

HOUSING PROTECTIONS UPDATE

Rules Committee
April 24, 2024

Project Updates

Presentation Overview

- **Project Updates**
- **Eligible Units (updated)**
- **San Leandro Rental Housing Data Summary**
- **Policy Options**
- **Recommendations & Next Steps**
 - Rules Committee Direction on Policy Development

Project Timeline

February
City Council
Planning
Session

July
City Council
Housing
Protections
Overview/
Work Plan

November
Rules
Committee
Meeting

April
Rules
Committee
Meeting

May
City Council:
Housing and
Homelessness
Priority Work
Plan

**October –
November**
Community
Meetings,
Listening
Sessions, Focus
Groups

**December –
April**
Data Collection
and Analysis

2023

2024



Online Project Resources

New:

- FAQs
- Summary of Community Outreach
- Summary of Mobilehome Park focus groups
- Rental Housing Data Summary

City of
San Leandro

GOVERNMENT RESIDENTS BUSINESS EVENTS & CULTURE HOW DO I...

Search...

Housing Programs (Rental & Ownership) +

Housing Element

Housing Documents

Community Development Block Grant Program

Homeless Navigation Center/Housing Project

Housing Protections

Housing Protections

City of San Leandro Seeking Resident Input on Local Housing Protections

The City of San Leandro is exploring a variety of local housing protections such as rent stabilization ordinance, rent registry, just cause, and tenant anti-harassment regulations and is requesting community input. The City conducted a variety of community outreach events in October 2023 to gather insights and perspectives from residents, renters, and landlords that will help the City Council and City staff tailor the design of any new protections to align with community priorities.

City Council Public Hearings

- [Rules Committee Meeting](#)
 - The City Housing Division will present feedback gathered from the community and seek direction at a City Council Rules Committee meeting on **April 24, 2024** at 9:00am (NOTE: date changed!).
 - [Flyer](#)
 - [Flyer \(Spanish\)](#)
 - [Flyer \(traditional Chinese\)](#)
- [Rules Committee Meeting Packet \(11/9/23\)](#)
- [City Council Meeting Packet \(7/17/23\)](#)
 - [Housing Protections Overview and Work Plan](#)

[City of San Leandro Housing Protections FAQs \(4/12/24\)](#)

Contact Us

Housing Services

[Email Housing Services](#)

Phone: [510-577-6006](tel:510-577-6006)

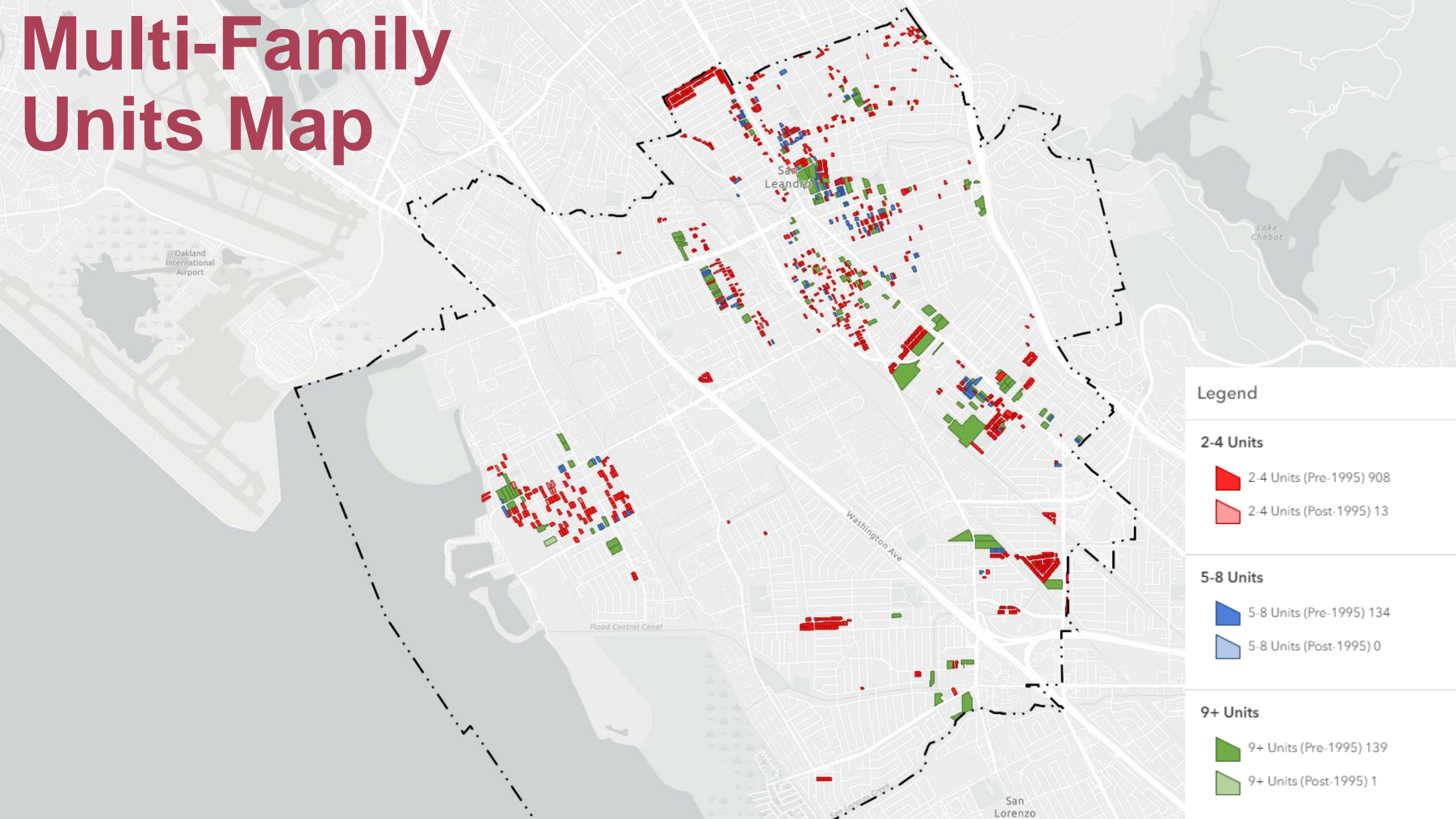
Eligible Units

Eligible Units (Updated)

- There are an estimated 8,548 units that could be eligible for rent control under Costa Hawkins (pre-1995)
- An estimated 32,840 units are eligible for non-rent control protections
- These estimates include units that are currently owner-occupied

Unit Type	Eligible for Rent Control	Eligible for Other Protections
Single-Unit		19,108
Duplex	1,288	1,298
Triplex	393	417
Fourplex	532	532
5-8 Units	815	815
9-19 Units	792	808
20+ Units	3,873	3,873
Multi-Family Restricted		2,094
Mobile Home Spaces	855	855
Condos/Townhomes		3,040
Total	8,548	32,840*

Multi-Family Units Map



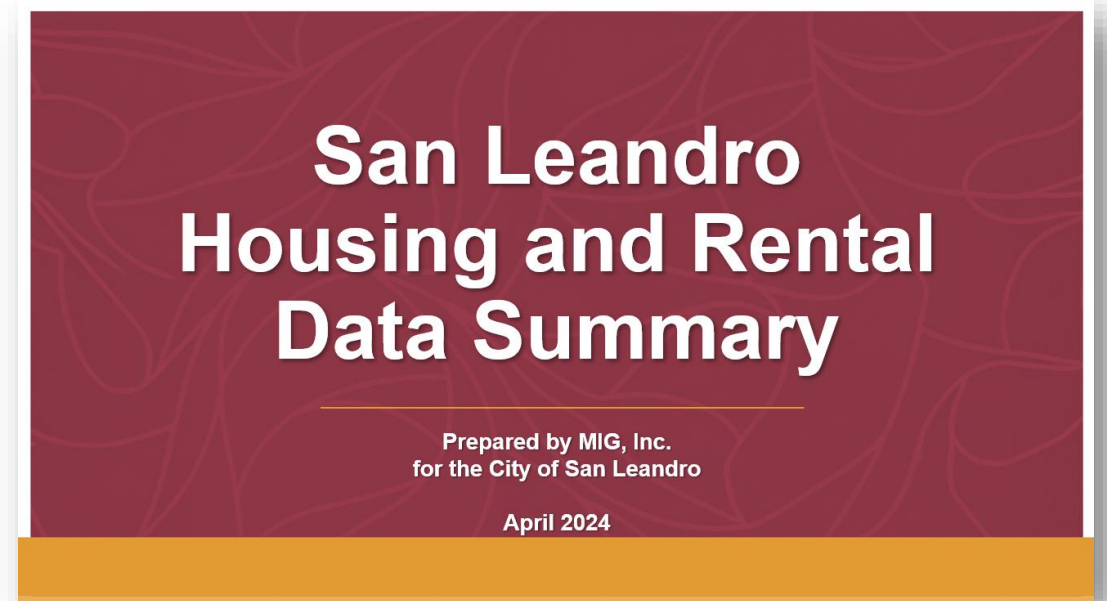


Mobilehome Park Map

San Leandro Rental Housing Data Summary

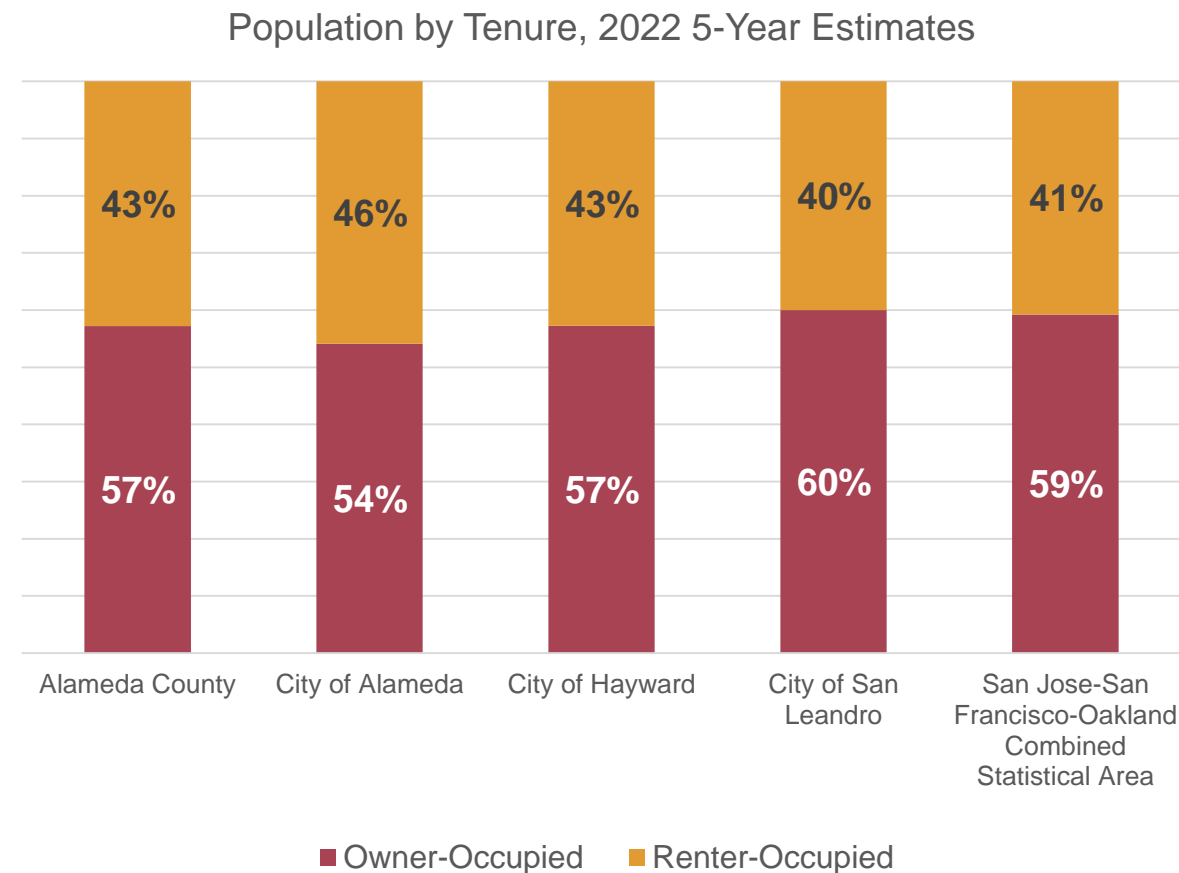
Data Package

- **Nov 9, 2023:** Rules Committee requested relevant data to inform housing protections
- **MIG Consulting prepared rental data package, including:**
 - Demographic Trends
 - Profile of Renter Households
 - Rental Housing Supply and Cost



Renter Households vs. Bay Area Region

- 12,080 renter households
- Slightly smaller share of renter households (40%) compared to other locations

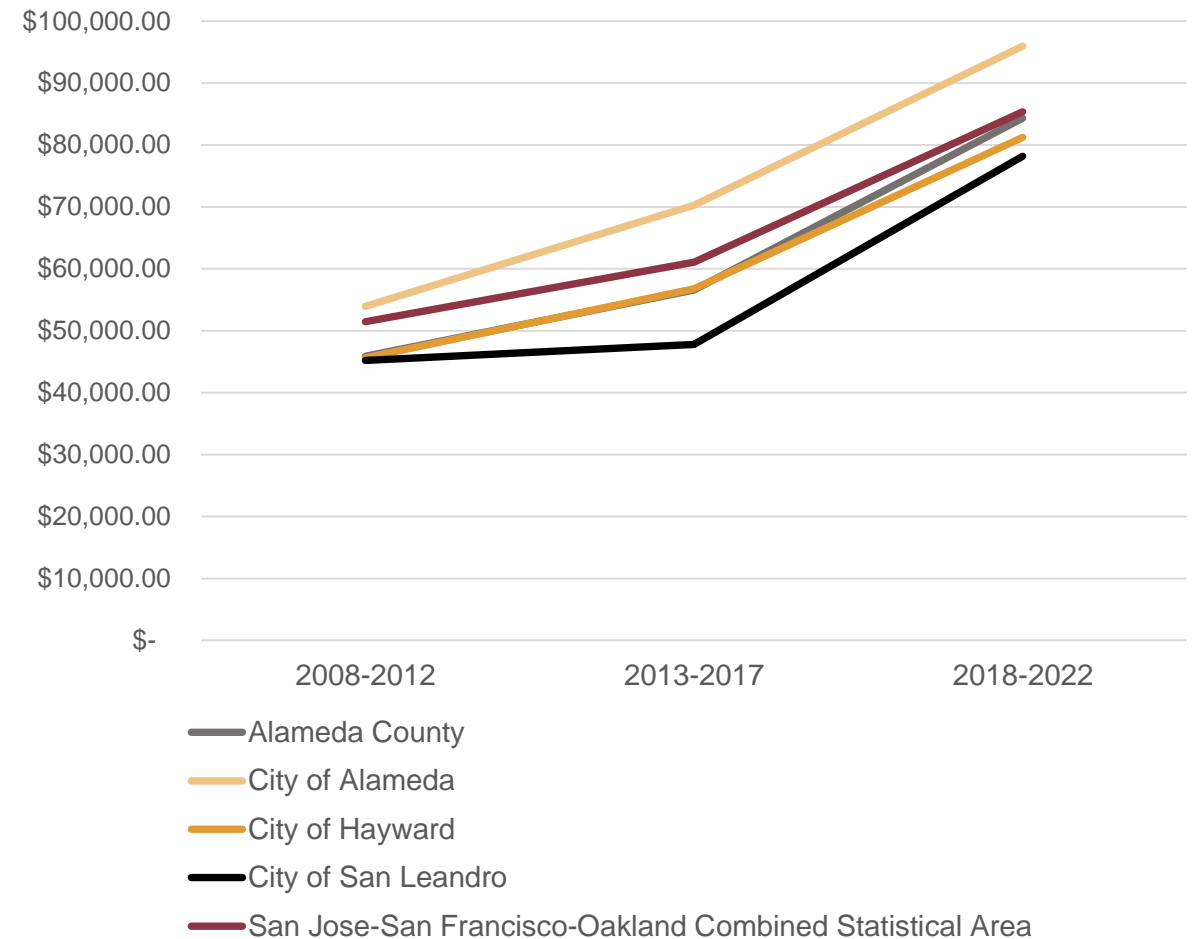


Source: U.S. Census Bureau, "Total Population in Occupied Housing Units by Tenure," 2022. American Community Survey, ACS 5-Year Estimates Detailed Tables, Table B25008, 2022

Income of Renter Households vs. Bay Area Region

- Median household income for renter households lower than other local areas over time

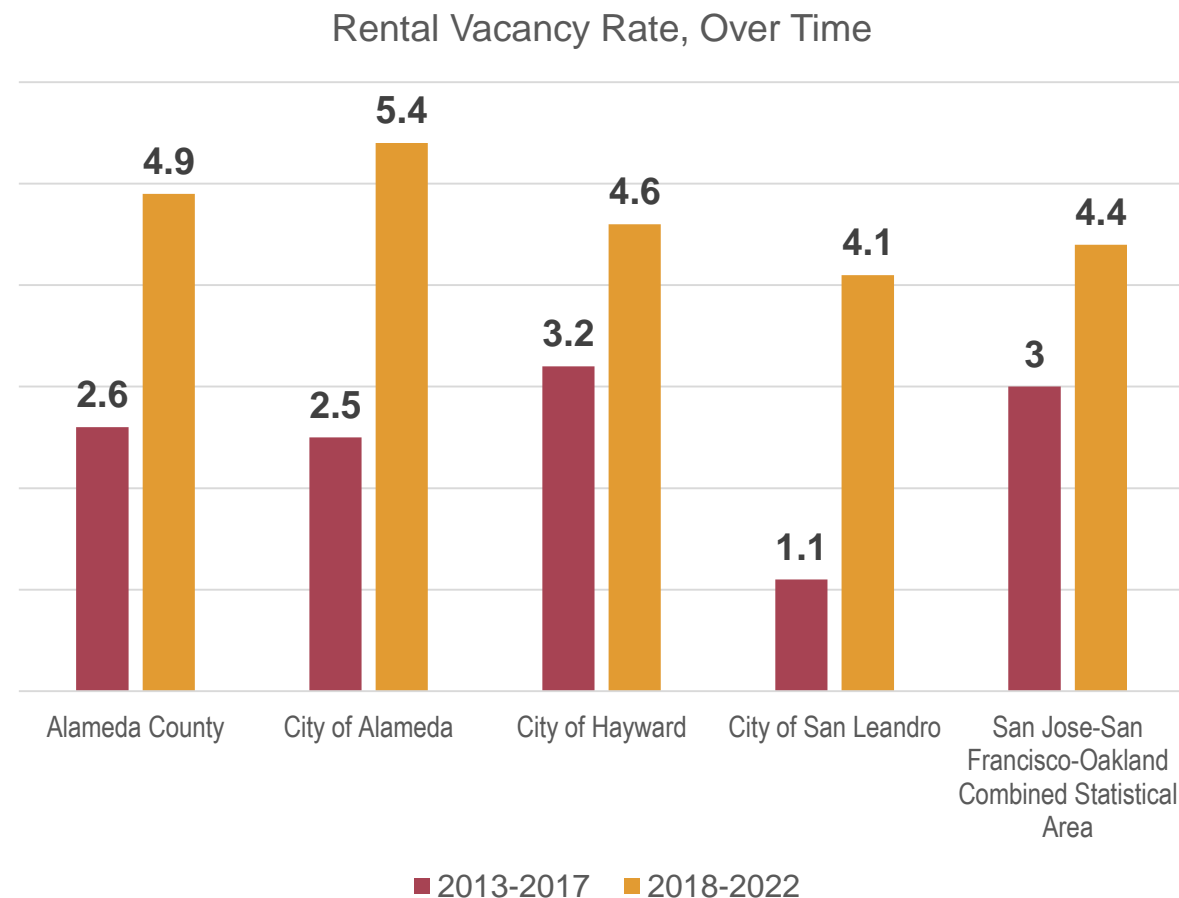
Median Household Income, Renter Occupied, Over Time



Source: U.S. Census Bureau, "Median Household Income in the Past 12 Months (in 2022 Inflation-Adjusted Dollars) by Tenure," 2022. American Community Survey, ACS 5-Year Estimates Detailed Tables, Table B25119, 2022

Rental Housing Units vs. Bay Area Region

- 2013-2017: Lower rental vacancy rate than other local areas
- 2018-2022: Vacancy rate closer to that of other locations

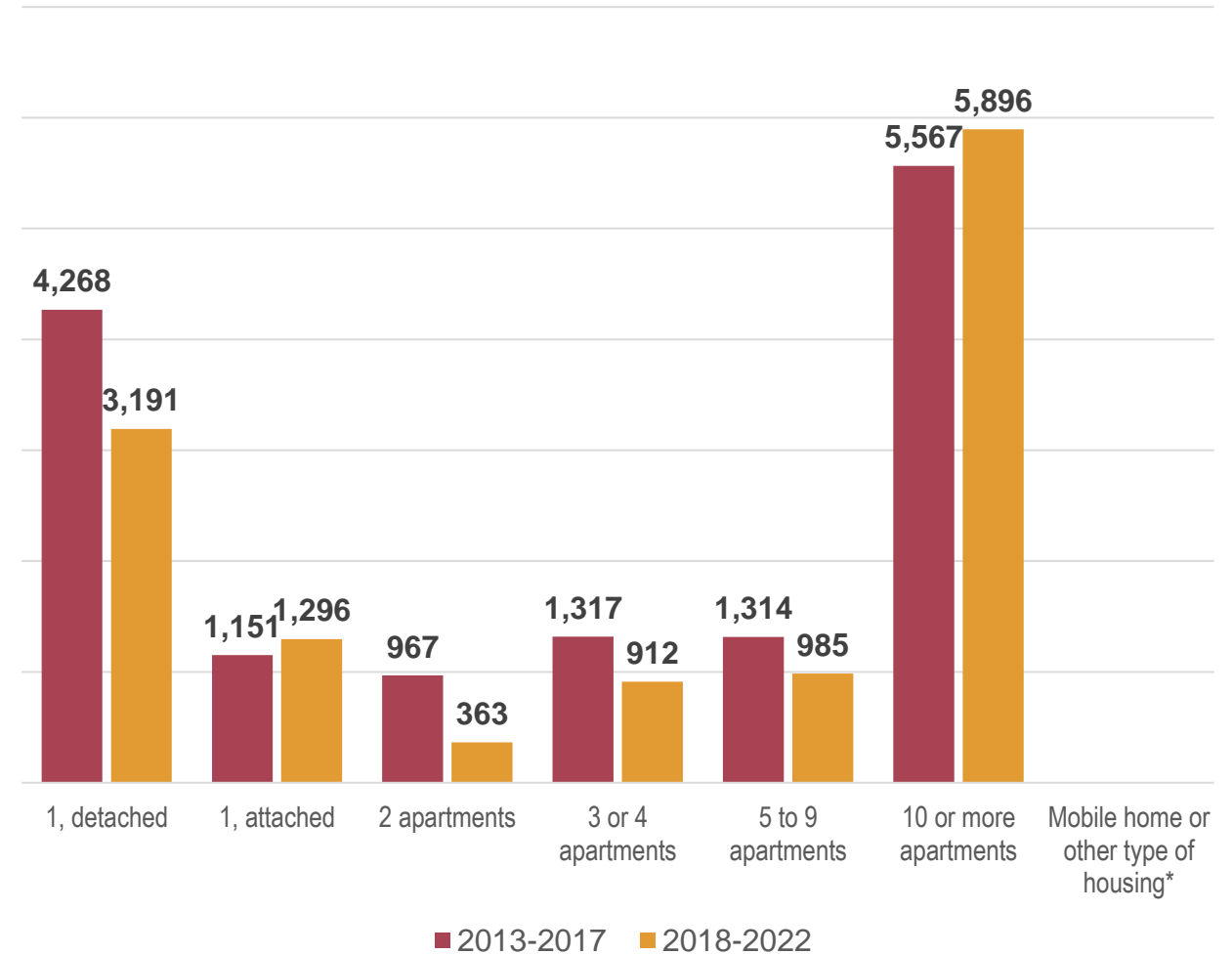


Sources: U.S. Census Bureau, "Selected Housing Characteristics," 2017, 2022. American Community Survey, ACS 5-Year Estimates Data Profiles, Table DP04

Rental Housing Units

- Between 2013-2017 and 2018-2022: Decline in renter-occupied 1-unit detached rentals and 2 apartment rentals

San Leandro Renter-Occupied Housing Units by Type, Over Time

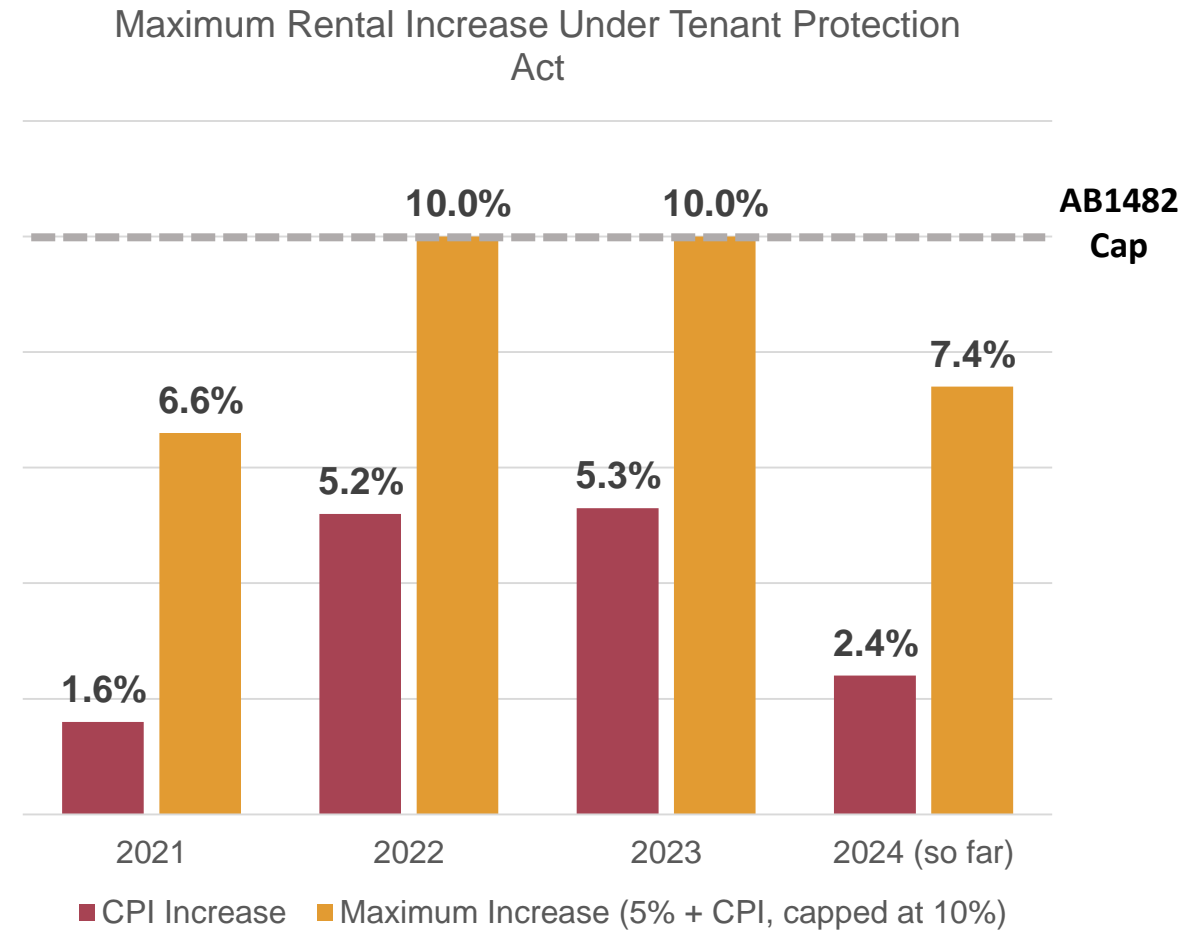


*Number suppressed due to margin of error over 50%

Source: U.S. Census Bureau, "Physical Housing Characteristics for Occupied Housing Units," 2017, 2022. American Community Survey, ACS 5-Year Estimates Subject Tables, Table S2504

Cost of Rent Bay Area Region

- Tenant Protection Act limits rental increases to Consumer Price Index (CPI) plus 5% maximum, not to exceed 10% total per year
- 2022 and 2023: SF Bay Area CPI plus 5% exceeded 10%



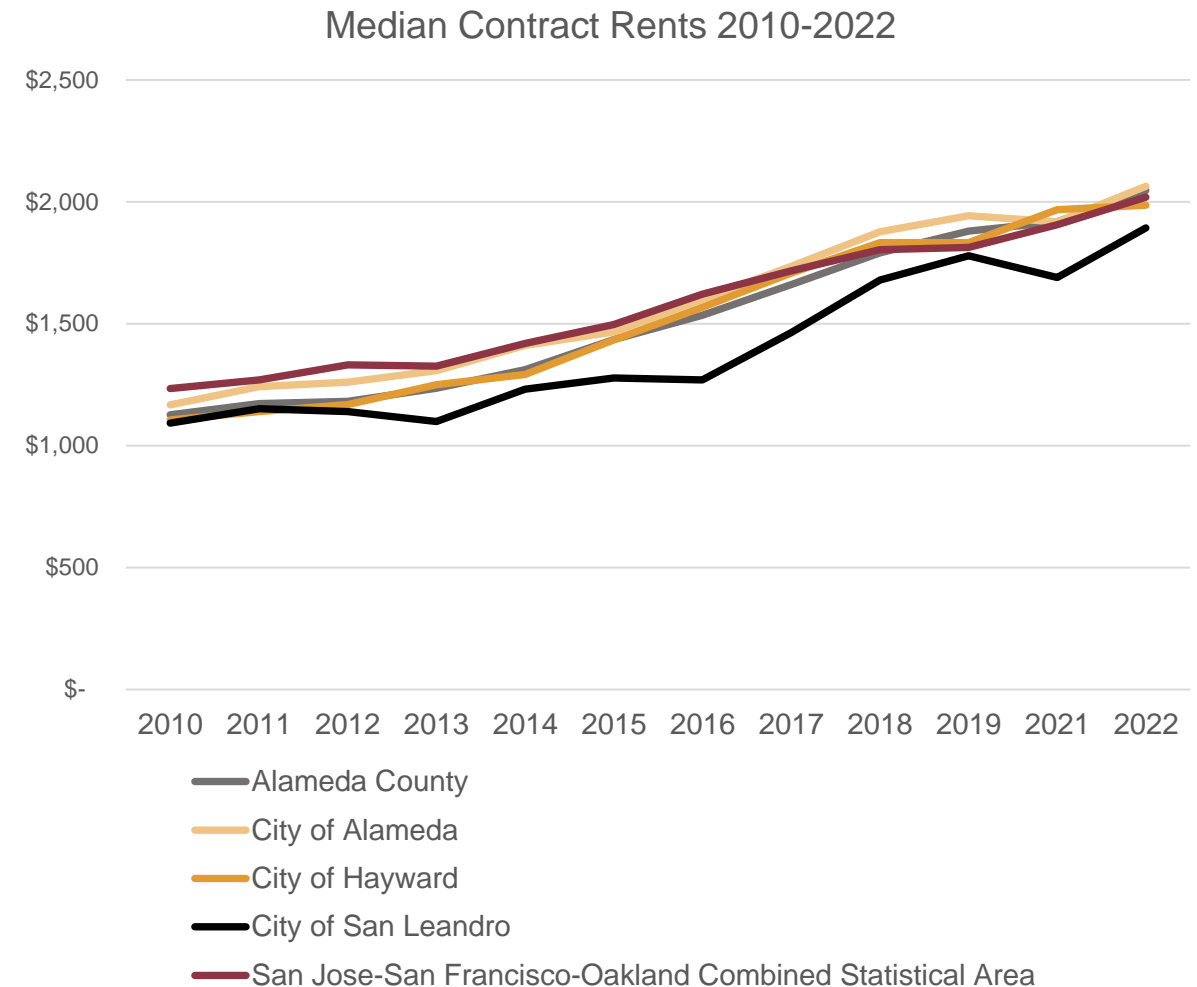
Source: U.S. Bureau of Labor Statistics "Consumer Price Index for All Urban Consumers (CPI-U): All items in San Francisco-Oakland-Hayward, CA, all urban consumers, not seasonally adjusted"

Cost of Rent vs. Bay Area Region

- Comparable median contract rents
- Since 2010: San Leandro slightly lower than other local areas

Note: The U.S. Census Bureau defines contract rent as “The monthly rent agreed to or contracted for, regardless of any furnishings, utilities, fees, meals, or services that may be included. For vacant units, it is the monthly rent asked for the rental unit at the time of interview.”

Source: U.S. Census Bureau, "Median Contract Rent (Dollars)," 2010-2022. American Community Survey, ACS 1-Year Estimates Detailed Tables, Table B25058, 2010-2022



Housing Burden in San Leandro

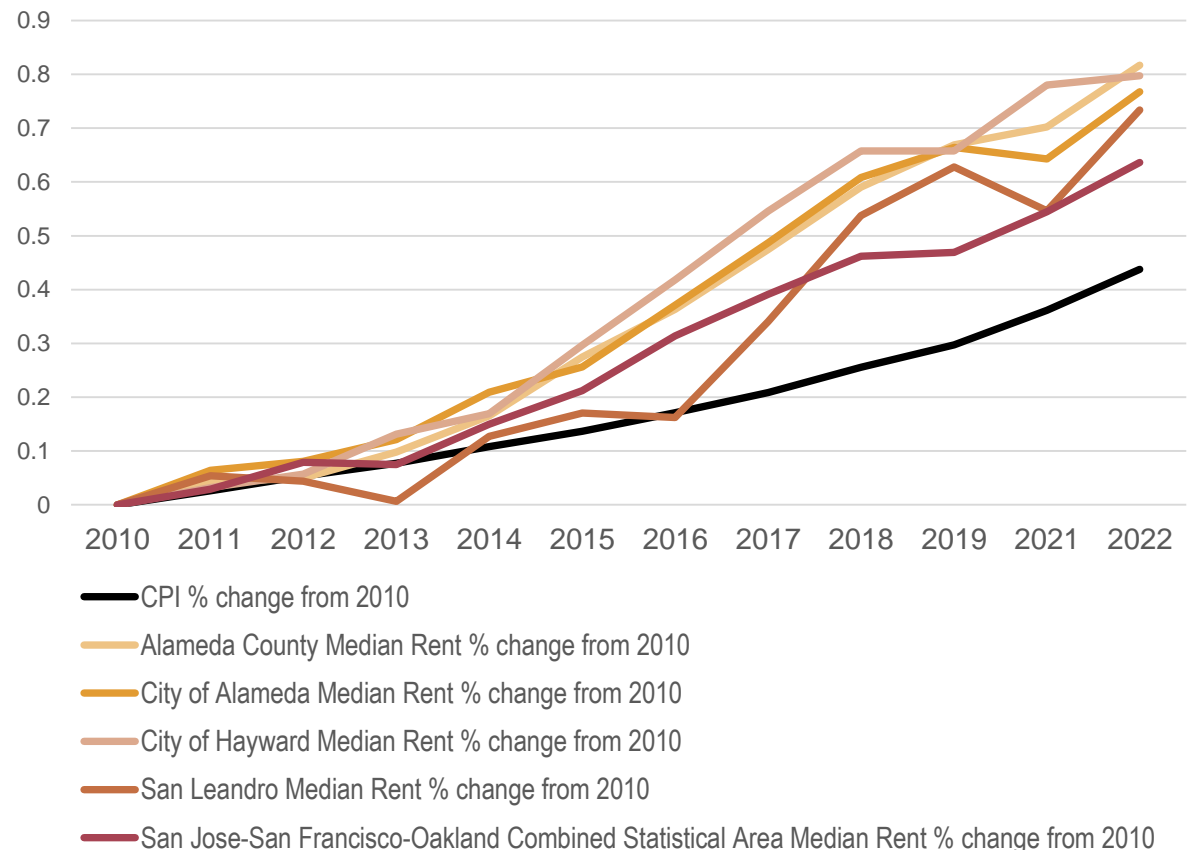
- To afford median rent for 1BR apartment in San Leandro, a person would need to earn \$37.04/hour at a full-time job – more than double the \$16/hour State minimum wage

	Median Rent	Hourly Rate Needed to Afford Median Rent (before Taxes)
1-Bedroom	\$1,925	\$37.04
2-Bedroom	\$2,495	\$48.48

Housing Burden vs Bay Area Region

- Median rents increased 82% over 2010 levels, outpacing CPI, which increased 44%
- Follows same trend as other local areas

Median Rents Compared with Consumer Price Index
(San Francisco-Oakland-Hayward), 2010-2023



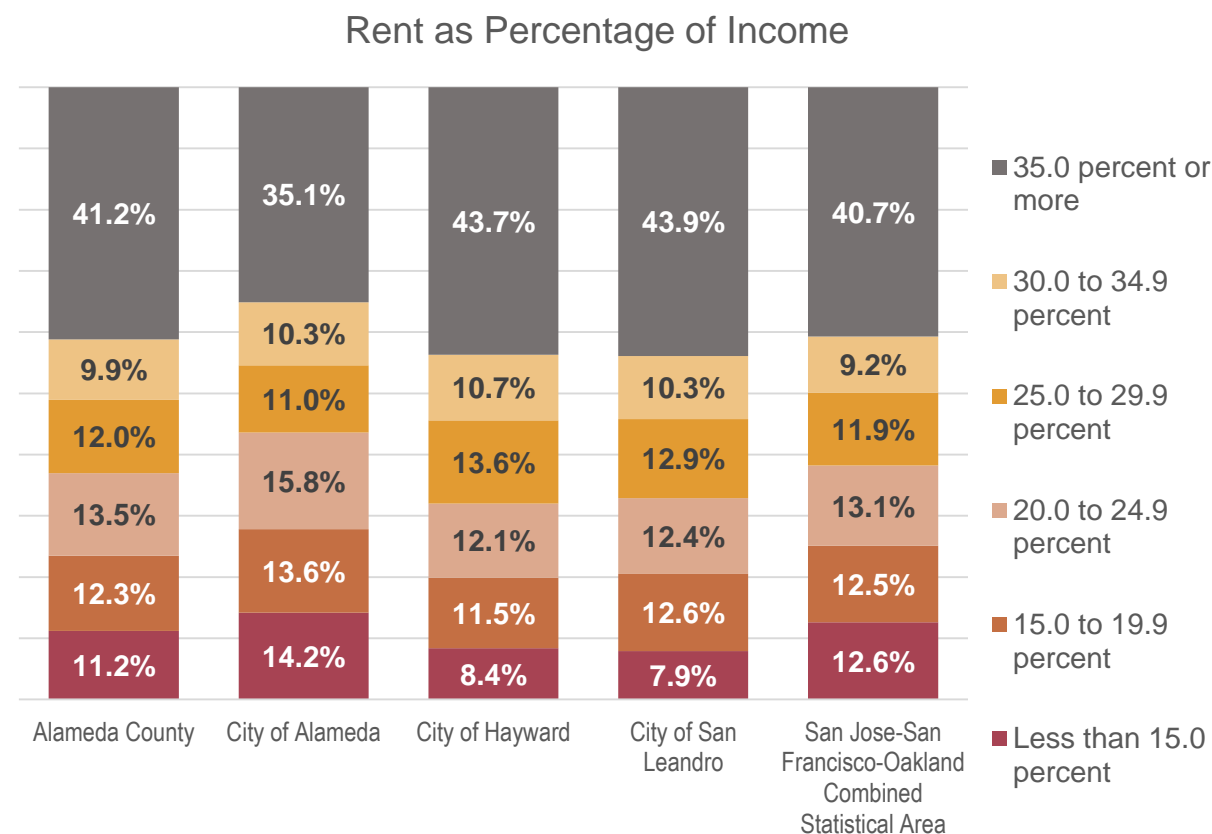
Note: 2010 represents base year for comparison.

Sources: U.S. Census Bureau, "Median Contract Rent (Dollars)," 2010-2022. American Community Survey, ACS 1-Year Estimates Detailed Tables, Table B25058, 2010
U.S. Bureau of Labor Statistics "Consumer Price Index for All Urban Consumers (CPI-U): All items in San Francisco-Oakland-Hayward, CA, all urban consumers, not seasonally adjusted." 2010-2023. <https://data.bls.gov/pdq/SurveyOutputServlet>

Housing Burden vs Bay Area Region

San Leandro and Hayward

- 43.9% and 43.7% of renter households pay 35%+ of income on rent
- More than half pay 30%+ of income in rent
- 30% is a widely used benchmark of “housing burden”

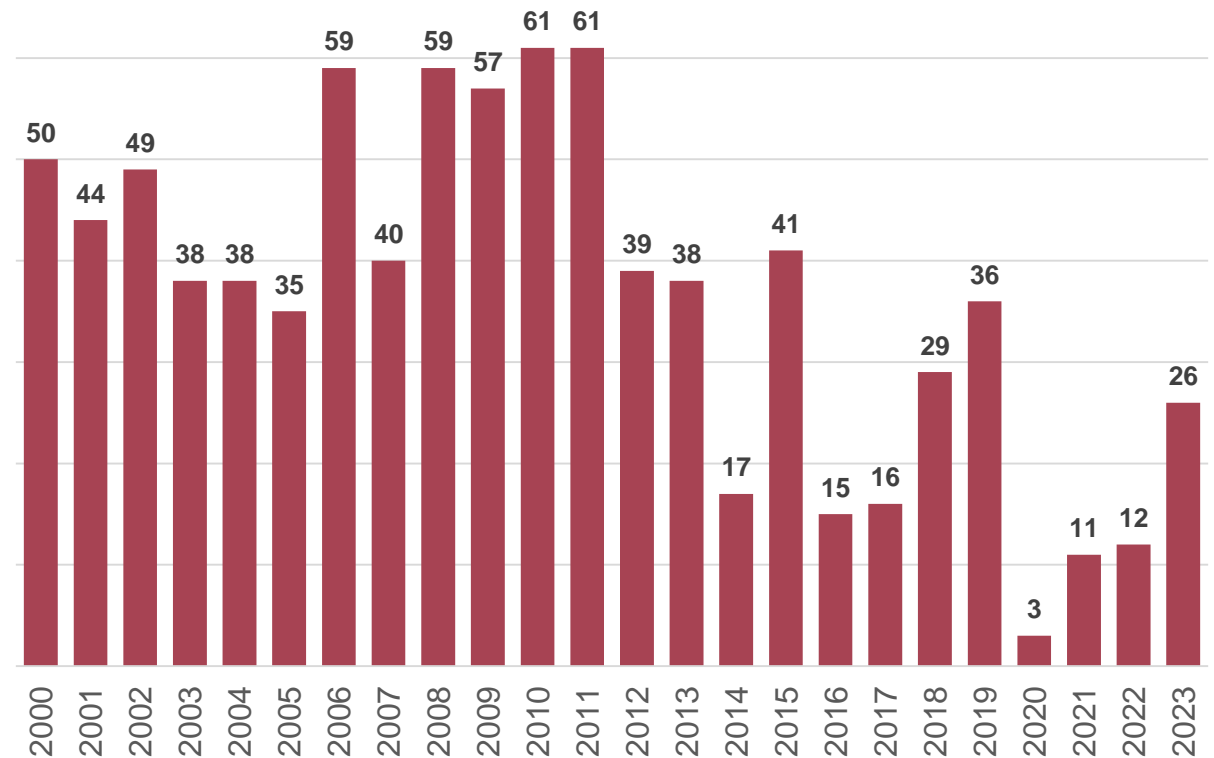


Source: U.S. Census Bureau, "Selected Housing Characteristics," 2022. American Community Survey, ACS 5-Year Estimates Data Profiles, Table DP04, 2022

Unlawful Detainers

- Unlawful detainers in San Leandro averaged 41.1 per year prior to 2020 (2000-2019)
- Unlawful detainers had been on a downward trend since peaking at 61 in 2010-2011
- Includes zip codes: 94577, 94578, 94579

Unlawful Detainers, San Leandro, Excluding Commercial



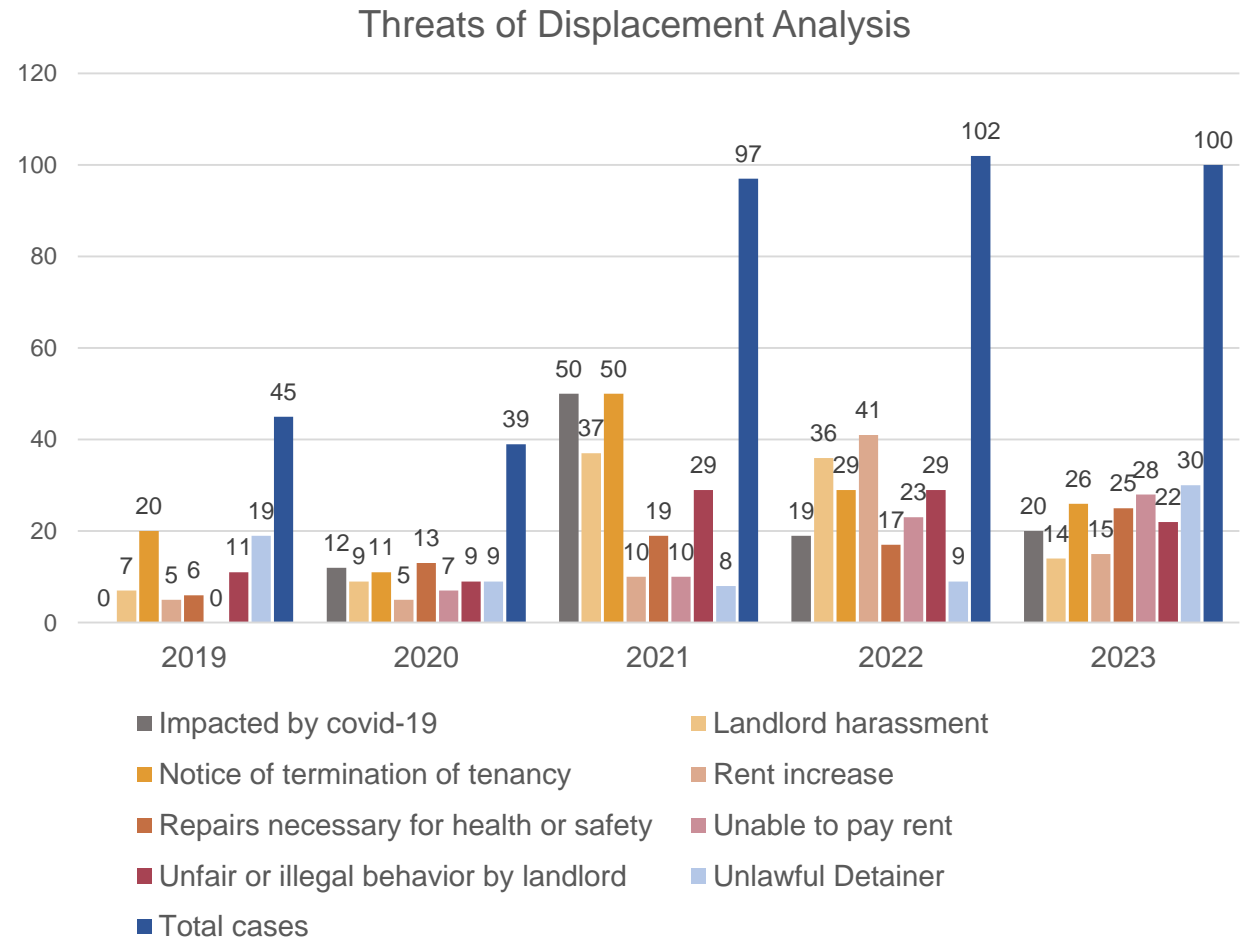
Sources: Alameda County Superior Courts, "Unlawful Detainers, San Leandro, September 2021-December 2023."

Threats of Displacement

- Centro Legal de La Raza's San Leandro cases have more than doubled between 2019 (45) and 2023 (100)
- 2023: 40% of cases involved rent increase, 10% increase from prior year

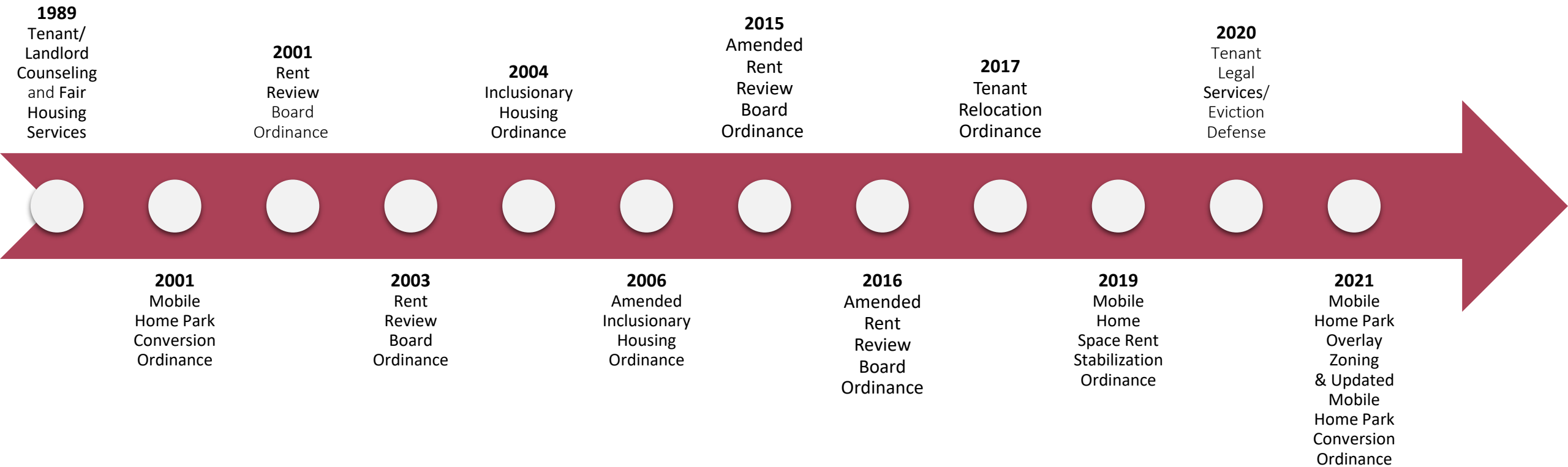
Sources: Centro Legal de La Raza

- Percentages will add up to more than 100% because cases can have more than one threat of displacement.
- The category "Notice of termination of tenancy" includes verbal threats of eviction as well as written notices



Policy Options

Current City Programs Timeline



Current State Protections

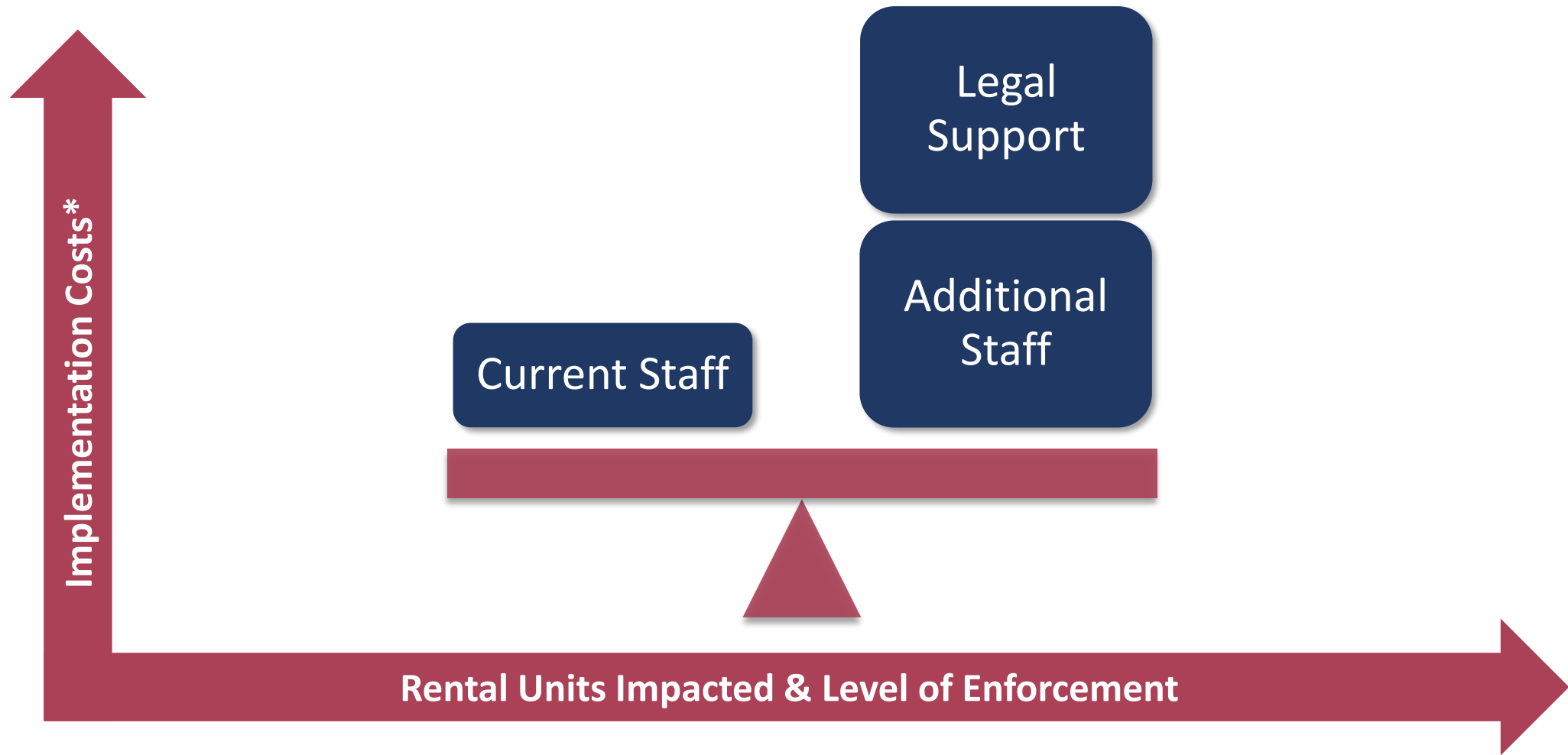
	Limitations on Rent Increases (e.g., Rent Control)	Limitations on Evictions (e.g., Just Cause)	Rent Registry	Anti-Harassment
Baseline State Protections	<ul style="list-style-type: none">AB 1482 caps allowable rent increase in a 12-month period: 5% + CPI* (10% max.). Sunsets Jan 1, 2030Exemptions: housing built in last 15 years, owner occupied duplexes, single-family homes, deed-restricted affordable housingCosta Hawkins - State law took effect in 1995:<ul style="list-style-type: none">1) Limits cities’ ability to regulate rents on new housing built after 19952) Removed regulatory barriers for new rental housing construction3) Exempts single family rentals, condos, and townhomes; and4) Prohibits vacancy control	<ul style="list-style-type: none">AB 1482 & SB 567 (Homeless Prevention Act of 2023) establishes just cause eviction requirement if all tenants have occupied unit for at least 1 year, or at least one tenant has occupied for 2 years. Sunsets on Jan 1, 2030Landlord must have “at-fault” just cause or “no-fault” just cause to evict or not renew lease. If “no-fault” just cause, landlord must pay one-month’s rent as compensation. At-fault evictions involve conduct by the tenant (e.g. unpaid rent, violating material lease term, unpermitted sublease, etc.). No-fault evictions do not involve conduct by the tenant (e.g. owner move-in, removal of unit from rental market, etc.)Exemptions: Housing built in last 15 years, ADUs, Owner occupied duplexes, single family homes & residential real property separate from another dwelling unit & not owned by a corporation, real estate trust or LLC; and deed-restricted affordable housing	<ul style="list-style-type: none">N/A	<ul style="list-style-type: none">CA fair housing laws prohibit discrimination or harassment based on protected characteristics and require reasonable accommodations and modifications for persons with disabilities. A housing provider may not retaliate against someone who exercised their rights under fair housing lawsCivil Code Section 1940.5 prohibits threatening and harassing conduct that interferes with quiet enjoyment of unitCivil Code Section 1942.5 prohibits retaliation for landlord exercising rights

Council Direction

- **City Council Meeting – July 17, 2023**
- **Analyze Existing and New Housing Protection Options:**
 - Stricter Rent Control
 - Stricter Just Cause Eviction Requirements
 - Rent Registry
 - Stricter Tenant Anti-Harassment Regulations
- **Assess Implementation and Cost Impacts to the City**

Policy Options

	Limitations on Rent Increases (e.g., Rent Control)	Limitations on Evictions (e.g., Just Cause)	Rent Registry	Anti-Harassment	Other Resources
Highest Protections	Cap maximum allowable rent increase	Prohibit “No Fault” evictions	Require expansive rental property registration	Adopt Anti-Harassment ordinance enforceable by third parties, with award of attorneys-fees for successful cases	<ul style="list-style-type: none"> Include options below for Increased Protections and Current Protections
Increased Protections	<ul style="list-style-type: none"> Amend Rent Review Ordinance: 1) Lower 7% rent cap threshold for hearing; 2) expand types of covered units; 3) allow appeals to neutral hearing officer Adopt Minimum Lease Term Ordinance that: 1) requires mandatory offer of minimum term leases to in place tenants; 2) limits frequency of rent increases 	<ul style="list-style-type: none"> Increase Tenant/Landlord Counseling and Tenant Legal Assistance Require landlords to provide City with copy of termination notices Narrow types of evictions which qualify as “at-fault” just cause Add requirements for “No Fault” evictions 	Require basic rental property registration	Expand Anti-Harassment policies	<ul style="list-style-type: none"> Fund rental assistance program Create Rental Housing Inspection Program Establish Education/ Mediation/ Legal Enforcement Amend Tenant Relocation Assistance: 1) increase assistance and 2) expand types of covered units
Current Protections	<ul style="list-style-type: none"> AB 1482 & Costa Hawkins Rent increases of more than 7% or 2+ rent increases in a 12-month period eligible for Rent Review Board hearing. Exemptions: Single-family homes, townhomes, condominiums Rent control ordinance for mobile home spaces 	<ul style="list-style-type: none"> AB 1482 & SB 567 See programs under "Other Resources" 	<ul style="list-style-type: none"> City business license required to rent units in San Leandro Rent registry for mobile home park spaces 	<ul style="list-style-type: none"> Rent Review and Tenant Relocation Ordinances include anti-retaliation requirements for tenants exercising rights See programs under "Other Resources" 	<ul style="list-style-type: none"> Tenant/Landlord Counseling Tenant Legal Assistance Tenant Relocation Assistance Fair Housing Services



** Costs may be passed through to landlords and tenants*

Enforcement Service Models

	Services provided
Highest	<ul style="list-style-type: none">• Proactive enforcement by staff, without receipt of complaints• Complaints from public lead to in-depth investigations• Significant enforcement, including possible civil lawsuits or criminal enforcement, in addition to administrative fines• Expert hearing officers are available to handle appeals of complex enforcement matters
Increased	<ul style="list-style-type: none">• Minor administrative enforcement of clear violations, such as the issuance of notices of violation and administrative fines.• Additional counseling and individualized advice/education for tenants and landlords (proactively and in response to complaints, public education workshops)
Current	<ul style="list-style-type: none">• Produce reference materials about local regulations (such as FAQs)• Answer basic questions about local regulations• When significant issues arise, refers public to Centro Legal and other third-party organizations• When staff receives complaints of alleged violations, follow-up/education with relevant parties regarding applicable regulations

Rental Housing Program Cost Comparison FY2021-22

Program Components	Berkeley	Beverly Hills	Richmond	Santa Monica	West Hollywood	Average
Year Rent Stabilization Program was Established	1978	2017	2017	1979	1985	--
Population	123,065	31,896	110,051	92,408	35,399	--
Rent-stabilized Units	19,607	7,794	7,665	27,484	16,741	--
Units Subject to "Just Cause" Only	24,306	--	10,485	--	--	--
Total Program Costs	\$5,446,666	\$1,600,000	\$2,595,497	\$5,505,179	\$2,523,827	\$3,534,234
Fee Per Unit	\$400	\$59	\$353	\$228	\$144	\$237

Source: Management Partners, "Objective Analysis of a Ballot Measure, Titled "The Pasadena Fair and Equitable Charter Amendment," August 2022.

Recommendation and Next Steps

Recommendation

- Staff seeks direction from the Rules Committee on Policy option(s) to move forward:

	1. Rent Increases	2. Evictions	3. Rent Registry	4. Anti-Harassment	5. Other
Highest	A. Cap maximum allowable rent increase (“Rent Control”)	A. Prohibit “No Fault” evictions	A. Require expansive rental property registration	A. Adopt Anti-Harassment ordinance with award of attorneys-fees	A. Include options below for Increased Protections and Current Protections
Increased	B. Amend Rent Review Ordinance: C. Adopt Minimum Lease Term Ordinance	B. Increase Tenant/Landlord Counseling and Tenant Legal Assistance C. Require landlords to provide City with copy of termination notices D. Narrow types of evictions which qualify as “at-fault” just cause E. Add requirements for “No Fault” evictions	B. Require basic rental property registration	B. Expand Anti-Harassment policies	B. Fund rental assistance program C. Create Rental Housing Inspection Program D. Establish Education/ Mediation/ Legal Enforcement E. Amend Tenant Relocation Assistance

Next Steps

- 1) Receive direction from Rules Committee today on policy options
- 2) Return to Rules Committee with more detailed policy recommendations

For more information



sanleandro.org/SLhousingprotections



housing@sanleandro.org



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