

## LARA WEISIGER

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**From:** Nancy Hird <nancyinalameda@gmail.com>  
**Sent:** Tuesday, May 21, 2019 3:33 PM  
**To:** LARA WEISIGER  
**Subject:** Letter to City Council Members for 5-21-19 meeting  
**Attachments:** TO CC members re no-cause evictions.docx

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Hi Lara,

Please send the attached letter to each council member before tonight's meeting. Sorry for this late submission.

Thank you,  
Nancy Hird

To: Marilyn Ezzy Ashcraft, Mayor

John Knox White, Vice Mayor

Tony Daysog, Council Member

Jim Oddie, Council Member

Malia Vella, Council Member

Date: May 21, 2019

From: Nancy Hird, Landlord of Alameda 4-plex

RE: No Cause Eviction

I am concerned that your passage of no-cause eviction in Alameda will do an injustice to tenants living in buildings where one tenant exhibits the behavior of a “nuisance”. By eliminating no-cause evictions, you are removing the ability of a landlord to terminate a tenancy for issues such as excessive noise, smoking, leaving garbage outside designated receptacles, and creating unhealthy living conditions for other tenants due to lack of cleanliness. Without the remedy of potential eviction, a building owner has two options available to encourage improved behavior for the good of the others sharing the building which are:

- to spend a great deal of money to hire an attorney and proceed with a for-cause (nuisance) eviction process
- to do nothing beyond having a conversation with the offending tenant in hopes he/she will change behavior

Large apartment complexes which have attorneys available on retainer might be in a position to proceed with a “for cause” eviction. It is not realistic to expect an owner to expend a great deal of cash to follow a costly eviction process and an owner would be looking at a \$20,000 process to grant better living conditions to a small number of tenants.

I request that you reconsider blanket no-cause evictions. In the long run, you are making ownership of small rental properties a highly undesirable business to maintain and creating roadblocks to quality living conditions for all renters.

## LARA WEISIGER

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**From:** Angela Pallatto Hockabout <grenadinegirl@gmail.com>  
**Sent:** Tuesday, May 21, 2019 9:43 AM  
**To:** Marilyn Ezzy Ashcraft; Malia Vella; Jim Oddie; City Clerk  
**Subject:** Just Cause Eviction

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Dear Council Members,

- 1) I've been watching this crisis since the beginning. The housing shortage isn't going away. I'm pretty sure it's going to get much worse. I suspect that it will take generations to bring housing accessibility to all Californians.
- 2) The homeless count for this year has increased dramatically (43%) over previous years in Alameda county. <https://www.mercurynews.com/2019/05/16/its-definitely-not-getting-better-homelessness-up-43-percent-in-alameda-county/>
- 3) SB50, The comprehensive state housing bill that we've all been hoping would transform our housing shortage has been shelved for the next year.
- 4) If the state government won't act we desperately need our municipal governments to model strong leadership in this housing shortage crisis.

### **YOU ARE OUR ONLY HOPE**

We need you to vote for just cause eviction to keep renters in their homes. Whatever tenant protections you can put into place in Alameda will be the strongest housing policy we might see this year. It cannot come a moment sooner.

I hurt for everyone who has been displaced under 3148. I wish we had the votes then to do something better. It was better than nothing and an improvement over what was available to me when I was displaced. Now that we know that mediation won't work we must put in the strongest protections for renters. With this vote, you could make a real difference in the lives of thousands of families.

Sincerely,

Angela Hockabout

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Angela P Hockabout  
[www.twitter.com/knitluck](https://www.twitter.com/knitluck)

## LARA WEISIGER

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**From:** Doug Biggs <DBiggs@apcollaborative.org>  
**Sent:** Tuesday, May 21, 2019 8:34 AM  
**To:** LARA WEISIGER  
**Subject:** Letter to council members

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At tonight's meeting you will be considering eliminating no cause evictions. I first off want to thank you for taking this action. Housing is a fundamental right and should be treated as such. In today's housing crisis an eviction almost inevitably leads to homelessness and all the trauma that brings. Taking that action should only be done as a last resort, and eliminating no cause eviction will provide additional protections for families. As you consider eliminating no cause eviction, I know you are being lobbied to carve out exemptions. I would encourage you not to do that at this time. The data does not support the need for exemptions, it does however support providing the maximum protection for our renters. Thank you.

Doug Biggs  
Executive Director  
Alameda Point Collaborative  
677 W. Ranger Ave.  
Alameda, CA 94501  
(510)898-7849  
[www.apcollaborative.org](http://www.apcollaborative.org)

Check out [www.caringalameda.org](http://www.caringalameda.org) for information on our exciting new project!

## LARA WEISIGER

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**From:** gaylon parsons <gaylon.parsons@gmail.com>  
**Sent:** Monday, May 20, 2019 3:09 PM  
**To:** Marilyn Ezzy Ashcraft; John Knox White; Malia Vella; Jim Oddie; Tony Daysog  
**Cc:** LARA WEISIGER  
**Subject:** Eliminate no cause eviction from 3148

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Dear mayor and council members,

I am writing to ask you to vote to eliminate "no cause" as grounds for eviction on item 6A at tomorrow evening's city council meeting. In this housing crisis, no person should fear losing their home for no reason. This is a simple values vote.

I'm sure you will hear about problem tenants and mom and pop landlords. We should be sympathetic to those individuals living in their homes who have a single unit; five units stretches a reasonable person's understanding of "mom and pop." Those folks are doing fine. Working hard, to be sure, as we all do. As for problem tenants, well, evicting a problem tenant is feasible. It isn't and shouldn't be easy, but a yes vote on item 6A doesn't deprive landlords of the ability to evict a problem tenant.

Finally, a word on data. I've seen arguments that avoid the ethics and values issues at stake, and use RRAC data to suggest that 3148 is working just fine. Cynical nonsense. How many renters avoid the RRAC because it's humiliating for renters? How many renters have simply left Alameda or have lost their homes? We don't do exit interviews when people move to Portland or Fresno or their cars. We have serious data gaps. So while this vote, as all votes, should be data-informed it also must be values-informed. And I encourage each of you to be unequivocally on the side of the most vulnerable.

Thank you for your work and for saying yes to just cause.

Gaylon Parsons

## LARA WEISIGER

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**From:** Jason Buckley <jason.buckley@gmail.com>  
**Sent:** Monday, May 20, 2019 12:14 PM  
**To:** Marilyn Ezzy Ashcraft; John Knox White; Jim Oddie; Malia Vella; City Clerk  
**Subject:** Just Cause Eviction

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Dear Progressive supermajority of City Council,

Please vote yes on item 6A on May 21st, re-enacting Just Cause Eviction. There really is no justification that landlords should be able to displace their tenants without a valid reason. Renters deserve due process just as much as anyone else.

Please also direct the city attorney to see how we can protect this vote from the inevitable invasion of aggressive and flat out lying clipboard commandos that the landlords will invade our city with again in another attempt to overturn this.

Also, please reject any further attempts by your colleague who shall not be named to try to create two separate classes of renters depending on how many units a landlord owns.

Thank you,  
Jason Buckley  
Renter, voter, organizer, agitator

## LARA WEISIGER

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**From:** KAREN MILLER <kkmiller75@comcast.net>  
**Sent:** Monday, May 20, 2019 9:57 AM  
**To:** City Clerk  
**Subject:** letter to City Council re Just Cause  
**Attachments:** Alan Teague's Letter.docx

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Dear Lara,

Please pass this along for tomorrow's meeting. Thank you!

Dear Mayor and Council members,

I strongly support Alan Teague's proposals regarding Just Cause. There are many instances where a tenant can disrupt the other tenants with their behavior. Without having some means other than a court proceeding to have that tenant vacate makes life miserable for the tenants that have legitimate complaints. This also applies to owner occupied units where the owner is essentially a roommate, particularly in instances where they live under one roof. Please consider his proposals that I believe to be fair to all parties. Thank you.

Regards,

Karen Miller

720 Paru St

## LARA WEISIGER

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**From:** Alan Teague <alan@alameda.morphdog.com>  
**Sent:** Sunday, May 19, 2019 9:38 AM  
**To:** Malia Vella; Tony Daysog; John Knox White  
**Cc:** City Clerk  
**Subject:** Just Cause

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Vice Mayor Knox White, Council Members Vella and Daysog,

I do not believe anyone should be kicked out of their home simply to raise the rent but I also believe that there are two changes that need to be made in the proposed ordinance to make it more balanced.

### Section 6-58.140. Evictions and Terminations of Tenancies

Amend C. Breach of Lease: Add the following sentence.

If the Tenant commits a material and substantial breach of an obligation or covenant of the tenancy three or more times during a twelve-month period, the Landlord may serve a written notice to quit instead of a notice to cease as this is habitual behavior and cannot be corrected. The Landlord is required to file a copy of each cease or quit notice with the Rent Stabilization Program and such notices must include information for the Tenant that repeated violations could lead to termination of their lease.

**Three strikes and you're out. If the Tenant violates terms of lease three times within 12-months, that is just cause for termination. Otherwise all curable violations become unenforceable.** There should be some form of due process for this to prevent abuse of this type of termination. Require filing copies of each comply or quit notices with the appropriate agency and including information for the tenant this repeated violations could lead to termination of their lease.

Without this three strikes guard, ALL of the curable terms of the lease become unenforceable. Smoking is a prime example.

**Owner occupied rental properties should be able to terminate for no cause if they (the landlords) commit for three years to carry over the same rent to the next tenant and to comply with binding rent arbitration if required. This removes the financial incentive of removing a tenant to increase the rent.**

This prevents terminations simply to raise the rent. The owner must prove that they live on the property (e.g., home owner exemption). The owner is exchanging their rights under Costa-Hawkins for three-years for being able to terminate without cause. This should apply to any property with less than 10 units. During this period, the owner must provide to the rent agency information on every new tenant (name, contact information), the start date of the lease and the initial rent amount.



## Section 6-58.140 Evictions and Terminations of Tenancies

Replace A with:

Notice to Vacate. A Landlord may terminate a tenancy under Civil Code, section 1946.1 (a termination of tenancy for "no cause") if and only if all of the following provisions are proved and agreed to by the Owner:

1. The Landlord has their primary residence on the same parcel containing the rental unit for which termination is requested and the property has less than 10 rental units. The landlord must have lived on the property for at the last year.
2. In exchange for being able to terminate without cause, for the rental unit in question, the Owner waives their rights under state law regarding the initial rate of tenancy and restrictions on rental increases for a period of three-years following the date of termination.
3. During this three-year period, subsequent tenancies of the unit shall have an initial rate at or below the rate of the previous tenant's last full month's rate. During this period, the Owner is required to file with the Rent Stabilization Program the name and contact information for each new Tenant along with the initial rent rate.

Best regards,  
Alan Teague  
Alameda Resident and Small Local Landlord