

Draft Tenant Protection Ordinance

Housing and Community Development
Commission Meeting

Presentation Overview

- Public Process
- Enrollment Process
- Covered vs. Not covered
- List of Just Cause Terminations

Public Process

DATE	TIME	LOCATION
Wednesday Feb 8, 2017	6:30 pm -	City Hall, Wing Rooms #119-120
	8:30 pm	200 E. Santa Clara St., San Jose, CA 95113
Wednesday Feb 15, 2017	6:30 pm -	Bascom Community Center
	8:30 pm	1000 S. Bascom Ave., San Jose, CA 95128
Friday Feb 17, 2017	10:00 am -	City Hall, Wing Rooms #119-120
	12:30 pm	200 E. Santa Clara St., San Jose, CA 95113
Monday Feb 27, 2017	6:30 pm -	Cypress Community Center
	8:30 pm	403 Cypress Ave., San Jose, CA 95117

CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

Public Discussion: Draft Ellis Act and Tenant Protection Ordinances
 Discusión Pública: Proyecto de Ordenanzas: Acto de Ellis y Protección del Inquilino
 Thảo Luận Công Cộng: Dự Thảo Luật Dự Theo Ellis và Luật Bảo Vệ Người Thuê Nhà

Share Your Comments
Comparta sus comentarios
Xin Đóng-Góp Ý Kiến

OR send your comments to e-mail: publiccomments@sanjoseca.gov hoặc gửi ý kiến của bạn qua điện thư tại tpo@sanjoseca.gov & ellisact@sanjoseca.gov

About You Acerca de usted Thông Tin Về Bạn
 IDENTIFICALLY IDENTIFICI CLARAMENTE XIN VIẾT HỌ ĐANG

Name/Nombre/Tên: _____
 Email/Email/Điện Thư: _____

check all that apply - marque todo lo que correspondo - xin chọn những ô vuông đúng với bạn

I live at an Apartment Home/Unifamilio (AHU) apartment
 Vivo en un apartamento unifamiliar/ordenanza.
 Tôi đang sống tại một căn hộ tuân theo Luật Thị Xã Chung Cư.

I own or operate an ARD apartment.
 Soy dueño o opero un apartamento ARD.
 Tôi sở hữu hoặc quản lý một căn hộ tuân theo Luật Thị Xã Chung Cư.

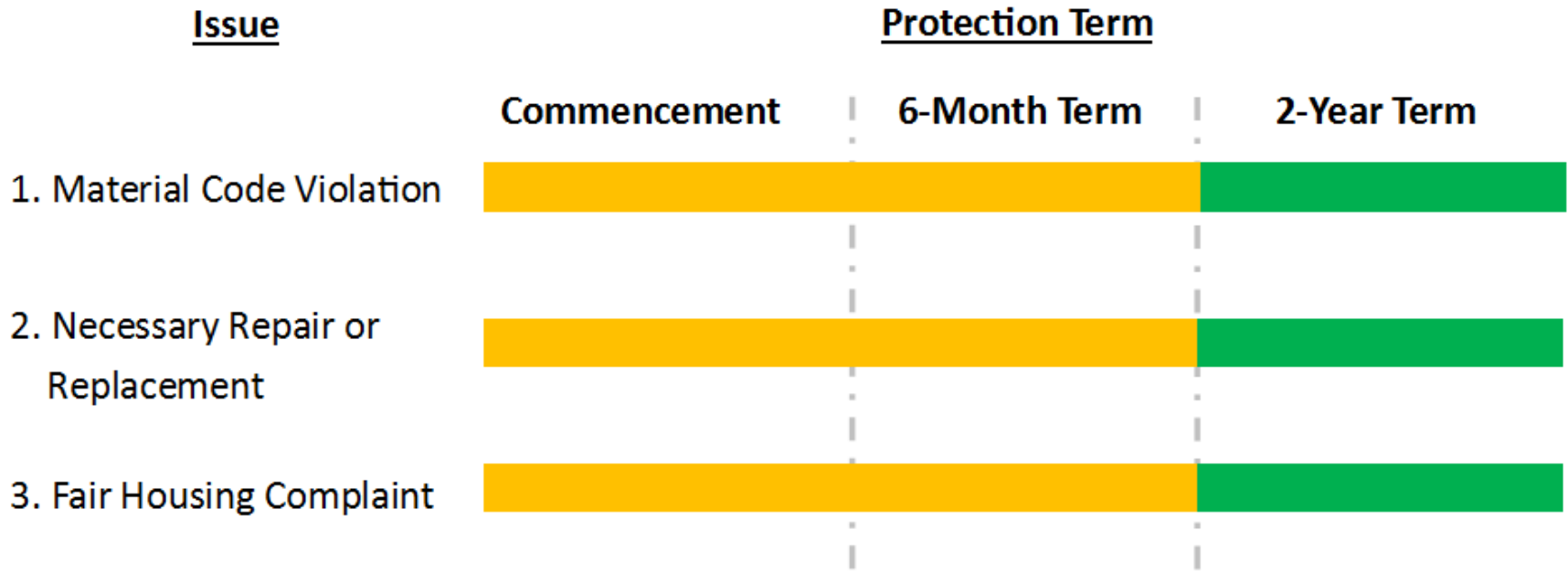
I am a member of the public.
 Soy un miembro del público.
 Tôi là một thành viên trong cộng đồng.

4 Public Meetings

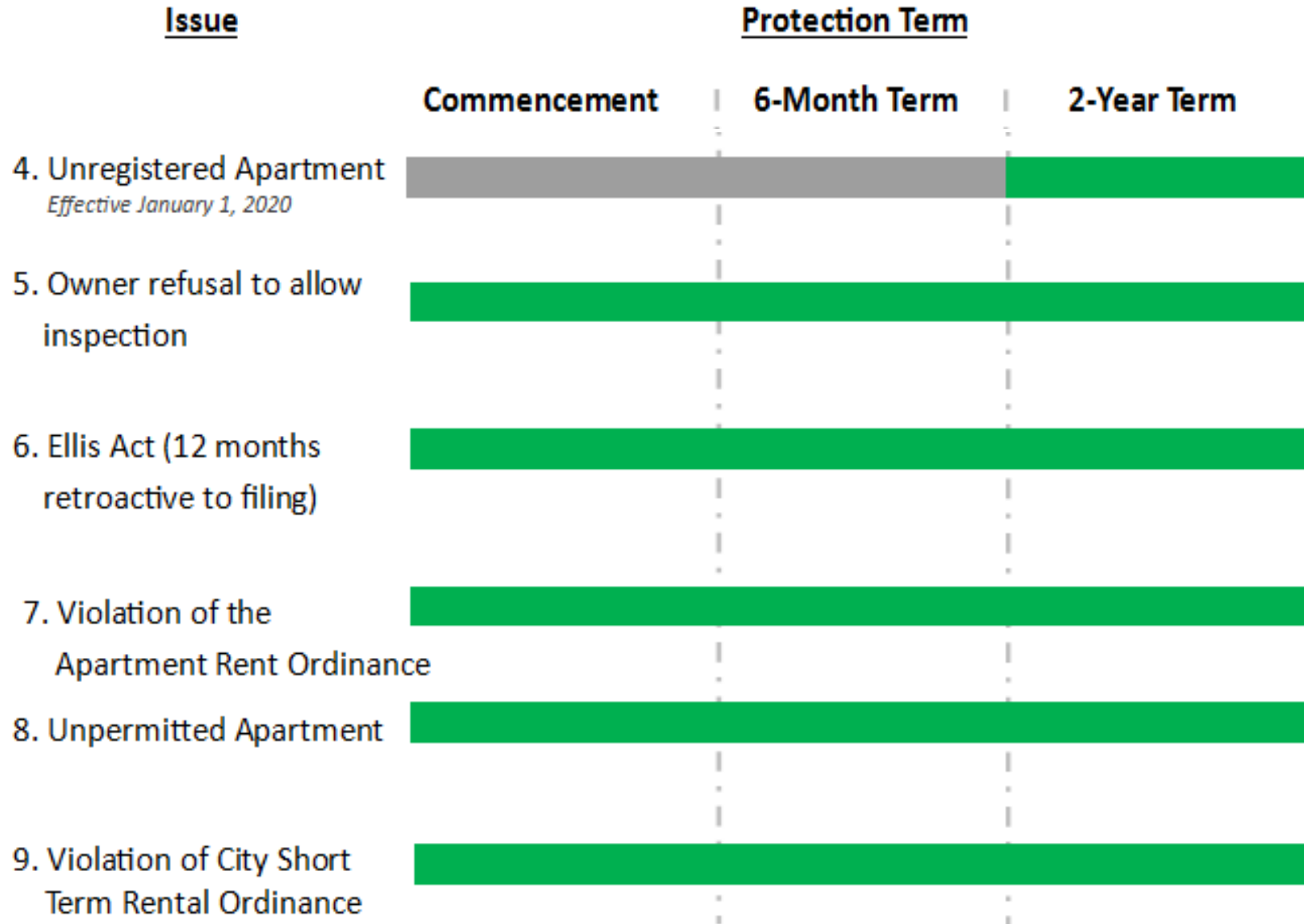


Public Comment Card

Limited Enrollment: 6 months



Full Enrollment: 2 Years



Tenant Protection Ordinance: *Covered vs Not Covered*

COVERED



Apartment
Rent
Ordinance
Apartments



All other
properties,
multiple housing
dwellings



All apartments
built
without a
permit, or
operating
illegally



Guesthouses

NOT COVERED

- Duplexes
- Single family homes
- Condos
- Townhouses
- Second units

List of Just Cause Terminations

Just Cause Terminations

List of Just Cause Terminations that Landlord can qualify to terminate tenancy with tenants

1. Nonpayment of rent
2. Material or habitual violation of the lease
3. Substantial damage to the apartment
4. Refusal to agree to a like or new rental agreement
5. Nuisance behavior
6. Refusing access to the Apartment
7. Unapproved holdover subtenant
8. Substantial rehabilitation of the apartment – *Requested in accordance to Law*
9. Ellis Act removal or demolition – *Relocation benefits per proposed Ellis Act Ordinance*
10. Owner move-in – *Base Assistance*
11. Order to vacate – *Benefits stipulated by the City of San José*
12. Vacation of Unpermitted Apartment – *Base Assistance*

Relocation Assistance

Relocation benefits, as stipulated by the Ellis Act, must be paid when a tenant is being removed from an apartment for reasons 8-12.

Recommendations

- Approve an ordinance adding Part 12 to Chapter 17.23 of the San José Municipal Code to include a Tenant Protection Ordinance limiting no-cause evictions and establishing requirements for property owners to state a Just Cause for eviction in certain limited circumstances.
- Direct the City Manager to instruct staff to incorporate into the forthcoming revised Apartment Rent Ordinance a requirement that a property owner offer a renewable one-year written lease to tenants.

Recommendations

- Direct the City Manager to instruct staff to return with an amendment to Ordinance No. 28730 (the Interim Rent Ordinance) to remove the exemption for units with rental subsidies and to make that change to the forthcoming revised Apartment Rent Ordinance.
- Direct the City Manager to instruct staff to explore tenant benefits and administration provided by existing relocation polices in the San José Municipal Code.