Attachment 12

CITY OF UNION CITY
AGENDA
FOR THE MEETING OF THE
RENT AND TENANT TASKFORCE
MONDAY, NOVEMBER 21, 2016
7:00 P.M.
RUGGIERI SENIOR CENTER, DINING ROOM
33997 ALVARADO-NILES ROAD
UNION CITY, CALIFORNIA

I. ROLL CALL:

Duru Ahanotu, Abigail Andrade, Chris Cara, Timothy Conde, Remy Fortier, Annie He, Dorothy Jackson, Chunchi Ma, Bill Mulgrew, Anna Nunez, Ian Palavi, Marjorie Rocha, Tony Samara, Jamie Sessions, Chung Wu

II. APPROVAL OF MINUTES:

Minutes from the November 7, 2016 meeting

III. UNFINISHED BUSINESS:

A. Additional Data

B. 2016 Bay Area Ballot Measure Results

IV. PUBLIC COMMENTS:

(This is an opportunity for the public to speak. Each speaker will be granted up to 3 minutes to speak. This allotted time cannot be aggregated or passed on to another individual. In instances where more than five members of the public wish to address the Taskforce, the three minute time limit may be abbreviated at the discretion of the Moderator in order facilitate the business of the Taskforce.)

V. PRESENTATIONS:

A. Presentation on Initial Voting Results

VI. TASKFORCE DISCUSSION:

A. Small Group Discussions on Options
   i. Option A: Tenant/Landlord Mediation Program – Non-Binding
   ii. Option B: Tenant/Landlord Mediation Program – Binding
   iii. Option C: Rent Stabilization and Just Cause Evictions

B. Discussion on Harassment Protection and Minimum Lease Term Options

VII. ADJOURNMENT:

Attachment 12

CITY OF UNION CITY
MINUTES
FOR THE MEETING OF THE
RENT AND TENANT TASKFORCE
MONDAY, NOVEMBER 21, 2016
7:00 P.M.
RUGGIERI SENIOR CENTER, DINING ROOM
33997 ALVARADO-NILES ROAD
UNION CITY, CALIFORNIA

I. ROLL CALL:

Present: Chris Cara, Timothy Conde, Annie He, Bill Mulgrew, Anna Nunez, Marjorie Rocha Tony Samara, Jamie Sessions, Chung Wu

Absent: Duru Ahanotu, Abigail Andrade, Remy Fortier, Dorothy Jackson, Chunchi Ma, and Ian Palavi

Staff: Joan Malloy, Economic and Community Development Director; Kris Kokotaylo, Deputy City Attorney; Alin Lancaster, Housing and Community Development Coordinator; Lorena Gonzalez, Administrative Assistant

II. APPROVAL OF MINUTES:

The regular Taskforce minutes for November 7, 2016 were approved as submitted.

III. UNFINISHED BUSINESS:

Alin Lancaster, HCD Coordinator - stated that the December 5th meeting would be the last meeting of the Taskforce, given the proximity of the December 19th meeting to the holidays, attendance may be low. She will need to know if any Taskforce members cannot make the December 5th meeting by the end of the day on November 22, 2016. To comply with the Brown Act, Taskforce members will have to be present or teleconference in, for their vote to count. Staff is checking to see if the City Council can appoint alternates for the Taskforce members that cannot attend on December 5th, to have a proxy vote.

Chung Wu - stated that he objected to the proposal of voting at the December 5th meeting. The Taskforce members joined with the expectation that there would be six meetings and planned accordingly to be present for the final vote on December 19th.

Tim Conde- asked if there were objections to stopping the meetings on December 5th, and continuing in February.

Joan Malloy, ECD Director -responded that the intention was to move expeditiously and get options back to City Council quickly. Staff has also done an exhaustive approach of providing data and pulling together elements that would provide a clear variety of options.

A. **Additional Data**

Alin Lancaster, HCD Coordinator, gave a presentation on the request for data from the previous meeting.

Chung Wu - Commented on the examples from the mediation services in Fremont. Fremont is a large city with over 200,000 residents and within the city there are diverse neighborhoods. When reviewing the data from Fremont's Mediation Services the location of the rental units are not specified, making it difficult to determine if the rents are reasonable or unreasonable. Fairness cannot be determined without having more contextual information.

Alin Lancaster, HCD Coordinator - responded that a question was asked on how the mediation programs were working, and as a result data was being presented to the Taskforce from San Leandro and Fremont's Mediation Services.

Annie He –asked in San Leandro's mediation program, what occurs, if the landlord and tenants cannot reach an agreement?

Alin Lancaster, HCD Coordinator - responded the San Leandro Rent Review Board provides recommendations; however, their recommendations are non-binding, so ultimately the landlord can choose the rent increase amount.

Chunchi Ma - who was not present at the meeting, submitted information on alternative programs in Redwood City.

Fire Sprinkler Program - In 2015, Redwood City adopted an ordinance that requires the installation of fire sprinklers in properties with 4+ units built prior to 1989. This was in response to several apartment fires that took place in 2013. The ordinance is voluntary the first five years and to encourage property owners to install sprinklers, the City has offered a forgivable loan program to install fire sprinklers. However, in order for the loan to be forgivable, landlords are only allowed to raise the rent by five percent per year for at least five years. The program has been in effect for about a year and as of last week, no landlords have participated.

Rental Loan Program - The second program is a loan program for rental properties that's funded from Redwood City's Community Development Block Grant (CDBG) Funding. The program provides three percent (3%) interest loans up to $20,000 per unit. The program is used to correct substandard conditions and major systems like electrical, plumbing and roofing and cosmetic repairs are not allowed. In order to qualify for a loan, fifty-one percent (51%) of the units have to be occupied by low income tenants and the current rents being charged cannot be more than what the Federal Government publishes as a fair market rent.

B. **2016 Bay Area Ballot Measure Results**

Alin Lancaster, HCD Coordinator - gave a presentation on the 2016 Bay Area Ballot Measures results.

IV. PUBLIC COMMENTS:

Bill Wu, San Jose Resident - He has noticed rents have decreased in the Skylark area of Union City in the past few months. In August of 2016, the apartment rentals were approximately $2,600 and today a similar unit is being advertised for $2,350. The market itself is the invisible hand and adjusts the rental price. Rent control hurts the local economy and will hurt Union City's long term prosperity. Rent control is not a good long-term solution; it will only help in the short-term. He is in support of mediation as a potential solution.

Amanda Alimadadian, Fremont Resident - Rent Control has shown to be an ineffective mechanism and counterproductive housing policy that goes against the basic principles of economics. The short-term benefits of rent control are limited. In many cases, significant entry costs must be paid by those in search of rental housing. In many rent control communities, a gray market in rental housing develops in which units are passed among friends, family members or new consumers who are required to pay key money or other payments to current consumers and/or providers to obtain housing. Poor families, single consumers and young people entering the market are especially hard hit by these costs. Rent control inhibits new construction, deteriorates existing housing, reduces property tax revenues, burdens cities with administrative costs, and reduces consumer mobility. There are definitely alternatives to rent control. For example, encourage development and explore creative use of existing structures, stimulate the supply of affordable housing by directly assisting needy renters and find creative ways to subsidize the development and renovation of affordable housing. The economic and social costs of rent control almost always outweigh the perceived, short-term benefits that they provide.

Derrick Richardson, Union City Resident, Human Relations Commissioner, and a landlord - When he sat through the City Council meeting when the original options were presented, discussed, and debated he was very excited about the formation of the Taskforce. This is a serious problem that can't be taken lightly. He saw this group as an opportunity for open dialog and a generation of additional options that benefit all stakeholders within our city. After sitting through a couple of the Taskforce meetings, his excitement has turned to disappointment. Members of this Taskforce advocating for landlords and tenants have come to these meetings with closed minds. They are talking at each other and not listening and trying to find common ground. It has been very frustrating for him to observe this behavior. There are a couple of key points he would like this Taskforce to consider.

Lots of discussion and debate about the challenges landlords face. Yes, absolutely, tenants need to understand that landlords have numerous headaches, expenses, taxes, repairs, vacancies to name a few. Let's not forget that when we decided to get into this business we also assumed some basic responsibilities. If we want to make this investment vehicle successful, we need to buy at the right price. We have to secure competitive financing and rent to tenants who don't just pay the rent but also protect their assets. In the twelve years that he has owned his rental, he has raised the rent twice and still managed to realize a fair return on his investment. He has weathered periods of negative cash flow to realize tremendous benefits of long-term real estate appreciation. We need to remember the fact that real estate increases in value over time through ups and downs market conditions. In the last six years, the median price of a US home has increased nineteen percent. Whereas, a Union City home median price has increased sixty-

seven percent over that same period. Let's remember, there are other things that can be invested in if we no longer make a positive return in real estate.

Second point he would like the Taskforce to consider is Union City has a commitment to diversity and inclusion. The Human Relations Commission's Statement of Purpose out of the Municipal Code states that we are tasked with creating an environment in which each person may realize the highest potential unhampered by any discrimination based on race, religion, ancestry, citizen status, sex, age, disability, economic status, health condition or sexual orientation. He asks that the Taskforce members take an inclusive approach to this issue. Let's remember, fifty-one percent of Union City renters, over 3,500 households, in this city pay between thirty and fifty percent or more of their income in rent. What is this Taskforce going to do about this? He doesn't know if rent control is the right answer but he knows doing nothing and turning our collective backs on a significant segment of our population, is completely unacceptable. If this Taskforce can't come up with a solution that seriously considers and balances the needs of all stakeholders, that's a problem and he would vigorously voice his concerns to his fellow Human Relation Commissioners, as well as the Mayor and the City Council. We are better than that. Let's do better than that.

David Stark, Public Affairs Director for the Bay East Association of Realtors – He stated he previously worked for the City of Hayward managing affordable housing programs and working with local non-profits that dealt with affordable housing issues. He has seen several real estate cycles in the sixteen years he has been in the San Francisco Bay Area. He would like to point out the unattended consequences. There is a high demand for ownership housing at the moment and a low supply, not only in Union City but also along the 880 corridor. The home sale prices are so high that taking a rental unit off the market and making a tidy sum is a very strong temptation. Once that rental unit is off the market it is not coming back on, given today's sale prices. He asked the Taskforce members to keep that in mind, as they make their policy recommendations. The second thing he wanted to mention, as it was brought up earlier, what is the rush? He encourages the Taskforce members to take their time on this issue. It makes sense to make sure that everyone is at the table and to make sure the process works for Union City residents and property owners.

V. PRESENTATIONS:

A. Presentation on Initial Voting Results

Alin Lancaster, HCD Coordinator - gave a presentation of the results from the prior meeting's Initial Voting.

VI. TASKFORCE DISCUSSION:

A. Small Group Discussions on Options

Staff prepared the following options based on initial voting that took place at the November 7, 2016 meeting. Taskforce members broke up into small groups to further discuss options A, B and C.

- Option A: Tenant/Landlord Mediation Program – Non-Binding
- Option B: Tenant/Landlord Mediation Program – Binding
- Option C: Rent Stabilization and Just Cause Evictions

B. Discussion on Harassment Protection and Minimum Lease Term Options

Alin Lancaster, HCD Coordinator – provided clarification as to what state and federal laws exist to protect tenants from harassment and what types of harassment are not covered by existing laws.

Chung Wu - asked why a landlord would refuse to accept rent.

Marjorie Rocha - responded that a landlord would not accept rent if they really wanted to get rid of a tenant. She has seen this happen multiple times, where a tenant attempts to pay the rent and the landlord won't accept it. The landlord gives the tenant a three-day notice to pay, rent or quit and still won't accept the rent so the tenant can be evicted.

Alin Lancaster, HCD Coordinator - stated there were six votes in favor of harassment protection in the last meeting and asked if there was consensus for it to be a stand-alone item.

Tony Samara- stated that he had no objection to harassment protection in principle but if it was passed in lieu of rent control and just cause, then he would be opposed. There is a context in which he would favor it and a context where he would not. That context matters, a straight vote would not capture that.

Majorie Rocha- noted that harassment that's not related to rent increases or evictions can occur. The example she gave was she has seen situations where landlords refuse to accept rent and give a three day notice because of a fair housing issue. For example, if a landlord decides they don't want more than one person in a one bedroom unit. However, the State of California suggests "two plus one" which means two persons per bedroom plus one additional person for the overall rental unit. So a one bedroom can accommodate three people. A landlord rather than accepting rent from a pregnant woman, decides not to. The harassment is not tied to a rent increase but is a way to get around fair housing laws.

Alin Lancaster, HCD Coordinator - asked the Taskforce members if there was interest in having harassment protection as an option.

The Taskforce members did not respond

Alin Lancaster, HCD Coordinator – then stated that due to the lack of response, she interpreted this as the Taskforce agreed with attaching harassment protection to each of the options.

Tony Samara - stated he wants to avoid putting harassment protection forward as an effective response to no-fault evictions.

Alin Lancaster, HCD Coordinator -stated Annie He, who had to leave the meeting early, was interested in seeing Just Cause evictions as a stand-alone item or added to options A and B.

Alin Lancaster, HCD Coordinator - asked the Taskforce members if they were open to pairing Just Cause and Harassment Protection together.

Chung Wu - responded that Just Cause and Harassment Protection should be two separate items.

No other Taskforce members responded.

Tim Conde - asked if landlords could offer a month-to-month lease.

Alin Lancaster, HCD Coordinator - responded if a minimum six month lease was implemented, the landlord would have to offer a minimum six month lease, but the tenant would not be required to accept it.

Tony Samara - stated in principal he was not opposed to offering the one year or month-to-month lease, but he is opposed as an alternative to eviction protections. As an alternative he is opposed, but layered he is in favor.

Alin Lancaster, HCD Coordinator -asked the Taskforce members if the minimum lease terms should be eligible to all units or multi-family units.

Bill Mulgrew and Marjorie Rocha responded that that a minimum lease terms ordinance should be applicable to only multi-family units.

Chris Cara and Tim Conde responded that a minimum lease terms ordinance should be applicable to all units.

VII. **ADJOURNMENT**:

The meeting was adjourned at 9:10 p.m.

Rent and Tenant Taskforce Meeting 4

NOVEMBER 21, 2016

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MEETING AGENDA

I. Roll Call
II. Approval of 11/7/16 Minutes
III. Unfinished Business
  A. Additional Data
  B. 2016 Bay Area Ballot Measure Results
IV. Public Comments
V. Presentations
  A. Initial Voting Results
VI. Taskforce Discussion
  A. Small Group Discussions on Options
    i. Option A: Tenant/Landlord Mediation Program – Non-Binding
    ii. Option B: Tenant/Landlord Mediation Program – Binding
    iii. Option B: Rent Stabilization and Just Cause Evictions
  B. Discussion on Harassment Protections and Minimum Lease Term Options
VII. Adjournment

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Item III. A.
Additional Data

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FREMONT

Residential Rent Increase Dispute Resolution Ordinance (RRIDRO)

August 2016 Report - 16 cases

Average Current Rent	$1,925
Average Proposed Increase	$465
Average Proposed Increase %	26%
Average Final Rent Increase	$137
Average Final Rent	$2,108
Average Final Rent Increase %	8%

Program Parameters

- All rentals
- Any rent increase
- 3rd party mediator
- Tenant/Landlord participation in process is mandatory
- Recommendations are non-binding

See Attachments A & B for more info

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FREMONT

Residential Rent Increase Dispute Resolution Ordinance (RRIDRO)

Case #	Unit Size	Years in Unit	Current Rent	Proposed Increase	% Proposed	Final Rent Increase	% Final increase	Final New Rent
016-17	2bd, 1b	6 yrs	$1,245	$292	44.6%	N/A	N/A	N/A
015-17	2bd, 2b	5 yrs	$2,652	$170	6.4%	$48	1.8%	$2,700
014-17	2bd, 2b	7 yrs	$1,490	$310	20.8%	$240	16.1%	$1,730
013-17	1bd, 1b	8 yrs	$1,795	$179	10.0%	$179	10.0%	$1,974
012-17	3bd, 2b	3 yrs	$3,393	$433	12.8%	$170	5.0%	$3,563
011-17	2bd, 1b	5 yrs	$628	$292	46.5%	$18	2.9%	$646
010-17	2bd, 1b	8 yrs	$1,375	$725	52.8%	$65	4.7%	$1,440
009-17	2bd, 2b	2 yrs	$2,905	$65	2.2%	$65	2.2%	$2,970
008-17	2bd, 2b	2 mos	$3,529	$2,817	79.8%	$55	1.6%	$3,584
007-17	1bd, 1b	4 yrs	$1,224	$326	26.6%	$176	14.4%	$1,400
006-17	1bd, 1b	17 yrs	$1,323	$227	17.2%	$131	9.9%	$1,454
005-17	2bd, 1b	5 yrs	$1,895	$280	14.8%	$280	14.8%	$2,175
004-17	2bd, 1b	4 yrs	$1,938	$592	30.5%	$101	5.2%	$2,039
003-17	2bd, 2b	4 yrs	$2,535	$251	9.9%	$251	9.9%	$2,786
002-17	1bd, 1b	10 yrs	$1,323	$227	17.2%	$131	9.9%	$1,454
001-17	1bd, 1b	11 yrs	$1,550	$250	16.1%	$150	9.7%	$1,700

SAN LEANDRO

Rent Review Board

July 1, 2015 to June 30, 2016 - 107 cases

Average Current Rent	$1,234
Average Proposed Increase	$244
Average Proposed Increase %	21.7%
Average Final Rent Increase	$112
Average Final Rent	$1,418
Average Final Rent Increase %	8.8%

Program Parameters

- 2+ unit properties
- 7% rent increase; or
- More than one rent increase in 12 months
- Rent Review Board
- Tenant/Landlord participation in process is mandatory
- Recommendations are non-binding

See Attachment C & D for more info

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SAN LEANDRO

Rent Review Board

July 1, 2015 to June 30, 2016 - 107 cases

Resolved prior to scheduled hearing	27	25%
Resolved at the hearing	27	25%
Resolved after hearing	12	11%
Scheduled for hearing	5	5%
No Hearing	22	21%
Ineligible	14	13%
Total	107	100%

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MULTI-FAMILY REHABILITATION LOAN PROGRAMS

Example: Redwood City

Fire Sprinkler Loan Program

- Available until 6/30/2020
- Loan is forgivable if landlord doesn't raise rent more than 5% per year for at least 5 years
- Prevailing wage requirement
- $1.5 Million Available (RWC General Fund)
- As of 11/10/16 no landlord have participated

CDBG Rental Loan Program

- 3% interest | max $20,000/unit
- Loans for correcting substandard conditions and major system repairs
- 51% of units must be occupied by low income tenants and owner must maintain occupancy at 51% low income
- Current rents can't be more than federal Fair Market Rent (FMR)
- Preference for projects that increase rents based off FMR
- Prevailing wage requirement

See Attachment E for more info

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Item III. B.
Bay Area Ballot Measure Results

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BAY AREA BALLOT MEASURES

Alameda County

Jurisdiction	Measure	Description	Passed
Alameda (County)	Measure A1	Affordable Housing Bond ($580 Million)	**YES** – 73%
Alameda (City)	Measure L1	3/31/16 Rent Stabilization Ordinance	**YES** – 55%
Alameda (City)	Measure M1	Rent Stabilization City Charter Amendment	NO – 66%
Berkeley	Measure U1	Rent Stabilization Ordinance Amendment	**YES** – 75%
Oakland	Measure JJ	Just Cause For Eviction and Rent Adjustment Ordinance Amendment	**YES** – 75%

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BAY AREA BALLOT MEASURES

Contra Costa County
San Francisco County

Jurisdiction	Measure	Description	Passed
Contra Costa County			
Richmond	Measure L	Rent Control Ordinance	YES – 64%
San Francisco County			
San Francisco	Measure M	Creates a Housing & Development Commission	NO – 57%

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BAY AREA BALLOT MEASURES

San Mateo County

Jurisdiction	Measure	Description	Passed
Burlingame	Measure R	Rent Stabilization Ordinance	NO – 67%
East Palo Alto	Measure J	Revision to Existing Rent Stabilization and Just Cause Eviction Ordinance	YES – 79%
San Mateo (City)	Measure Q	Rent Stabilization City Charter Amendment	NO – 61%

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BAY AREA BALLOT MEASURES

Santa Clara County

Jurisdiction	Measure	Description	Passed
Mountain View	Measure V	Rent Stabilization City Charter Amendment	YES – 53%
Mountain View	Measure W	Rent Stabilization Ordinance	NO – 52%
Santa Clara (County)	Measure A	Affordable Housing Bond ($950 Million)	YES – 67%

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RICHMOND MEASURE L

Rent Control Ordinance

- One increase allowed per year
- Base rent "rolled back" to 7/21/15
- Max increase = percent change in CPI
- Just cause evictions
- Appointed Rent Board (max of 2 landlords/ realtor reps)

ALAMEDA (CITY) MEASURE L1

March 31, 2016 Ordinance

- One increase allowed per year
- No rent roll back
- Requires mediation for all rent increases over 5% (applies to all rentals)
- Mediation is binding for pre-1995 MFR
- Relocation
- Just cause evictions
- City Council can amend ordinance

MOUNTAIN VIEW MEASURE V

City Charter Amendment

- One increase allowed per year
- Max rent increase = % change in CPI (min 2%, max 5%)
- Rental Housing Committee
- Relocation
- Just cause evictions (all units built before measure goes into effect)
- Amendments require citywide vote

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MOUNTAIN VIEW

Just Cause Evictions Urgency Ordinance

- Passed 6-1 on 11/15/16, effective immediately
- Measure V effective December 23, 2016
- Response to an increase in no cause evictions
  - 14 evictions reported in anticipation of the election
  - 5 evictions reported post election results
- Applies to all rental units
- Mountain View has an existing Rental Housing Dispute Resolution Program to address rent increases during the interim

CITY OF MOUNTAIN VIEW

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Item IV.
Public Comments

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Item V.A.
Initial Voting Results

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INITIAL VOTING RESULTS

Measure	In Favor	Opposed	Undecided	No Vote
A. Tenant/Landlord Mediation	8	3	1	2
B. Minimum Lease Terms	5	2	5	2
C. Harassment Protections	6	3	3	2
D. Relocation for No Fault Evictions	2	5	5	2
E. Just Cause Evictions	5	5	2	2
F. Rent Stabilization	3	5	4	2

See Attachment F
for more info

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A. TENANT/LANDLORD MEDIATION

8 – In Favor

Oversight	In Favor	Opposed	Undecided	No Vote
Appointed Rent Review Board; or	2	6	4	2
3rd Party Mediator	8	2	2	2
Eligible Units				
All rentals; or	2	7	3	2
Multi-family only	8	1	3	2
Threshold				
Any rent increase	0	10	2	2
5% or more increases only	2	7	3	2
7% or more increases only	1	8	3	2
10% or more increases only	8	2	2	2
Participation				
Mediation is not mandatory; or	7	2	3	2
Mediation is mandatory	2	7	3	2
Enforcement				
Binding (only applicable to Pre-1995 MFR); or	2	6	4	2
Non-Binding	7	2	3	2

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B. MINIMUM LEASE TERMS

5 – In Favor | 5 - Undecided

	In Favor	Opposed	Undecided	No Vote
Term				
Minimum 6 month lease	6	0	5	3
Minimum 12 month lease	1	5	6	2
Eligible Units				
All rentals; or	2	5	5	2
Multi-family only	5	1	6	2

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C. HARASSMENT PROTECTIONS

6 – In Favor

	In Favor	Opposed	Undecided	No Vote
Eligible Units				
All rentals; or	7	2	4	1
Multi-family only	2	4	5	3
Types of Harassment				
Failure to make repairs	4	3	5	2
Threats (physical/verbal)	4	2	6	2
Privacy Violation	3	3	6	2
Refusal to accept rent	4	2	5	3
Fraud	4	2	6	2

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D. RELOCATION FOR NO FAULT EVICTIONS

5 – Opposed
5 - Undecided

	In Favor	Opposed	Undecided	No Vote
Eligible Units				
All rentals; or	2	5	6	1
Multi-family only	2	5	4	3
Eligible Renters				
All renters; or	1	8	3	2
Low-income (80% AMI), elderly, and disabled renters only; or	4	4	3	3
All renters but low-income/elderly/disabled would receive higher payment	2	7	4	1
Types of No Fault Evictions				
Owner / Family Occupancy	1	5	5	3
Substantial Rehabilitation	2	5	5	2
Selling Unit	1	6	5	2
Demolition of Unit	2	5	5	2

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E. JUST CAUSE EVICTION PROTECTIONS

5 – In Favor
5 – Opposed

	In Favor	Opposed	Undecided	No Vote
Eligible Units				
All rentals*; or	6	5	2	1
Pre-1995 Multi-Family	2	7	1	4
Types of Just Cause Evictions				
Not paying rent	9	4	0	1
Lease violations	6	4	3	1
Damaging Unit	7	4	2	1
Illegal activity	7	4	2	1
Unauthorized subtenant	3	5	5	1
Owner / Family Occupancy	3	4	6	1
Substantial Rehabilitation	4	4	5	1

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F. RENT STABILIZATION

7 - Opposed

	In Favor	Opposed	Undecided	No Vote
*Max Rent Increase**				
65% of CPI = $32	3	7	3	1
CPI = $50	4	7	1	2
5% = $113	0	10	2	2
7% = $159	1	10*	1	2
10% = $226	3	8*	1	2
Pass Through				
No Pass Through	0	7	5	2
Taxes	2	6	5	1
Fees (e.g. rent registration fee)	3	5	5	1
Capital Improvements	1	6	6	1
Utilities	3	5	5	1
Adjustment Banking				
No Adjustment Banking	1	7	4	2
Bank 1 year increase	3	3	6	2
Bank 3 years of increases	3	4	5	2

**See footnote on page 2 of Attachment F*

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Item VI. A.
Taskforce Discussion
Small Groups

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SMALL GROUP DISCUSSIONS ON OPTIONS

Option A
- Tenant/Landlord Mediation – Non-Binding

Option B
- Tenant/Landlord Mediation – Binding

Option C
- Rent Stabilization and Just Cause Evictions

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OPTION A

Tenant/Landlord Mediation – Non-Binding

- Oversight: 3rd Party Mediator
- Eligible Units: Multi-Family Only
- Rent Increase Threshold: 7-10% or more
  (i.e. tenant/landlord can only request mediation if the rent increase is at or more than the rent increase threshold)
- Landlord participation in the process is non-mandatory
- Recommendations are non-binding

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OPTION B

Tenant/Landlord Mediation – Binding

- Oversight: 3rd Party Mediator
- Eligible Units: All rentals
- Rent Increase Threshold: 0-5% or more
  (i.e. tenant/landlord can only request mediation if the rent increase is at or more than the rent increase threshold)
- Landlord participation is mandatory
  (i.e. rent increase is null and void if landlord does not participate in the process)
- Recommendations are binding for pre-1995 multi-family units and non-binding for all other units

See Attachment G for more info

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Rent Stabilization & Just Cause Evictions

OPTION C

- Eligible Units: Pre-1995 multi-family units
- Rent Increase Threshold: % Change in CPI
- Pass Through Costs
  - Costs allowed to be passed on to tenants beyond the allowable rent increase (e.g. taxes, fees, capital improvements, utilities)
- Adjustment Banking
  - If landlord doesn't raise the rent in a given year, they can bank or save their rent increase for a future year

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Item VI. B.
Discussion on
Harassment Protections and
Minimum Lease Terms

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HARASSMENT PROTECTIONS

- All rental units
- Types of Harassment – Undecided
  - Failure to make repairs
  - Threats (physical/verbal)
  - Privacy violations
  - Refusal to accept rent
  - Fraud

Cities with Harassment Protections
Berkeley
Oakland
San Francisco

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HARASSMENT PROTECTIONS *Existing Laws*

Discrimination Laws

- California's Fair Employment and Housing Act
- Fair Housing Act of 1968

Retaliatory Eviction Protections

- Civil Code Section 1942.5

Unit Habitability

- Green v. Superior Court (1974)
- Civil Code Sections 1929, 1941.1, 1941.2

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HARASSMENT PROTECTIONS

Forms of Harassment Not Covered Under Existing Laws

- Refusal to accept rent
- Refusal to cash a rent check for 30 days unless receipt is provided
- Abuse of the Owner's right of access into a rental unit
- Influence a tenant to vacate through fraud, intimidation or coercion (e.g. threatening to report tenant to ICE)
- Interfere with right to quiet use and enjoyment
- Request info that violates right to privacy (e.g. citizenship status)
- Removing a housing service for the purpose of causing tenant to vacate (e.g. removing parking knowing that a tenant cannot find alternative parking and must move)
- Coerce a tenant to vacate with payment to vacate accompanied with threats or intimidation

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MINIMUM LEASE TERMS

- 6 month lease
- Eligible units: undecided

Cities with Harassment Protections
Palo Alto
Alameda

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