

Summary of Staff Recommended Changes In Addition To Those Included In Ordinance 3180

RECOMMENDED CHANGE
1. Establish rent registration with requirement of landlord to inform RSP about bedroom size, current rent, length of tenancy
2. Create regulations for buy-out agreements that include the following: <ul style="list-style-type: none"> • Tenant must be informed of his/her rights (e.g., the right to say no, consult with an attorney, etc.) at time of buy-out offer. • Tenant has right to rescind agreement within 30 or 45 days • A landlord must file a copy of the signed agreement w/RSP
3. Establish the ability to subpoena for records associated with a violation following a complaint
4. Clarify that the 180 days in which retaliation can be asserted as a defense begins when the tenant exercises his/her rights and the “clock” resets when the tenant testifies against his/her landlord in an administrative citation hearing.
5. Require a landlord to pay relocation assistance when a rent increase above a certain percentage is imposed and a tenant elects to the unit. Examples: San Leandro, Glendale
6. Reduce the number of days a landlord has to file a rent increase and termination notice with the Program Administrator to five (5) calendar days after service of the notice to the tenant.
7. Establish that a landlord and tenant cannot sign and file an agreement concerning a rent increase until at least three (3) calendar days have passed since the landlord filed the notice with the Program Administrator and the acknowledgement of agreement must be provided to the Program Administrator in writing.
8. Amend definition of landlord to clarify that successors-in-interest are liable for the landlord's actions.
9. Amend the definition of Rental Unit to more explicitly (a) cover hotels, motels, SROs, in which the tenant occupies the unit for more than 30 days and (b) not apply to rental units where the landlord receives funding from the government to provide, for example, group care or where the residents may receive medical benefits as part of the consideration.

RECOMMENDED CHANGE
10. Revise the definition of Tenant to state the individual must be a “natural person” and include individuals employed at site (e.g. resident manager).
11. Revise requirements on attendance at RRAC hearing to clarify that a tenant or landlord that fails to attend must inform the Program Administrator of a good reason for not appearing within a reasonable time.
12. Clarify that a termination of tenancy notice must state a cause. Proposed solution is to remove “if any” from section 6-58.155.A
13. Amend the definition of “housing unit” to clarify that it need not include a kitchen, bathroom and sleeping quarters in the unit in order to be defined as a housing unit and that in order to be exempt from this definition, the owner of the unit must occupy the unit.