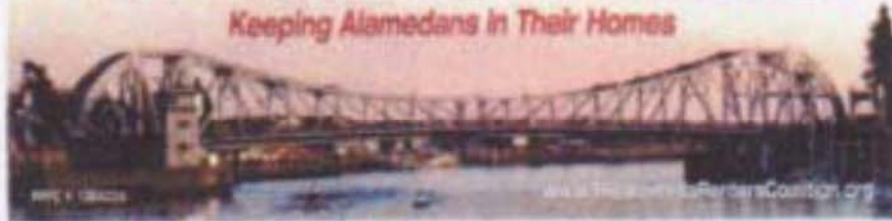
We all recollect things differently, and I am not trying to attack Council Member Vella in this case, but have been asked by other landlords who attended the meeting to provide some clarification here as you continue your discussions.

Best Regards,

Robert Schrader

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MEASURE M1 ENDORSED BY:

Assemblyman Rob Bonta - Alameda Labor Council - Alameda County Democratic Party Central Committee -
Alameda Progressives - East Bay Young Democrats - Filipino Advocates for Justice – *and more*

LARA WEISIGER

From: Marie Kane <mariekane94502@gmail.com>
Sent: Friday, April 07, 2017 3:43 PM
To: Trish Spencer; Jim Oddie; Frank Matarrese; Marilyn Ezzy Ashcraft; Malia Vella; LARA WEISIGER; Claudia Young; DEBBIE POTTER
Subject: No Cause Evictions being Addressed During the Campaign
Attachments: ARC Flyer.pdf

Dear City Council,

I was disturbed to hear ARC members falsely stating and some council members concurring that "no cause" and "just cause" evictions were not discussed during the election process.

We at Alamedans For Fair Rent Control had it as one of our issues in all our informational flyers. Some sent citywide to the voters.

ARC had it as one of their issues. See attached flyer.

Please refrain from saying this was not an issue presented to the voters.

Thank you,

Marie Kane

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Alameda Progressives • East Bay Young Democrats • Filipino Advocates for Justice – and more

From: Janet Kern
Sent: Friday, April 07, 2017 3:33 PM
To: Trish Spencer; Malia Vella; Frank Matarrese; Jim Oddie; Jill Keimach; Liz Warmerdam; LARA WEISIGER; mhrlegal@comcast.net; DEBBIE POTTER
Cc: Marilyn Ezzy Ashcraft
Subject: FW: Conflict
Attachments: image1.jpeg

I am forwarding Councilmember Ezzy Ashcraft's response to Mr. Martin's inquiry.

From: Marilyn Ezzy Ashcraft
Sent: Friday, April 07, 2017 3:07 PM
To: Farhad Martin <farhad@benhadproperties.com>
Cc: Jan Mason <jan@ommmhomes.com>; Don Lindsey <donslindsey@jps.net>; Doug Smith <fullerpm@pacbell.net>; Jose Cerdas Zein <jose@cerdazein.com>; Jeanne Allen <jeannehallen@gmail.com>; Janet Kern <jkern@alamedacityattorney.org>; Jill Keimach <jkeimach@alamedaca.gov>
Subject: Re: Conflict

Hello Farhad,

In response to your inquiry, no.

Marilyn Ezzy Ashcraft
Councilmember, City of Alameda
(510) 747-4745

On Apr 6, 2017, at 8:49 AM, Farhad Martin <farhad@benhadproperties.com> wrote:

Marilyn,

As you go forward with your efforts to establish hard restrictions on owners of our community's older housing stock you are in turn making a more advantageous playing field for new developers in Alameda. With their exemption from most of our rent restrictions the question has to be asked . Are you or your husband affiliated in any way with the developers who are currently engaged with the city at any stage of development ? I'm sure you would agree that is a reasonable question given your husbands job.

Partner, Hanson Bridgett LLP

Construction and design law with alternative project delivery and t in design and construction.

Experienced in the use of Integrated Project Delivery and a Steering Committee member for Integrated Project Delivery force for the Center for Innovation in Construction.

Thirty years experience representing designers and contractors in project contracts, professional practice a

Thank you

Farhad Matin

BenHad Properties LLC
Matin Trust
510-282-6948

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From: Rasheed Shabazz <hopein510@gmail.com>
Sent: Friday, April 07, 2017 6:18 AM
To: LARA WEISIGER; City Clerk
Subject: Remarks to City Council on Agenda item 6B, 4/4/2017 agenda
Attachments: Council - Rents - 2017-04-04 - Item 6B - Remarks-Rasheed-Shabazz.pdf

Greetings. I am writing to share my complete statement (mini-essay) on Item 6-B from the Alameda City Council meeting of April 4, 2017. My recommendations are below.

Good evening Mayor, Vice-Mayor, City Council, City Staff and People of Alameda. My name is Rasheed Shabazz.

I wish to begin by noting the significance of today. On April 4, 1968, Rev. Dr. Martin Luther King, Jr was assassinated. Many historians argue that it was not until the uprisings following his murder that the Fair Housing Act of 1968 was passed.

I'm here to speak on my most recent experiences with rental housing in Alameda. In fall 2014, I came before the City Council re: a proposed task force to study the issue of increased rents and housing displacement. I spoke favorably about our landlord for not raising the rent on my mother and I for 9 years. [\[1\]](#)

He raised our rent soon after.

An Invalid Termination

In December 2015, less than a month after the Council meeting enacting the moratorium, the landlord delivered a tenancy termination notice. Although not listed on the notice, he told my mother verbally that he planned to move an in-law in. Despite having nearly a dozen other properties in Alameda, he chose our unit. Due to a combination of fear, a lack of confidence in Alameda to protect tenants, and exhaustion dealing with an off-erratic landlord, my mother moved.

I knew about the moratorium and that the notice was invalid. Due to the moratorium, in February 2016, I came before this Council in the meeting a Kofman Auditorium. I shared that over a decade earlier, residents had called for a moratorium on evictions. When I communicated that our lease was invalid, city staff communicated

this to the landlord. Still, the landlord continued to harass me, banging on our door early in the morning, in order to intimidate and persuade me into moving. It was not until I threatened to file a restraining order that he ceased.

A \$500 rent increase?

In September 2016, the landlord noticed me that he planned increase our rent by \$500, effective in November. This notice was invalid since it was less than 60 days notice. I'd contacted the RRAC in that respect, and he later sent a second notice to RRAC, and later to me. I'm not sure if staff advised him on how to file proper notice, or if he figured it out on his own. I completed the form RP-09, thus setting up a hearing.^[iii]

First, AHA staff was very helpful (Jennifer and Claudia). Staff was very communicative with me about the process, making sure I knew hearing was. Also, staff also asked me about my experience, with the intention of improving it for others. Staff was also available when I followed up at session here at City Hall. So I commend the staff for all their effort, within the current structure.

Observations and Analysis from my RRAC Experience

At the RRAC hearing on November 9, 2016, I argued:

- the rent increase was retaliatory—even though the notice was over six months prior;
- There were no repairs or new amenities justifying the increase;
- Lastly, I noted that his “fair” return on property was strange, being that our rents had paid his mortgage for the property.

Although they may be well-intentioned, the process used by RRAC members to make a decision felt very arbitrary. In my analysis, my results ended up somewhat favorable because:

- I adamantly opposed any increase;
- The landlord had an unpleasant demeanor;
- Humbly, my arguments were persuasive to the RRAC members;
- A number of community members spoke kindly about me before the RRAC

- Perhaps the outcome would have been differently if the landlord represented white “Old Alameda” and was not a heavily accented migrant from Vietnam.

There may be other factors. This is a very complex matter lay people are being asked to decide. Ultimately, although the ordinance mentions factors that c/would be considered, there did not appear to be a matrix used to assess and decide amounts. The process feels very uncertain.

Here are some challenges with the process:

- Tenants do not show up—for various reasons;
- Tenants are asked to reveal very personal information;
- Landlords have no burden of proof (i.e. for example, how many units do they own?);

- Finally, with case of owner move-in, it's simple to change the name on utility bills. For example, the landlord did this in my case, despite the fact that I did not move.

Response to Staff Recommendations

I support the following staff recommendations:

- The creation of a rental office – having central place will be great resource to tenants
- Additional staffing support – Current staff works very diligently and could benefit from additional assistance
- Client Management System (CMS) to assist case management – managing so many contacts/correspondence and cases is complex

- Translation of materials – There may be a large proportion of residents unaware of their rights and unable to advocate for themselves due to language barriers.

- For example, in January 2017, a neighbor moved out due to rent increases. I suspect it is the language barrier that led my Vietnamese neighbor moving out and in with relatives, and not challenging a rent increase he attributed to him moving (Simply: "I move. Rent too high.").

Response to Landlord Arguments

I want to respond to a few claims from landlords:

- **November 2016 Election:** The "Respect the election" argument, that "the people of Alameda have spoken" does not factor: low voter registration, low-voter turnout (80%), and undervotes for LI and MI (6% and 7%, respectively)!!!!. Also, my post-election conversation suggests a number of voters were confused regarding what each measure meant.

- Although Donald Trump was elected, this City Council voted to impeach him—albeit for other reasons.

• **No Cause Evictions:** The “no cause” advocacy by landlords continues to rely on a “dog whistle” argument that criminalizes tenants. This coded racist and classist rhetoric references “problem tenants” as “criminals”, “outsiders”, and references increases in “crime”. There are legal means to remove tenants involved in unlawful activities, and it’s unfortunate landlords are stereotyping tenants.

• **Declining Maintenance:** Landlords claim if they do not receive money, they will allow their property to decline. Many already do this, allowing properties to deteriorate to maximize profits and/or justify removing tenants. Unfortunately, this argument about not maintaining their properties sounds like a threat they are lobbying. To paraphrase: Give us more money, or we allow properties to become blighted.

• **Relocation Fees:** Lastly, limiting the relocation fees to properties over six units does not take into consideration situations like my own. I live in a building with three units, next to another building with two units—all owned by the landlord. He owns several properties throughout the island. My landlord wants me to move so he can earn more money for the unit. It were not for the potential relocation fees, he would force me out. I suspect his ego and business mind combine to prevent him from considering such a prospect.

Support for ARC’s Recommendation

I support the Alameda Renter Coalition’s recommendations. In regards to how this impacts me personal, I support the following in particular:

- **No cause evictions** – Without “just cause” evictions, I fear my landlord will force me to move out with “no cause” – the only reason truly being he could gain more money with a high paying tenant—like the new guy upstairs.
- **Relocation payments** – The purpose of relocation benefits was to support long-term tenants and prevent displacement for the purpose of profiteering.
- **Removing the “sunset”** – I live in uncertainty. Since landlords say they want to experiment for some time to gather facts. Promote stability.
- **Rent cap** – The current ordinance would not have prevented my landlord from increasing my rent 45% or \$500, but the RRAC process had a different result.

Additional Observations

In addition to supporting the ARC’s recommendations, I would wish to note the following:

- **Race Matters** – The BAE study has a glaring oversight: race was not included in the study. Prior to, during, and after the moratorium, I’ve observed at least half a dozen Black families forced from their homes. I may be our landlord’s only Black tenant. Because this data is not captured, we do not know if disparate impact exists. Additionally, due to the lack of diversity of the tenant advocacy group in its recent years and segregated social networks, there may have been other non-white families impacted. Yet, without the inclusion of racial demographics in these studies, we have no definite answers of the true impact.^[iv]

- **Other protected groups** - Additionally, questions of age, income, and disability status were also not included. This is important to recognize how marginalized groups are impacted.

[1] Michelle Ellison, “Council abandons rents task force”, *The Alameda*, September 17, 2014, <<http://thealamedan.org/news/council-abandons-rents-task-force>>, accessed April 4, 2018.

[ii] Exhibit 2, Forms submitted by tenant, Case Number 567, RP-09 Form; Rent Review Advisory Committee Meeting Minutes, November 9, 2016, Agenda: <<https://static1.squarespace.com/static/56df370d22482e5c7f09022f/583db49be4fcb5082fe943e0/1480438940061/11.9.2016+Agenda.pdf>>, Minutes: <<https://static1.squarespace.com/static/56df370d22482e5c7f09022f/58bf0ba19de4bb249cbaea80/1488915362140/2016-11-09+RRAC+Minutes.pdf>>.

[iii] Calculations based on Statement of Vote, Alameda County General Election, November 2016; ACGOV.org accessed, April 4, 2017. <http://www.acgov.org/rov/elections/20161108/documents/sovc.pdf>

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<<https://static1.squarespace.com/static/56df370d22482e5c7f09022f/t/583db49be4fcb5082fe943e0/1480438940061/11.9.2016+Agenda.pdf>>, Minutes: >

<https://static1.squarespace.com/static/56df370d22482e5c7f09022f/t/58bfb0ba19de4bb249cbaea80/1488915362140/2016-11-09+RRAC+Minutes.pdf>.

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^{iv} See Exhibit 1, Alameda Rent Study, City Council Meeting, November 4, 2015. <http://www.acgov.org/rov/elections/20161108/documents/sovc.pdf>

From: Marie Kane <mariekane94502@gmail.com>
Sent: Thursday, April 06, 2017 1:24 PM
To: Trish Spencer; Frank Matarrese; Jim Oddie; Malia Vella; Marilyn Ezzy Ashcraft
Cc: DEBBIE POTTER; LARA WEISIGER; Claudia Young
Subject: Rent Control

Dear Trish, Jim, Frank, Malia and Marilyn,

If you
really

love our city and its people -- renters and housing providers alike, please proceed with caution on any changes to Ordinance 3148.

Having been working in real estate here since 1973 (43 years) and still being very active in the business, I feel I have my finger on the pulse of what is happening in the real estate market.

Something not
well

discussed at the Council meeting is the fact that the **housing supply for renters will diminish** if you adopt policies like those

outlined in Measure M1. When just the possibility of M1 passing was occurring, an enormous amount of people who own rental property in the **townhome, condominium and single home categories** indicated to me that they would withdraw their property from the rental market, pay the relocation fees and get out of the rental business if Measure M1 passed.

These types of dwellings make up approximately 20% of the rental units in the city. Some of these owners also felt that they needed to protect their future

retirement income and raise the rent on **tenants they had left with rent**

at the status quo for years out of friendship

and actually a sense of good business, (because

it is expensive to have a vacancy and to

prepare a unit for a new tenant.)

So unfortunately, rents went up out of fear and self protection simply because of the institution of **any** rent controls.

When L1 passed and M1 failed by a two to one margin, things settled down considerably. Though I am not sure if you have noticed, but

I have seen that some withdrawals from the rental market and selling

in these categories are

still occurring

Note which categories have paid the most in relocation expenses on Debbie Potter's report.

Just a small example of this

depletion of rental stock

can be seen in the Islandia townhome development.

For many years there has been a set amount of 85 rental units allowed with a long waiting list of owners wishing to rent their unit. At the current time that figure has dropped to only 80 rentals with no waiting list.

This depletion of rental housing stock due to harsh rent control has been shown in many cities. Please don't keep this trend going here in Alameda.

It is very unfortunate that a small group of rent control advocates who keep repeating the same stories over and over again, are trying to represent all of the renters in the city and actually are doing the vast majority of renters a good deal of harm.

Sincerely,

Marie Kane

510-410-6058

From: Trish Spencer
Sent: Thursday, April 06, 2017 11:17 AM
To: Janet Kern; Jill Keimach; LARA WEISIGER
Subject: FW: Conflict

From: Farhad Matin [mailto:farhad@benhadproperties.com]
Sent: Thursday, April 06, 2017 8:46 AM
To: Marilyn Ezzy Ashcraft <MEzzyAshcraft@alamedaca.gov>
CC: Trish Spencer <TSpencer@alamedaca.gov>; Frank Matarrese <FMatarrese@alamedaca.gov>; Jim Oddie <JOddie@alamedaca.gov>; Jan Mason <jan@ommmhomes.com>; Don Lindsey <donlindsey@jps.net>; Doug Smith <fullerpm@pacbell.net>; Jose Cerdaz Zein <jose@cerdazein.com>; Jeanne Allen <jeannehallen@gmail.com>
Subject: Conflict

Marilyn,

As you go forward with your efforts to establish hard restrictions on owners of our community's older housing stock you are in turn making a more advantageous playing field for new developers in Alameda. With their exemption from most of our rent restrictions the question has to be asked . Are you or your husband affiliated in any way with the developers who are currently engaged with the city at any stage of development ? I'm sure you would agree that is a reasonable question given your husbands job.

Partner, Hanson Bridgett LLP

Construction and design law with a
alternative project delivery and the
in design and construction.

Experienced in the use of Integrated
and a Steering Committee member
force for Integrated Project Delivery
member of the Center for Innovatio
Construction.

Thirty years experience representing
designers and contractors in projec
contracts, professional practice and

Thank you

Farhad Matin

BenHad Properties LLC
Matin Trust
510-282-6948

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From: Paul Foreman <ps4man@comcast.net>
Sent: Wednesday, April 05, 2017 12:19 PM
To: Trish Spencer; Malia Vella; Frank Matarrese; Marilyn Ezzy Ashcraft; Jim Oddie
Cc: Michael Roush; Claudia Young; Jill Keimach; Janet Kern; LARA WEISIGER
Subject: Anecdotal note to my email and oral remarks of yesterday in opposition to exempting fixed term leases

Dear Mayor Spencer and Councilmembers:

I have a close acquaintance with an Alameda landlord who, while being very pro-tenant, is also an intelligent business person. Therefore, as soon as the Ordinance was passed and the point raised that it could be construed as exempting fixed rate leases, he determined to offer only fixed term leases for his units.

He only had one vacancy at the time, and placed a message on a local social media website, offering a one year fixed rate lease at a market rate. An ARC supporter immediately posted a message on the site warning that acceptance of this offer would be tantamount to agreeing to an eviction unprotected by the Ordinance. Notwithstanding that warning 15-20 people responded to the offer. Out of that number only one person attempted to negotiate for an evergreen lease. Everybody else expressed no objection and the unit was rented on a fixed term.

This is only one anecdote, but I think that it is credible evidence than any landlord with a modicum of business sense is offering exclusively fixed term leases and that with our super low vacancy rate, tenants will have no choice but to accept the same. Thus, every year fewer properties will be subject to the Ordinance and its purpose will be destroyed.

Council needs to amend the Ordinance to state that fixed term leases, other than owner occupied "temporary tenancies", are subject to all of the provisions of the Ordinance so that relocation costs are due if the lease is terminated or, if residency of the tenant is continued under a new lease, any increase in rent will be subject to all the review and appeal rights provided in the Ordinance. Obviously, the legalize would need to be provided by your legal staff.

The bottom line is that we either have rent stabilization or we don't. A rent stabilization ordinance that exempts fixed term leases is an oxymoron!

Sincerely, Paul S Foreman