

Summary of Discussion & Comments

Tenant Protection Ordinance & Apartment Rent Ordinance

Community Meeting Series 6/26/17

Tenant Protection Ordinance

Topic: Roommate Clause

June 26, 2017

16 Comments

1. Same as LA. 10% rent increases beyond first minor children
2. No more than 5 people per room.
3. No adult children, no adult siblings, same as Santa Monica
4. 2 ppl/bedroom +1, same as City of Orange
5. Unlimited minor children + one additional relative, same as West Hollywood
6. When additional people are proposed to move in after the initial leases have taken occupancy, they must submit property identification to owner/mgmt's approval prior to moving in. Otherwise it is a lease violation
7. What else can be used to prove family relationships? Many times folks who have been unhoused do not have these documents.
8. In support of the roommate clause of not evicting when subleasing to family members. If folks do not have birth certificate and those type of official documents, how to verify?
9. How can tenants prove that additional roommates are relatives? What if they don't have documentation to prove it?
10. Knowing and approving additional people background. Check if names qualify like tenant.
11. Remove the roommate clause. 6 fundamental reasons why – call Ken Schneebeli 408-888-7174
12. Tenants are responsible for damages whether 1 person or 5 people are added.
13. Overall cap on # of tenants
14. Verify family relations: birth certificates
15. Utilities? Need to know who pays for utilities? If water is covered by landlord, then how to ensure that tenants pay for that?
16. Rent increase when max number of leases is reached. If more people live in a unit that is allowed on the lease, then they are subject to rent increase.

Tenant Protection Ordinance

Topic: Criminal Activity

June 26, 2017

17 Comments

1. Criminal checks on family members
2. Violent activity, drug-related crime, threats against people in unit/residence, domestic abuse
3. Does the criminal activity include past crimes or crimes committed while under new tenancy, or both?
4. Violate parole, guest restrictions based on crime/activity
5. Police report for criminal activity – how to verify if tenant cause crime?
6. Criminal activity already covered in nuisance clause. Further criminalizing tenants seems counter to calling this Tenant Protection Ordinance.
7. No “crime-free” program! Criminalizes low-income people and people of color. Also, makes it difficult to house people in rehabilitation process with a record.
8. #5 nuisance behavior already includes violations of state and federal criminal law. Why do we need to list crimes? Stay away from San Diego’s crime free program.
9. Not all crimes are reported so if residents see a crime how do they address it?
10. This idea leans into crime free housing program that San Jose Police department, our public defender has come out against because it erodes trust necessary and fight crime and other issues.
11. How about people who use weed on property – which laws do you use? Federal or State? Alcohol?
12. San Diego has criminal activity policy. Tenants can be evicted for criminal activity.
13. Gang activity
14. Crime against a person → violent/fights
15. After rehabilitation with proof, the person should be able to rent
16. Drug related charges
17. Former drug offenders after serving time must have proof that tenant is in a program & support system.

Tenant Protection Ordinance

Topic: Immigration

June 26, 2017

6 Comments

1. Research other cities' guidelines
2. If tenants are undocumented and are having trouble providing documentation / proof of being related, and landlords are intimidating tenants based on immigration status, it is going to be even more difficult to provide proof/documentation.
3. There should be sanctions for landlords who threaten tenants based on an immigration status to prevent retaliation.
4. Include the office of Immigrant Affairs during these Housing Department meetings because generalizations made by meeting participants are problematic.
5. Include clause is a step to protect tenants in an unbalanced power dynamic, this fear of immigration authorities called by your landlord should not be how people live. How would it be enforced?
6. If tenant is undocumented but otherwise law abiding, then ignore the tenants immigration status

Apartment Rent Ordinance

Apartment Rent Ordinance

Topic: Consumer Price Index

June 26, 2017

14 Comments

1. Wait on CPI until new study is done with just cause and roommates in place
2. CPI is a bad idea, but if CPI is chosen by the Council, then there should be a catch-up provision to allow owners to catch up in an accelerated rate after recessions cause precipitous drops in rents
3. CPI risks 1) increased interest rates; 2) increased expenses > CPI: taxes, water, garbage
4. If CPI pass on costs to tenants; roofs, painting, re-piping, repaving parking lots, new washer/dryer
5. If you make CPI for rent control units, this should be for all units since large complexes are ones with high increases
6. Yes rent cap should be tied to CPI-Urban with a floor of 2% and ceiling of 5%, no banking
7. Example of rent is \$2,000. CPI is \$40. How can one afford window replacement \$450 per window? How long will it take to pay for it?
8. Why do large new complex be able to charge over 10% rent when rent control cannot?
9. Older properties need to be at market value before it works. If one is below and market one will never catch up.
10. Capital improvement would be difficult to set when CPI could be enacted. Without pass through you will see a deterioration of buildings in blight neighborhoods. No to CPI and very limited pass through.
11. Leave max rent increase alone! 5% is fine we do not raise rent more than that anyway.
12. The city needs to balance the investment interests of landlords with the needs of school districts. Government employees (firemen, police, officers, hospital workers) to live in the city they serve.
13. Banking should not be allowed it was already eliminated. Rent increase should be tied to CPI.
14. Real estate is like other investments. There are no guarantees of making profit every year.

Apartment Rent Ordinance
Topic: Capital Improvements

June 26, 2017
9 Comments

1. 0% pass through if necessary, any capital improvements can readily be accommodated via equity loans, especially given the very high property value increases over the last few years and continuing
2. Improvement program for repairs if \$\$ amount is hit during the years
3. There should be a way to cover large expenses that are not capital improvements and that exceed the anticipated 2% CPI i.e. new water heater, new appliances, new carpet, new water, new sewer line, etc.
4. Need protection for capital improvements. 1) Use tax statement from prior year
5. Leave 5% to cover CPI and capital improvements. Keep it simple
6. Repairs or upgrades should be spread to tenants for capital improvements.
7. Capital improvements should not be used as an alternative to routine maintenance. A landlord with chronic code enforcement violations should not be allowed to raise the rents through a pass through.
8. There should be a 5% cap on capital improvements. Landlords who have chronic code violations should not get a capital improvement pass through.
9. In what other business are owners not expected to properly maintain their business. Where does the money from rent go? Standard maintenance should not be passed through

Apartment Rent Ordinance

Topic: Duplex

June 26, 2017

10 comments

1. Do not add duplexes!
2. These are not connected buildings as defined in real estate law (California). They should be treated the same as single-family homes
3. Leave duplexes alone
4. No, do not include them! Too costly for administration. Will not effect the "rent control issue." Adverse effect on neighborhood without pass through and CPI takes effect. More blight. NO!
5. Yes, add duplexes to the ARO - 1) This will add 11,000 "new" affordable units immediately; 2) Duplex owners need to share the money burdens of rent control w/ landlords who own 3 or more units
6. Add duplexes to ARO and JC
7. Duplexes should be included in the ordinance to be able to protect more tenants
8. Should be included
9. Duplexes should be included. They should share the burden of the costs.
10. Why add duplexes and not do all units new, single family unit, and large complex. Should be the same for all.

Apartment Rent Ordinance

Topic: Hearing Process

June 26, 2017

Hearing Process – 0 comments

- No comment received.