



City of San José Department of Housing

Community Meeting Apartment Rent Ordinance & Tenant Protection Ordinance

San José City Hall
February 10, 2018



Agenda

Overview of Issues

- Introductions
- Update on Ordinances & Issues
 - Apartment Rent Ordinance
 - Tenant Protection Ordinance
- Upcoming Meetings
- Questions & Answers

Apartment Rent Ordinance

Overview of Issues

- Keep base rent increases limited to 5% once every 12 months
- Continue to exclude duplexes from the ARO
- Oversee tenant buyout agreements
- Implement the rent registry to collect information on rents and monitor increases
- Postpone action on Ratio Utility Billing Systems (RUBS) to April 2018

Apartment Rent Ordinance: Notification Posting

- Owners are required to post a Notice of ARO in a conspicuous location of their rent stabilized building.
- Copy of the notice is provided.



THE CITY OF SAN JOSE

APARTMENT RENT ORDINANCE

Effective December 28, 2017 • Required Posting

The City's Apartment Rent Ordinance (ARO) applies to your apartment, regulating allowed annual rent increases, fees and other items. The Landlord is also required to provide you with a City ARO summary or guidebook at initial rental. You can contact the Rent Stabilization Program at 408-975-4480 for more information or for the guidebook, or visit www.sanjoseca.gov/rent.

<p>RENT CAN ONLY BE INCREASED BY 5% ANNUALLY.</p> <p>La renta solo puede aumentarse 5% al año.</p> <p>Giữ thuê chỉ có thể tăng 5% mỗi năm.</p>	<p>RENT SHOULD BE ADJUSTED WHEN HOUSING SERVICES ARE REMOVED.</p> <p>La renta debe ajustarse cuando se eliminan los servicios de vivienda.</p> <p>Tiền thuê phải điều chỉnh khi dịch vụ nhà cửa bị lấy đi.</p>	<p>THERE ARE 12 JUST CAUSE REASONS A TENANT CAN BE EVICTED.</p> <p>Hay 12 razones justificadas por las cuales un inquilino puede ser desalojado.</p> <p>Người thuê nhà chỉ có thể bị trục xuất vì với 12 Lý Do Chính Đáng.</p>
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ANUNCIO
La Ordenanza de alquiler de apartamentos (ARO) de la ciudad se aplica a su departamento, que regula los aumentos de alquileres anuales permitidos, las tarifas y otros artículos. El propietario también debe proporcionarle un resumen o guía de viaje de City ARO en el alquiler inicial. Puede comunicarse con el Programa de Estabilización de Rentas al 408-975-4480 para obtener más información o para la guía, o visite www.sanjoseca.gov/rent.

THÔNG BÁO
Đạo Luật Thuê Chung Cư (ARO) áp dụng cho căn hộ quý vị. Đạo luật này điều chỉnh mức tăng tiền thuê hàng năm, chi phí, và những điều khác. Chủ Nhà cũng phải cung cấp cho quý vị bản tóm tắt hoặc sách hướng dẫn của ARO khi quý vị mới dọn vào trong căn hộ. Nếu có thắc mắc về quyền lợi của quý vị, xin vui lòng liên lạc văn phòng Chương Trình Ổn Định Tiền Thuê Nhà tại 408-975-4462 để có thêm thông tin hoặc yêu cầu sách hướng dẫn hoặc xem www.sanjoseca.gov/rent.

Rent Stabilization Program
City of San José Housing Department
200 East Santa Clara St, 12th Floor
San José, CA 95113 • 408-975-4480
www.sanjoseca.gov/rent • RSP@sanjoseca.gov

Apartment Rent Ordinance: Notice of Termination

Requirements to submit:

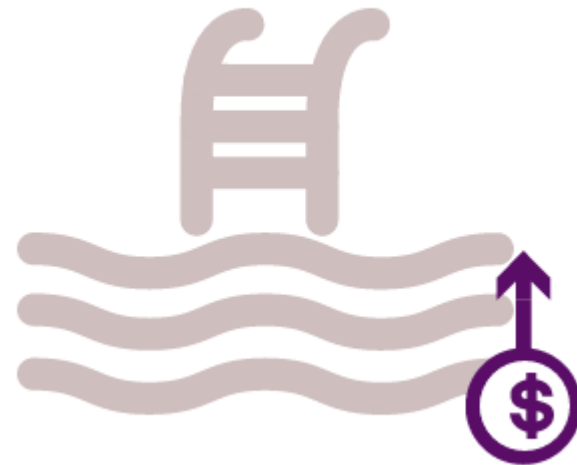
- Notices of termination, including 3-day notices to pay or quit, to office within 3 days of notice being served
- Notices of unlawful detainer
- Notices to terminate tenancy based on one of the 12 Just Cause reasons in Tenant Protection Ordinance

Online: www.sanjoseca.gov/rent

The screenshot shows a web interface titled 'Form Center'. At the top, there is a search bar for forms and a category selector. Below this is a yellow informational banner. The main form is titled 'Online Notice of Termination of Tenancy' and includes a 'Sign in to Save Progress' button. The form is divided into several sections: 'RENTAL PROPERTY INFORMATION' with fields for House Number, Street Name, Street Type, Apt/Unit #, and Zip Code; 'JUST CAUSE FOR EVICTION OR TERMINATION OF TENANCY' with a dropdown menu for selecting a cause; 'Date of Notice of Termination of Tenancy' with a date input field; 'COPY OF NOTICE OF TERMINATION OF TENANCY' with a file upload button; and 'SIGNATURE' with fields for First Name, Last Name, Address 1, and Address 2. A declaration text is provided for the signature section.

Apartment Rent Ordinance: Capital Improvement Program

- Allows landlords to petition to recover the cost of certain capital improvements made to the rental properties
- Can passing through on an amortized basis to the affected units
- Only the listed improvements are eligible



Apartment Rent Ordinance: Joint Petition

Filed jointly by Tenants and Landlords on items of mutual benefit

Grounds for Petition

- Request Approval for One-Time Payment: One time payment of up to 5% of monthly rent, or a one-time increase in security deposit
- Additional Occupant: Up to 5% rent increase for an additional occupant other than the Tenant's foster child, dependent child, spouse, domestic partner, minor in Tenant's care, or parent.
- Additional Parking Space



Apartment Rent Ordinance: Tenant Buy Out

One of the new provisions allows “cash for keys,” meaning the landlord can offer money to the tenant to move voluntarily

Requirements include:

1. Landlords provide tenants with City Disclosure Form
2. Allowing tenants to rescind an agreement within 45 days
3. Copies of signed agreements must be filed with RSP



Apartment Rent Ordinance: Rent Registry

Landlord or manager will need to annually provide the following information through the rent registry:

- Monthly rent
- Apartment address
- Tenant name(s)
- Reason the previous tenant vacated the apartment
- Any other information reasonably requested by the City

Expected launch date of the registry is April 2018

Tenant Protection Ordinance

Overview

- Just Cause Reason #2: Material or Habitual Violation of the Tenancy
 - Include dependent child, foster child, minor in the tenant's care, spouse or domestic partner, or parent of a tenant under exempted categories of additional family members
 - Reduce the maximum occupancy limit for adults to the number allowed by the rental agreement or two adults per bedroom, whichever is greater

Upcoming Community Meetings

Friday, January 19

2:00 – 4:00 PM

City Hall, Wing Room 120
200 E. Santa Clara St.

Thursday, January 25, 2018

6:30 – 8:30 PM

Cypress Community Center
403 Cypress Ave

Future Updates

- Sign up for email updates or submit questions or comments to staff by sending email to RSP@sanjoseca.gov
- For more information and updates, visit www.sanjoseca.gov/rent
- Call us at **408-975-4480**