

LARA WEISIGER

From: Trish Spencer
Sent: Tuesday, April 25, 2017 6:47 AM
To: DEBBIE POTTER; Janet Kern; LARA WEISIGER
Subject: Fw: Ordinance 3148 - fixed term lease loophole

Sent from my Verizon LG Smartphone

----- Original message-----

From: Natanya Porto
Date: Mon, Apr 24, 2017 2:31 PM
To: Natanya Black;
Cc:
Subject: Ordinance 3148 - fixed term lease loophole

Dear City Council Member,

I'm writing to express my concern for the Alameda Rent Ordinance 3148 and the 'fix term lease loophole'. We are a Coast Guard family who rents a single family home in Alameda. My landlord wants to raise my rent by 50% (from \$3000 to \$4500) this summer. I've reach out to the Housing Authority and was told I have no protection under 3148 Ordinance, simply because I'm in a fixed term lease.

With the current 3148 ordinance a landlord can:

- Not offer or re-new a current tenant's lease.
- The current tenants have to move out at the end of the lease (at their own expense.)
- Then the landlord raises the rent to whatever they like for a new tenant.

By following the procedure above the landlord does not pay relocation fees since they are not require to issue a "Notice to Vacate" at the end of a lease.

A 'notice to vacate' is require in order to trigger relocation/rent control outlined in Ordinance 3148. However, California law does not require a landlord to give a tenant a 'notice to vacate' at the end of a fixed term lease:

"A fixed term lease automatically terminates upon the specified expiration date and a landlord need not give a tenant a notice of termination."

(from: <http://www.alamedarentprogram.org/> Ordiance FAQs.

<https://static1.squarespace.com/static/56df370d22482e5c7f09022f/t/588267df44024304cb69b0a0/1484941280758/Frequently+Asked+Questions+v12.21..2016.pdf>)

As you can see, Ordinance 3148 does not protect tenants once their lease expires. Maybe this was by design. However, almost all tenants sign a lease upon renting a unit: usually a 12 month lease. In it's current form Ordinance 3148 provides no protection to any tenants in a fix term lease, a the landlord can simply not renew a lease after 1 year in order to raise rents. This doesn't even count as an eviction since the Landlord does not have to serve a 'Notice To Vacate.'

I ask that you please address this issue quickly. I don't believe the Ordinance was written to purposefully exclude tenants in a fixed term lease. Please amend the Ordinance to fix this loop-hole, and offer all renters protection from these situations.

Thank you,

Natanya Porto