



Legislation Text

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Adopt a Resolution for the City Council to receive the Annual Rent Review Ordinance and Tenant Relocation Assistance Ordinance Program Evaluations for July 2018 - June 2022

COUNCIL PRIORITY

- Housing and Homelessness
- Community Engagement and Outreach

SUMMARY

This Staff Report and Resolution is based on the City of San Leandro's Rent Review and Tenant Relocation Assistance Ordinances that require the preparation and submittal to City Council of annual evaluation reports. The Rent Review Ordinance was adopted in 2001 and amended in 2016. The Tenant Relocation Assistance Ordinance was adopted in 2017.

RECOMMENDATION

Staff recommends that the City Council review and receive program evaluation reports for two City Ordinances managed by the Community Development Department's Housing Division. Both the Rent Review Ordinance and the Tenant Relocation Assistance Ordinance require an Annual Report that assesses the effectiveness of the respective programs and recommend changes as may be appropriate.

BACKGROUND

The Rent Review Ordinance ("RRO"), San Leandro Municipal Code Title 4, Chapter 4-32, was established by the City to provide a public forum for both property owners/managers and tenants to mutually resolve proposed rent increases. The program is utilized by the community as a rent dispute forum for tenants and property owners/managers and is applicable to rental housing units on parcels that contain at least 2 tenant-occupied housing units that receive a rent increase greater than 7% within a 12-month period.

The Tenant Relocation Assistance Ordinance ("TRO"), San Leandro Municipal Code Title 4, Chapter 4-37, was enacted by City Council to mitigate the impacts of displacement (adverse health, safety and economic) from a "landlord-caused termination" of tenancy or by a rent increase of greater than 12% within a 12-month period.

Additionally, the report includes an overview of the 2019 State Law AB 1482 (aka the "Tenant Protection Act"), impacts of the COVID-19 pandemic, and summarizes data on calls received during the expanded reporting period for July 2018 to June 2022.

Analysis

The RRO requires that the Rent Review Board (Board) prepare a report for the City Council that

assesses the effectiveness of the Rent Review Program. Since May 2001, the Rent Review Program has been managed by the Community Development Department's Housing Division. The Board meets monthly on the fourth Tuesday, when there are cases to be heard, and consists of five members appointed by the Mayor. The composition of the Rent Review Board includes two tenants, two landlords, and one homeowner representative. In recent years the Rent Review Program has been inactive due to changes in State law under AB 1482 that went into effect January 1, 2020, eviction moratoriums (by the State, Alameda County, and the City of San Leandro) and the COVID-19 pandemic. The last meeting of the Rent Review Board took place on October 22, 2019.

Additionally, the TRO requires that the Community Development Director prepare an annual report assessing the effectiveness of the ordinance. Staff have combined both these reports into one document for more streamlined review.

Both the RRO and TRO require that property owners/managers provide a notice of the existence of both programs to their tenants. These program notices include contact information for Housing Division staff and, by default, alert the City's tenants to the existence of the City as a resource. Staff regularly fields calls and emails requesting information and referrals on all types of housing-related issues not limited to rent increases or terminations of tenancy that City tenants face. Staff recommends that the City Council review and approve these informational reports.

Current Agency Policies

- Rent Review Ordinance, Title 4, Chapter 4-32, Section 4.32.500 Annual Review
- Tenant Relocation Assistance Ordinance, Title 4, Chapter 4-37, Section 4-37-500 Annual Review

Previous Actions

- The Rent Review Ordinance was adopted in April 2001. The Municipal Code was amended in March 2002, October 2003, July 2005, March 2015, and March 2016.
- The Tenant Relocation Assistance Ordinance was adopted in September 2017. Implementation began in October 2017.
- Resolution No. 2018-115 approved the Rent Review Program Evaluations for FY 2016-2017 and FY 2017-2018.

Applicable General Plan Policies

The Housing Element contains several policies applicable to the RRO and TRO Annual Reports for consideration with this staff report:

- Goal 54: Administration of Housing Programs-ensure that local housing programs are administered in a way that maximizes benefits to San Leandro residents
 - Policy 54.01 Housing Services Division-maintain a division within the City that is responsible for housing and coordination with other agencies on housing issues.
- Goal 56: Affordable Housing Conservation-encourage the preservation of existing affordable housing stock
 - Policy 56.07-A Rent Review Board-maintain a Rent Review Board to mediate disputes related to significant rent increases.

- Policy 56.07-C Monitoring and Reducing Displacement-monitor the risk and frequency of displacement and develop programs to mitigate this risk as needed.
- Policy 56.08-B Mobile Home Rent Stabilization-Consider adopting a mobile home rent stabilization ordinance.
- Goal 58: Special Needs Population-proactively address the special housing needs of the community.
 - Policy 58.08-B Rental Assistance Program-Pursue alternative funding for the Emergency Rental Assistance Program that provides emergency assistance to lower-income families with past-due rent due to temporary economic hardship.

Summary of Public Outreach Efforts

- A notice for tonight's meeting was posted along with the Summary Report and was available for review at the Main Library and each of the branches, as well as at the Senior Center, the Marina Community Center, and at locations in City Hall including the City Clerk's and Manager's offices, and the Community Development Department's Permit Center kiosk.
- The Housing Division Evaluation Report for the Rent Review and Tenant Relocation Assistance Ordinance are posted on the City's website:
 - <https://www.sanleandro.org/317/Rent-Review-Program>
 - <https://www.sanleandro.org/319/Tenant-Relocation-Assistance>
- Upon request, a hard copy of the document was available to those without internet access or in a format accessible to persons with disabilities.

ATTACHMENT

Attachment A: Resolution to Authorize the City Manager to Approve the Annual Rent Review Ordinance and Tenant Relocation Ordinance Program Evaluations for July 2018 - June 2019 and July 2019 - June 2022

- ***Ex A1: Housing Division Evaluation Report for the Rent Review & Tenant Relocation Assistance Ordinance FY2018-2022***

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