

District 1 — Vacant
District 3 — Barry Del Buono
District 5 — Ruben Navarro
District 7 — Victoria Partida
District 9 — Julie Quinn
Mayor — Nhi Duong

Alex Shoor — District 2
Linh Vong — District 4
Andrea Wheeler — District 6
Huy Tran — District 8
Roberta Moore — District 10
(C) Martha O’Connell — CAAC MR
(VC) Ryan Jasinsky — CAAC ML

*Commissioners are appointed by corresponding Council Members, but do not need to reside in the Council District.

SPECIAL MEETING AGENDA

5:45 PM

April 22, 2021

Virtual [Zoom Link](#)
Web ID: **940 5398 8541**
888-475-4499 (Toll Free)

*** COVID-19 NOTICE ***

Consistent with the California Governor’s Executive Order No. N-29-20, the Housing & Community Development Commission (HCDC) meeting will not be physically open to the public, and Commission members will be teleconferencing from remote locations.

HCDC is meeting via teleconference from remote locations in accordance with State and local orders and measures taken as a result of the COVID-19 pandemic. Members of the public may view and listen to the meeting by following the instructions below. Additional instructions are provided below to those members of the Public who would like to comment on items on the agenda.

How to attend the Housing & Community Development Commission Meeting:

- 1) **Electronic Device Instructions:** For participants who would like to join electronically from a PC, Mac, iPad, iPhone, or Android device, please click this URL: [Zoom Link](#).
 - a. Use a current, up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionality may be disabled in older browsers including Internet Explorer. Mute all other audio before speaking. Using multiple devices can cause an audio feedback.
 - b. Enter an email address and name. The name will be visible online and will be used to notify you that it is your turn to speak.
 - c. When the Chair calls for the item on which you wish to speak, click on “raise hand.” Speakers will be notified shortly before they are called to speak.
 - d. When called, please limit your remarks to the time limit allotted.
- 2) **Telephone Device Instructions:** For participants who would like to join on their telephones, please dial **888-475-4499 (Toll Free)** and when prompted, enter meeting Webinar ID: **940 5398 8541**. You may also **press *9 to raise a hand to speak**.

- 3) **Public Comments prior to meeting:** If you would like to submit your comments prior to the meeting, please e-mail **Luisa.Galdamez@sanjoseca.gov** or contact **(408) 535-8357**. Comments submitted prior to the meeting will be considered as if you were present in the meeting.

Commissioners are strongly encouraged to log on by 5:30pm to ensure there are no technical difficulties – thank you!

**APPROX. AGENDA ITEM
TIME**

Note that the times for items shown below are approximate and intended only to notify the Commission of the approximate amount of time staff expects each item might take.

Please note that items may be heard before or after the times shown.

- 5:45 I. Call to Order & Orders of the Day**
A. Chair reviews logistics for Zoom meetings
- 5:47 II. Introductions**
- 5:50 III. Consent Calendar**
A. Approve the Minutes for the Meeting of April 08, 2021
ACTION: Approve the April 08, 2021 action minutes.
- 5:55 IV. Reports and Information Only**
A. Chair
B. Director
C. Council Liaison
- 6:00 V. Open Forum**
Members of the Public are invited to speak on any item that does not appear on today's Agenda and that is within the subject matter jurisdiction of the Commission. Meeting attendees are usually given two (2) minutes to speak during Open Forum; however, the time limit is in the discretion of the Chair of the meeting and may be limited when appropriate due to a large number of speaker requests.
- 6:05 VI. Old Business**
- VII. New Business**
- 6:10 A. Public Hearing on the Draft Fiscal Year 2021-22 Annual Action Plan (R. Henninger, Housing Department)**
ACTION: 1) Conduct a Public Hearing on the Draft FY 2021-22 Annual Action Plan (Action Plan) and take public comment, as required by the U.S. Department of Housing and Urban Development (HUD); 2) Provide Housing Department staff with

input on the draft Action Plan and proposed funding; and 3)
Recommend to the City Council it approve the Draft Action Plan.

6:40

**B. Rent Stabilization Program Fees for Fiscal Year 2021-2022
(F. Tran, Housing Department)**

ACTION: Review the proposed fee structure for Fiscal Year 2021-2022 for the Rent Stabilization Program, as stated below, and recommend approval to the City Council of the following fees:

- i. Annual Apartment Rent Control Fee: maintain \$55.00 per unit;
- ii. Annual Apartment Non-Rent Control Fee: maintain \$5.45 per unit;
- iii. Annual Mobilehome Rent Control Fee: maintain \$20.00 per unit; and,
- iv. Fees in connection with withdrawal of a building under the Ellis Act Ordinance: maintain \$2,464 per unit for up to ten units and maintain \$907 per unit for over 10 units.

7:00

**C. Rent Stabilization Program Draft Strategic Plan 2021-2024
(F. Tran, Housing Department)**

ACTION: Review the staff report and provide possible recommendations to staff or the City Council on the Rent Stabilization Program Draft Strategic Plan for 2021-2024.

7:45

**D. Rent Stabilization Program Fiscal Year 2020-2021 Quarters 1, 2, and 3 Report for Apartments, Including the Apartment Rent Ordinance, Tenant Protection Ordinance, and Ellis Act Ordinance
(F. Tran, Housing Department)**

ACTION: Review the staff report and provide possible recommendations to staff on the Rent Stabilization Program Quarters 1, 2, and 3 Report for Fiscal Year 2020-2021.

8:10

**E. Rent Stabilization Program Fiscal Year 2020-2021 Quarters 1, 2, and 3 Report for Mobilehomes, Including the Mobilehome Rent Ordinance and Moratorium on Rent Increases
(T. Ramos, Housing Department)**

ACTION: Review the staff report and provide possible recommendations to staff on the Rent Stabilization Program Quarters 1, 2, and 3 Report for Fiscal Year 2020-2021.

8:40

VIII. Open Forum

Members of the Public are invited to speak on any item that does not appear on today's Agenda and that is within the subject matter jurisdiction of the Commission. Meeting attendees are usually given two

(2) minutes to speak during Open Forum; however, the time limit is in the discretion of the Chair of the meeting and may be limited when appropriate due to a large number of speaker requests.

8:45 IX. Meeting Schedule

The next Commission meeting is scheduled to be held on **May 13, 2021, at 5:45 p.m. online**. Items expected to be heard (subject to change) are:

- Assessment of Fair Housing Report
- Draft Affordable Housing Siting Policy

8:50 X. Adjournment

You may speak to the Commission about any discussion item that is on the agenda, and you may also speak during Open Forum on items that are not on the agenda and are within the subject matter jurisdiction of the Commission. Please be advised that, by law, the Commission is unable to discuss or take action on issues presented during Open Forum. Pursuant to Government Code Section 54954.2, no matter shall be acted upon by the Commission unless listed on the agenda, which has been posted not less than 72 hours prior to meeting. Agendas, Staff Reports and some associated documents for the Commission items may be viewed on the Internet at <http://www.sanjoseca.gov/hcdc>. Speakers using a translator will be given twice the time allotted to ensure non-English speakers receive the same opportunity to directly address the Commission.

Correspondence to the Housing & Community Development Commission is public record and will become part of the City's electronic records, which are accessible through the City's website. Before posting online, the following may be redacted: addresses, email addresses, social security numbers, phone numbers, and signatures. However, please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to the Housing & Community Development Commission, will become part of the public record. If you do not want your contact information included in the public record, please do not include that information in your communication.

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the Office of the City Clerk, 200 East Santa Clara Street, 14th Floor, San José, California 95113, at the same time that the public records are distributed or made available to the legislative body. Any draft resolutions or other items posted on the Internet site or distributed in advance of the Commission meeting may not be the final documents approved by the Commission. Contact the Office of the City Clerk for the final document.

On occasion, the Commission may consider agenda items out of order.

The Housing & Community Development Commission meets every second Thursday of each month (except for July and sometimes December) at 5:45pm, with special meetings as necessary. If you have any questions, please direct them to the Commission staff. Thank you for taking the time to attend today's meeting. We look forward to seeing you at future meetings.

To request translation or interpretation services, accommodation, or alternative format under the Americans with Disabilities Act for City-sponsored meetings, events, or printed materials, please call (408) 535-1260 as soon as possible, but at least three business days before the meeting.

Please direct correspondence, requests, and questions to:

City of San José Housing Department
Attn: Luisa Galdamez
200 East Santa Clara Street, 12th Floor
San José, California 95113
Tel: (408) 535-8357
Email: Luisa.Galdamez@sanjoseca.gov

Para residentes que hablan español: Si desea mas información, favor de llamar a Luisa Galdamez al 408-535-8357.

Tiếng Việt: Xin vui lòng liên lạc Viviane Nguyen tại 408-975-4462.

對於說華語的居民: 請電 408-975-4450 向 Ann Tu 詢問詳細事宜。

**HOUSING & COMMUNITY DEVELOPMENT COMMISSION
MEETING ACTION MINUTES**

April 8, 2021

**MEMBERS
PRESENT:**

Martha O’Connell	Chair (MR)
Ryan Jasinsky	Vice Chair (ML)
Alex Shoor	Commissioner (D2)
Barry Del Buono	Commissioner (D3)
Linh Vong	Commissioner (D4)
Ruben Navarro	Commissioner (D5)
Andrea Wheeler	Commissioner (D6)
Victoria Partida	Commissioner (D7)
Huy Tran	Commissioner (D8)
Julie Quinn	Commissioner (D9)
Roberta Moore	Commissioner (D10)
Nhi Duong	Commissioner (Mayor)

MEMBERS ABSENT: District 1 – VACANT Commissioner (D1)

STAFF PRESENT:

Maribel Villarreal	HCDC City Council Liaison
Kristen Clements	HCDC Secretary, Housing Department
Luisa Galdamez	HCDC Assistant Secretary, Housing Department
James Stagi	Grants, Housing Policy & Planning Administrator, Housing Department
April Ensign	Grants, Development Officer, Housing Department
Kelly Hemphill	Homeless Response Manager, Housing Department

(I) Call to Order & Orders of the Day

A. Review logistics for Zoom meetings

Chair O’Connell called the meeting to order at 5:46 p.m.

(II) Introductions – Commissioners and staff introduced themselves.

(III) Consent Calendar

A. Approve the Minutes for the meeting of March 11, 2021.

ACTION: Approve the March 11, 2021 action minutes.

Commissioner Jasinsky made the motion to approve the minutes for March 11, 2021, with a second by Commissioner Partida and Del Buono. The motion passed 12-0.

Yes: O’Connell, Jasinsky, Shoor, Del Buono, Vong, Navarro, Wheeler, Partida, Tran, Quinn, Moore, Duong (12)

No: None (0)

Absent: (0)

(IV) Reports and Information Only

A. Chair: No update

B. Director: The State’s Emergency Rental Assistance Program for tenants and landlords has opened and is heavily subscribed, although no payments have been made yet. The Housing Department has been working closely with the City Manager’s office and the County in designing the local program for extremely low-income residents and those lacking traditional documentation. The City is also coordinating closely with Destination: Home and community-based organizations in the local delivery network to inform rules for the local program. We will be updating the Commission when the local program portal opens.

C. Council Liaison: Ms. Maribel Villarreal noted the Mayor’s budget proposal was approved by City Council. She noted that the forthcoming Google Development Agreement includes an affordable housing component that has not yet been finalized. (Note: The Commission also heard a presentation on the draft Diridon Affordable Housing Implementation Plan on November 12, 2020.)

(V) Open Forum

(VI) Old Business

(VII) New Business

**A. Fiscal Year 2021-22 Annual Action Plan Funding Priorities
(J. Stagi, Housing Department)**

ACTION: Hold a public hearing on funding priorities for the Fiscal Year 2021-22 Annual Action Plan for the use of federal funds from the U.S. Department of Housing and Urban Development and provide Housing Department staff with input on the Annual Action Plan funding priorities.

Commissioner Shoor recused himself from this item to avoid any appearance of a conflict of interest. Commissioner Vong recused herself from this item as her employer is the Health Trust, which is funded through federal funds and is in the draft priorities.

Commissioner Quinn made the motion to approve the report as-is, with a second by Commissioner Navarro. The motion passed 10-0-2.

Yes: O’Connell, Jasinsky, Del Buono, Navarro, Wheeler, Partida, Tran, Quinn, Moore, Duong (10)

No: None (0)

Abstain: Shoor, Vong (2)

B. Housing Trust Fund Budget for Fiscal Year 2021-22

(K. Hemphill, Housing Department)

ACTION: Acting as the Housing Trust Oversight Committee, recommend that the Director of Housing approve the expenditure plan for the Housing Trust Fund of \$4,301,000 for Fiscal Year 2021-22.

Commissioner Shoor recused himself from this item to avoid any appearance of a conflict of interest, as he partners with a nonprofit agency that receives Housing Trust Funds.

Commissioner Del Buono made the motion to recommend the Director of Housing approve the expenditure plan for the Housing Trust Fund of \$4,301,000 for Fiscal Year 2021-22, with a second by Commissioner Quinn. The motion passed 11-0-1.

Yes: O’Connell, Jasinsky, Del Buono, Vong, Navarro, Wheeler, Partida, Tran, Quinn, Moore, Duong (11)

No: None (0)

Abstain: Shoor (1)

C. Consideration of Commission Bylaws Amendments

(Commissioner Wheeler)

ACTION: Discuss potential amendments to the Commission’s Bylaws from the Ad Hoc Committee on Bylaws that are consistent with Policy 0-4 and the San José Municipal Code and take possible action.

Commissioner Wheeler made the motion to delegate staff to make edits to the Bylaws in accordance with suggested changes #2 and #3 and return to the Commission for final approval, with a second by Commissioner Partida. The motion passed 12-0.

Yes: O’Connell, Jasinsky, Shoor, Del Buono, Vong, Navarro, Wheeler, Partida, Tran, Quinn, Moore, Duong (12)

No: None (0)

Absent: (0)

(VIII) Open Forum

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**Housing & Community Development Commission
DRAFT Minutes Regular Meeting – April 8, 2021
Item III-A**

(IX) Meeting Schedule

The next regular Commission meeting is scheduled to be held on **Thursday, April 22, 2021, at 5:45 p.m.** online.

(X) Adjournment

Chair O’Connell adjourned the meeting at 8:16 p.m.

DRAFT



Memorandum

TO: HOUSING & COMMUNITY
DEVELOPMENT COMMISSION

FROM: Jacky Morales-Ferrand

SUBJECT: SEE BELOW

DATE: April 15, 2021

Approved

Date

SUBJECT: PUBLIC HEARING ON THE DRAFT FISCAL YEAR 2021-22 ANNUAL ACTION PLAN

RECOMMENDATION

- 1) Conduct a Public Hearing on the Draft Fiscal Year 2021-22 Annual Action Plan (Action Plan) and take public comment, as required by the U.S. Department of Housing and Urban Development (HUD);
- 2) Provide Housing Department staff with input on the draft Action Plan and proposed funding; and
- 3) Recommend to the City Council it approve the Draft Action Plan.

OUTCOME

The public hearing provides an opportunity to the Housing & Community Development Commission (HCDC) and the public to provide comment on the proposed Fiscal Year (FY) 2021-22 Annual Action Plan (Action Plan) at this publicly noticed meeting.

The feedback provided by the HCDC will further inform the development of the City's FY 2021-22 Action Plan. Upon City Council adoption of the final Plan in May, the Housing Department will submit the final federally mandated document to HUD by the May 15, 2021 deadline. Meeting this deadline enables the City to remain eligible to receive approximately \$14.3 million in federal housing and community development funds in FY 2021-22.

EXECUTIVE SUMMARY

This action requests input on the proposed Plan, a yearly planning report that HUD requires of jurisdictions receiving federal funds via formula grant. This memorandum summarizes the strategies on the use of approximately \$14.3 million in new funding that the City will receive in FY 2021-22. The report details an itemized description of the proposed activities and funding recommendations for each of the four federal funds. With City and Housing Department staff resources currently focused on programs and services related to COVID-19 relief, the FY 2021-22 funding priorities are based on stakeholder outreach conducted prior to the pandemic. The proposed activities are consistent with those approved by the City Council in the 2019-20 Annual Action Plan.

This memorandum summarizes the proposed uses for the funding received by the City for four federal programs which includes, \$8,761,415 in Community Development Block (CDBG), \$3,221,675 in HOME Investment Partnership Program (HOME), \$1,553,405 in Housing for Persons with AIDS (HOPWA), and \$763,052 in Emergency Solutions Grant (ESG) funding.

CDBG funding will be focused on three funding categories: 1) Public Services, including homeless services, neighborhood engagement/leadership development, senior services, fair housing, and other legal support services; 2) Community Development Initiatives (CDI), including enhanced Code Enforcement, minor home repairs, and community and infrastructure improvements; and, 3) Grant administration. HOME funds help create new affordable housing developments including some apartments for formerly homeless residents and for time-limited rent subsidies to help low-income residents to afford market-rate apartments. HOPWA funds will be directed to rent subsidies and supportive services. ESG funds will be targeted toward outreach to homeless residents in San José, and for homelessness prevention programs.

BACKGROUND

As a HUD entitlement jurisdiction, San José receives federal formula grants each year from HUD for housing and community development activities. The funding is allocated to the City based on several factors including population, poverty, and housing statistics.

Every five years, HUD requires entitlement jurisdictions to develop a Five-Year Consolidated Plan. The Consolidated Plan assesses the City's current housing market; analyzes demographic, ethnic, and socio-economic conditions; and, identifies populations within the City that have the greatest community and housing needs. It also defines the City's priority needs, strategies, and objectives for reducing the most prevalent barriers to housing and services in our community.

In August 2020, the City adopted the Five-Year Consolidated Plan for the FY 2020-25 period. The City participated in a Countywide collaboration to analyze data on housing needs and to develop this cycle's Consolidated Plan. The City then refined and prioritized the identified broad regional objectives to establish its four major goals, which meet both regional and local priorities:

1. **Prevent and Address Homelessness** – Increase housing opportunities and self-sufficiency for homeless populations and assist in the prevention of homelessness for at-risk individuals and families.
2. **Create and Preserve Affordable Housing** – Create new affordable housing opportunities and preserve existing affordable housing.
3. **Promote Fair Housing** – Promote fair housing and lowered barriers to housing.
4. **Strengthen and Stabilize Communities** – Strengthen and stabilize communities' conditions and help to improve residents' opportunities, such as the ability to increase their employment prospects and grow their assets.

The first three priorities are the same as for the previous Consolidated Plan cycle for 2015-20 as they continue to be of paramount importance for the City. While the fourth priority still allows for investment in community infrastructure as it did last cycle, it also allows for investments focused on improving residents' economic opportunities and resilience. It is a people-focused Plan. As the COVID-19 crisis has revealed weaknesses in our society, it has become all-too-apparent that the City must do all it can to strengthen the opportunities for residents in San José. The 2020-25 Consolidated Plan enables the City to pay for a range of services to help those who are unhoused, paying too much for housing, in need of legal assistance to keep their housing, and needing to improve their employment prospects.

In each of the five years in the Consolidated Plan, HUD requires entitlement jurisdictions to submit an Action Plan which identifies a one-year strategy for meeting the goals contained in the Five-year Plan. While FY 2020-21 would have been the first annual plan under the new five-year Consolidated Plan, priorities quickly shifted in early 2020 to address the growing impacts of COVID-19. In addition to the City's annual formula allocations of federal funds, this past year, the City received \$48,160,981 in one-time CDBG and ESG CARES Act funding as well as over \$30 million in Rental Assistance funds that the City of San José received directly from the U.S. Department of Treasury to address the effects and financial impact of COVID-19 on City residents.

As City staff continues to implement new and complex programs and services to help alleviate the effects of COVID-19, the capacity to conduct robust community outreach and solicit feedback on potential new funding priorities is limited. Therefore, on December 15, 2020¹, the City administration informed the City Council that it would continue funding the priorities consistent with the FY 2019-20 Action Plan, which was the last Action Plan to receive full community input and approval prior to the pandemic. The FY 2021-22 funding priorities are based on stakeholder outreach conducted prior to the pandemic in conjunction with the FY 2019-20 Action Plan. The proposed activities this fiscal year are consistent with those approved by the City Council for the FY 2019-20 Action Plan. While most contract renewals with grantees will be similar to those in previous years, some scopes of service may be altered to reflect current

¹ 2019-20 Consolidated Annual Performance Evaluation Report:
<https://www.sanjoseca.gov/home/showpublisheddocument?id=67836>

COVID-19 response priorities, and some performance measures may be changed to better demonstrate outcomes.

San José’s Previous Use of HUD Funds and Proposed New Priorities

As previously stated, the four priorities in the 2020-2025 Consolidated Plan only vary slightly from the 2015-20 Plan under the new “*Strengthen and Stabilize Communities*” priority. With the consistent goals and priorities between the two five-year plans, the approved uses have also remained consistent. The City’s 2015-20 and 2020-25 Consolidated Plans approved uses for the City’s four formula funding sources from HUD are listed in **Table 1**, as a point of reference.

Table 1: San José’s Federal Sources from HUD and Uses in Previous Consolidated Plan

Federal Funding Source	City’s FY 2019-20 and 2020-21 Approved Uses
Community Development Block Grant (CDBG)	Childcare services Community Wireless Network Infrastructure Emergency meal provision Emergency shelter rehabilitation and operations Enhanced code enforcement Homeless outreach Hotel/motel vouchers for emergency shelter Legal services for low-income tenants and landlords Small business support /job retention and creation Minor and emergency home repair Neighborhood engagement and leadership training Neighborhood street and infrastructure enhancements Senior services Fair housing education and counseling Job training
HOME Investment Partnership (HOME)	Development of affordable housing and tenant-based rental assistance subsidies
Emergency Solutions Grant (ESG)	Homeless services focused on outreach and homelessness prevention
Housing Opportunities for Persons with Aids (HOPWA)	Rental assistance

ANALYSIS

On March 2, 2021, HUD notified the City of its formula allocation for FY 2021-22. In FY 2021-22, the City will receive a total of almost \$14.3 million in Community Development Block Grant (CDBG), HOME Investment Partnerships Program (HOME), Housing Opportunities for Persons with HIV/AIDS (HOPWA), and Emergency Solutions Grants Program (ESG) entitlement grants. While the focus of this memorandum is the new federal allocations, the draft Action Plan will also provide a summary of anticipated carryover funding from previous years as well as program income from loan repayments. Table 2 below summarizes the FY 2021-22 federal funding levels:

Table 2: FY 2021-22 Federal Funding Levels

Program	Annual Allocation	Prior Year Carryover	Estimated FY 2021-22 Program Income	Total Estimated Resources
CDBG	\$ 8,761,415	\$273,000	\$400,000	\$9,434,415
HOME	\$ 3,221,675	\$1,476,478	\$300,000	\$4,998,153
HOPWA	\$ 1,553,405	\$0	\$0	\$1,553,405
ESG	\$ 763,052	\$0	\$0	\$763,052
Total	\$14,299,547	\$1,749,478	\$700,000	\$16,749,025

Prior year carryover includes cost savings or unexpended funding and from prior years programs and projects that have been closed out in the federal reporting system. Prior year carryover does not include prior years funds that have been programmed and active.

FY 2021-22 Action Plan

The FY 2021-22 draft Action Plan contains a description of all activities recommended for funding. Each of the activities detailed in the Action Plan are aligned with the four goals of the Consolidated Plan and contributes to the City’s five-year objectives. The Action Plan aligns the City’s available resources with the planned activities that will enable the City to meet its annual goals. Completing the annual plan helps the City stay on target to meet its five-year plan goals. The expenditure plans for CDBG, HOME, HOPWA, and ESG are provided below. All activities will be described in greater detail in the draft Action Plan.

Community Development Block Grant (CDBG) Program

CDBG is a flexible funding source that supports the development of viable urban communities by providing decent housing, encouraging a suitable living environment, and expanding economic opportunities, principally for lower-income households.

As the largest and most flexible of the four federal grants, CDBG funds are divided into three categories. These include Public Services (PS), Community Development Improvements (CDI), and Administration activities. The CDI category is further delineated into construction projects and non-construction projects. Construction projects consist of capital projects that directly fund physical improvements such as facility or infrastructure improvements. Non-construction projects include programs and other services, such as job training, provided to Low- and Moderate-Income Households.

Table 3 below outlines the City’s planned CDBG expenditures for the coming year by category and activity. Additional detail on these activities are provided in subsequent tables in this memo.

Table 3: CDBG Activities for FY 2021-22

Category	CDBG Activities	Funding
PS	Senior Services	\$200,000
PS	Neighborhood Engagement and Leadership Training	\$200,000
PS	Services for Homeless and Unhoused Populations	\$399,097
PS	Citywide Legal Services for Low-income Tenants and Landlords	\$475,115
PS	Fair Housing*	\$100,000
CDI	Place-based Street and Infrastructure Enhancements	\$2,857,920
CDI	Acquisition, Rehabilitation, and infrastructure improvements for Affordable Housing Sites, Public and non-profit facilities	\$300,000
CDI	Targeted Code Enforcement	\$1,100,000
CDI	Minor Home Repair	\$1,650,000
CDI	Job Training for Homeless Individuals	\$500,000
Admin	Grants Management	\$1,652,283
Total		\$9,434,415

*Note: The Fair Housing agreement will be split between various sources for a total of \$400,000.

CDBG – Public Services

CDBG funds can pay for a variety of services for low-income individuals. Program regulations require that funding for Public Services be capped at 15% of the annual allocation combined with the prior year’s Program Income. Program Income is primarily comprised of repayments of loans made from federal funds. Services are generally funded on a three- to five-year funding cycle to provide predictability in service delivery and to support organizational capacity of service providers.

Table 4 below lists existing services and service providers currently under contract. Staff is recommending to extend the following services through FY 2021-22. Individual funding levels will be comparable to their FY 2020-21 levels but may vary slightly based on grant allocation and program income differences.

Table 4: Existing Service Providers in CDBG Contract Funding Cycle

Service Type	Agency	Program	FY 2021-22 (recommended)
Senior Services	The Health Trust	Meals On Wheels – Senior Services	\$125,000
Senior Services	Portuguese Organization for Social Services Opportunities	Senior Access and Health Support	\$75,000
Legal Services	San José Housing Rights Consortium	Legal Services for Low-Income Tenants & Landlords	\$475,115
Neighborhood Engagement	SOMOS Mayfair	Home Grown Talent Project	\$150,000

Service Type	Agency	Program	FY 2021-22 (recommended)
Neighborhood Engagement	CommUniverCity	Community Leadership Development	\$50,000
Homeless Services	HomeFirst	Citywide Outreach & Shelter	\$399,097
Fair Housing	Law Foundation of Silicon Valley - Four Agency Consortium includes Project Sentinel, Asian Law Alliance, Senior Adults Legal Assistance and Law Foundation as lead agency	Fair Housing Services	\$100,000
Total			\$1,374,212

CDBG - Community Development Investment Funds

Community Development Investment (CDI) funds can be used to fund public infrastructure and other needs that serve low-income individuals. There is no limit on the amount of funding that may be dedicated to the CDI category. The proposed funding priorities in this category include the following CDI activities:

Priority Projects – Housing Department staff has coordinated with other City Departments to identify infrastructure and other capital projects eligible for CDBG that benefit the City’s lower-income communities. Since 2012, CDBG resources have leveraged investments in the Santee/McKinley, Mayfair, and Five Wounds/Brookwood Terrace neighborhoods to create clean, safe, and engaged neighborhoods. In FY 2018-19, the Housing Department broadened its neighborhood focus to link federal funds with City investments or programs to address underserved needs in a low-resourced neighborhood. Examples of this include providing infrastructure investments adjacent to the planned housing developments for formerly homeless residents at Evans Lane in FY 2021-22. The Department will continue to invest in neighborhoods where City programs are aligned and can be leveraged. The Plan allocates funds in FY 2021-22 for the following proposed City projects.

Table 5: CDI Place-based Projects

Project	Description	FY 2021-22 (recommended)
Acquisition, Rehabilitation and Infrastructure for Affordable Housing Sites and Public Facilities	WiFi networks in the Oak Grove and Independence High Schools’ neighborhoods	\$1,800,000
	General infrastructure improvements	\$1,057,920
Total		\$2,857,920

Additionally, the Housing Department is continuing work on projects that have been funded in past grant years.

Nonprofit Facility Rehabilitation – Community-based organizations provide vital services for the residents of San José. They offer services that are often not feasible for public or private organizations to administer. Many organizations struggle to raise the revenue needed to provide basic essential services for the City’s most at-risk residents. This ongoing lack of resources leaves many agencies with the inability to maintain or improve the facilities where their staff are located and where direct services to clients are provided. CDI funding for nonprofit facilities has been identified as a critical need by many of the nonprofit agencies in San José and has been listed as a priority by the Silicon Valley Council of Nonprofits. Accordingly, the Plan identifies that funds be allocated for the purposes listed in Table 6.

Table 6: CDI Nonprofit Facility Rehabilitation

Agency	Program	FY 2021-22 (recommended)
Bill Wilson Agency	Continued rehabilitation of Bill Wilson Enclave Youth Shelter	\$300,000
Total		\$300,000

CDI-funded Non-construction – Non-construction CDI projects include programs and other indirect services benefitting low- and moderate-income individuals and households. Enhanced Code Enforcement and Job Creation are two of the only “service” activities that can be funded with CDI funds. For Code Enforcement to be eligible, it must be linked with a special program such as the City’s Place-Based Neighborhood Initiative and Project Hope I and II. Code Enforcement will be use CDBG resources in four specific neighborhoods that include Santee, Five Wounds/Brookwood Terrace, Cadillac/Project Hope, and the newly added Round Table/Project Hope II. Table 7 provides a list of the programs to be funded under the CDI category:

Table 7: CDI Non-construction Projects

Agency	Program	FY 2021-22 (recommended)
City Code Enforcement	Enhanced Code Enforcement in targeted neighborhoods	\$1,100,000
Rebuilding Together Silicon Valley	Minor Repair and Limited Rehab for Low-Income Homeowners Program	\$1,100,000
Habitat for Humanity	Minor Repair and Limited Rehab for Low-Income Homeowners Program	\$550,000
Job Train	Job training for homeless and at risk individuals	\$360,000
International Rescue Committee	Job training for homeless and at risk individuals	\$140,000
Total		\$3,250,000

Administrative: Recognizing the significant requirements associated with managing CDBG funds, HUD allows funding of administrative planning and oversight using up to 20% of the sum of the annual allocation plus the current year’s Program Income. In addition to grant planning and oversight, Fair Housing is the sole service that can be paid from the Administrative category as well as the Public Service category. In FY 2021-22, some Administrative funds will go

towards Fair Housing programs listed below, and will pay other City departments' staff's work on CDBG-related activities. This includes the City Attorney's Office work to perform legal reviews of all federal contracts, and the Department of Planning, Building and Code Enforcement's work to provide required environmental review support for all federally funded projects.

Table 8: CDBG Administrative

Agency	Program	FY 2021-22 (recommended)
Housing Department	CDBG Administration	\$1,500,283
City Attorney's Office	Legal Staffing	\$20,000
Planning Department	Environmental Reviews	\$32,000
Law Foundation of Silicon Valley - Four Agency Consortium	Fair Housing	\$100,000
Total		\$1,652,283

HOME Program

The HOME program provides financial assistance to help increase the supply of affordable rental and homeownership housing for low-income households through the acquisition, rehabilitation, or construction of affordable housing and through the provision of tenant-based rental assistance. Tenant-based rental assistance will be provided within the City's Rapid Rehousing program.

Table 9: Proposed FY 2021-22 HOME Activities

Project	Allocated Amount
New Affordable Housing Development (including project delivery)	\$ 2,423,751
Tenant-Based Rental Assistance (TBRA)	\$ 2,252,235
Program Administration	\$ 122,167
Fair Housing Services	\$ 200,000
Total HOME	\$ 4,998,153

New Affordable Housing Development: It should be noted that HOME rules require that new affordable housing developments must have all other financing obtained and be able to start construction within one year of committing the funds. For this reason, the Housing Department must sometimes hold a significant portion of funds until a project is almost ready to start construction. In FY 2019-20 staff released a Notice of Funding Availability (NOFA) and continues to commit available funding to the project selected.

Tenant-Based Rental Assistance Program: Anticipating the long-term effects that the COVID-19 Pandemic has had on many low-income families, the Department will be developing a Tenant-Based Rental Assistance (TBRA) Program to provide time-limited subsidies for low-income families. The City currently does not have a service provider under contract for a general TBRA Program. The Housing Department will procure one or more agencies once the plan is approved by City Council.

Housing Opportunities for Persons with HIV/AIDS (HOPWA) Program

The HOPWA program provides local jurisdictions and nonprofits with resources and incentives to support long-term strategies for meeting the housing needs of low-income individuals living with HIV/AIDS and their families.

The Health Trust was selected through a previous federally funded services RFP to provide rental assistance and supportive housing services. Staff is recommending continuing funding The Health Trust to administer HOPWA activities at the following levels through FY 2021-22. Additionally, as the nearest metropolitan statistical area, the City of San José administers the HOPWA grant funding for San Benito County. The Housing Department coordinates with San Benito County staff who to administer approximately \$70,000 in rental assistance in that County.

Table 10: Proposed FY 2021-22 HOPWA Activities

Project	Allocated Amount
Rental Assistance and Supportive Services	\$ 1,398,065
Grantee Administration	\$ 108,738
City Administration	\$ 46,602
Total HOPWA	\$ 1,553,405

Emergency Solutions Grant (ESG) Program

The ESG program provides matching grants to help pay for shelter operating expenses and for other essential services to serve individuals and families experiencing homelessness. Activities proposed for FY 2021-22 include:

Table 11: Proposed FY 2021-22 ESG Activities

Proposed Activity	Description	Amount
Street Outreach	Street-based outreach, engagement and case management for the unhoused population	\$428,823
Homeless Prevention Program for Youth and Families	Rental assistance and support for households at risk of becoming homeless, including victims of intimate partner violence	\$127,000
County HMIS	Operation of the Homeless Management Information System (secure web-based database) in compliance with HUD	\$150,000
City Administration	City grant administration, compliance monitoring, environmental review, and legal service support	\$57,229
Total Programmed		\$763,052

In FY 2018-19, staff issued a Request for Proposals (RFP) for outreach and homeless prevention services. Contracts were awarded to People Assisting the Homeless (PATH) and Bill Wilson Center. Staff is recommending to continuing funding PATH and Bill Wilson Center to administer ESG activities at the following levels through FY 2021-22.

Table 12: Proposed FY 2021-22 ESG Activities

Service Type	Agency	Program	FY 2021-22 (recommended)
Homeless Services	People Assisting the Homeless (PATH)	San José Outreach and Engagement	\$428,823
Homeless Services	Bill Wilson Center	Homeless Prevention Program for Youth and Families	\$127,000
Homeless Services	County of Santa Clara	Homeless Management Information System (HMIS)	\$150,000
Administration	City	ESG Administration	\$57,229
Total ESG			\$763,052

Meeting the Needs of Families

The proposed FY 2021-22 Consolidated Plan provides over \$10 million in funding for 12 programs serving families (see Table 13 below). The Housing Department holds regular meetings with the Santa Clara County Office of Education (SCCOE) McKinney Vento staff to identify services gaps both as a result of COVID-19 and beyond. The current health crisis has exacerbated existing conditions for homeless children and their families. The leadership at SCCOE report that homeless youth are struggling with online school classes, as library closures mean they lack computer access, secure storage for laptops, hotspots for portable broadband access, power sources, and safe spaces to attend online classes and do homework. The Housing staff also has regular conversations with domestic violence services providers to identify their needs. The domestic violence service providers reported that levels of violence are escalating during the health crisis and they are in need of additional motel vouchers to safely shelter victims. As a result of the conversations with SCCOE and domestic violence service providers, the Housing Department has funded community wireless network, emergency motel vouchers for families and childcare services.²

Table 13: FY 2021-22 Annual Action Plan Family-Serving Programs

Grantee	Purpose	Amount
SOMOS Mayfair	Home Grown Talent, neighborhood engagement	\$150,000
CommUniversity	Neighborhood engagement	\$50,000
San Jose Housing Rights Consortium	Legal services for low income tenants	\$475,115
Law Foundation Silicon Valley	Fair housing services	\$200,000
Community Wireless Network	Wireless network	\$2,484,920
Code Enforcement	Enhanced code enforcement in Project Hope neighborhoods	\$1,100,000

² Substantial Amendments to FY2019-20 and FY2020-21 Annual Action Plans:

<https://www.sanjoseca.gov/home/showpublisheddocument?id=70580>

Grantee	Purpose	Amount
Rebuilding Together & Habitat for Humanity	Single family home repairs	\$1,650,000
To be determined	Tenant based rental assistance	\$2,252,235
Bill Wilson Center	Family homeless prevention	\$127,000
The Health Trust	Tenant based rental assistance (HOPWA)	\$1,398,065
HomeFirst	Homeless outreach and engagement (citywide)	\$399,097
PATH	Homeless outreach and engagement (downtown)	\$428,823
	Total	\$10,715,255

Outcomes

As noted in this memorandum, the Housing Department is recommending extending several existing agreements with agencies that have been administering their respective programs, projects, and services for the past several years. These recommendations to extend current services is based on staffs limited capacity conduct significant outreach and ability to administer complex procurement for each activity/service. However, staff is also recommending that these agencies continue receiving funding because the need for these services remain and some cases are greater than in previous years. The agencies that will receive funding extensions through this strategic plan have performed well over the past several years and achieved positive outcomes. Many of the agencies have continued to administer programs and services throughout the pandemic and have taken on administration of additional COVID-19 related services to support our most impacted residents. For a full report on agencies performance and outcomes can be found in the 2019-20 Consolidated Annual Performance Report³ (CAPER).

Action Plan Implementation

Once the Action Plan is approved by the City Council, staff will work with service providers to develop or extend agreements that include finalized scopes of service, contract budgets, performance measures, goals, and outcomes. Upon approval of the Annual Plan by HUD, staff will work with agencies to finalize service agreements in preparation for execution on or about July 1, 2021.

Additionally, capital projects identified in the Action Plan will require further development. Upon approval of the Action Plan by the City Council, staff will work with stakeholders to develop the final project scopes and will take all necessary steps to ensure compliance with funding and project requirements. Staff will coordinate environmental reviews in compliance with the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA) clearances before final commitment of funds via contract.

³ 2019-2020 Consolidated Annual Performance Evaluation Report:
<https://www.sanjoseca.gov/home/showpublisheddocument?id=67836>

PUBLIC OUTREACH

Federal regulations require that jurisdictions hold at least two public hearings to receive public comment for the Plan and funding priorities. The City's adopted Citizen Participation Plan requires three public hearing including one prior to the release of the draft Action Plan. This year, the City will hold a total of four public hearings on the FY 2021-22 Action Plan. The first public hearing was held before the Housing and Community Development Commission on April 8, 2021, where the Housing Department presented the draft funding strategies and priorities to solicit feedback. The second hearing on April 22, 2021 was also at the Housing and Community Development Commission and included the draft Action Plan for comment. The final public hearing is May 11, 2021. The Housing Department will submit the Action Plan to HUD for the May 15, 2021 deadline.

City staff also sent an e-mail announcement of the public hearings on the draft Action Plan to over 2,600 organizations and individuals concerned about affordable housing and community development issues. Staff also published a notice in the *San José Mercury News* and *San José Post Record* of the public meetings. These notices were translated into Spanish, Vietnamese, Chinese, and Tagalog and also were published in the *El Observador*, *Vietnam Daily News*, *World Journal*, and *the Asian Journal* newspapers.

All public comments provided to the City both verbally and in writing will be included in the appendices of the Action Plan together with staff's response when the Action Plan is submitted to HUD.

CONCLUSION

The public hearing provides an opportunity to the Housing and Community Development Commission and the public to provide comment on the proposed funding priorities and the draft FY 2021-22 Annual Action Plan at this publicly noticed meeting.

The feedback provided by at this meeting on the funding priorities draft Action Plan will inform the development of the City's FY 2021-22 Action Plan. Final approval by the City Council of the FY 2021-22 Action Plan will enable staff to submit the federally-mandated document to HUD by the May 15, 2021 deadline. Meeting this deadline will enable the City to remain eligible to receive approximately \$14.3 million in federal housing and community development funds in FY 2021-22. Upon City Council adoption of the final Plan in May, the Housing Department will submit the final document to HUD by the May 15, 2021 deadline.

EVALUATION AND FOLLOW-UP

Staff will consider the public comments received as it develops the final draft of the Plan. The revised Plan will be brought to the City Council for first approval on April 27, 2021 and final approval on May 11, 2021. The approved Action Plan must be submitted to HUD by May 15, 2021. Once approved, the FY 2021-22 Annual Action Plan will be available on the Housing

Department's website (<http://www.sanjoseca.gov/housingconplan>), or by U.S. mail at the public's request.

At the end of each Action Plan period, the City is required to submit its Consolidated Annual Plan Evaluation Report (CAPER) which summarizes the City's progress in meeting its goals as indicated in the prior year Annual Action Plan. The Housing Department will present the FY 2021-22 CAPER in fall 2022.

FISCAL/POLICY ALIGNMENT

This action is consistent with the City's *Consolidated Plan 2020-25*, adopted by the City Council on August 11, 2020, and with the City's Adopted *Housing Element 2014-2023*, in that the action provides services to very low-income households. It also furthers the advancement of the *Community Plan to End Homelessness* approved by the City Council in February 2020. The timely submittal of the Plan to HUD will enable the City to receive and distribute approximately \$14.3 million in entitlement funds for the CDBG, HOME, HOPWA, and ESG programs for FY 2021-22.

/s/

JACKY MORALES-FERRAND

Director of Housing

For questions, please contact Ragan Henninger, Deputy Director, at ragan.henninger@sanjoseca.gov.



Memorandum

TO: HOUSING & COMMUNITY
DEVELOPMENT COMMISSION

FROM: Fred Tran

**SUBJECT: RENT STABILIZATION PROGRAM
FEES FOR FISCAL YEAR 2021-2022**

DATE: April 15, 2021

Approved

Date

RECOMMENDATION

It is recommended that the Commission:

- (A) Review the proposed fee structure for Fiscal Year 2021-2022 for the Rent Stabilization Program, as stated below; and,
- (B) Recommend its approval to the City Council of the following fees:
 - i. Annual Apartment Rent Control Fee: maintain \$55.00 per unit;
 - ii. Annual Apartment Non-Rent Control Fee: maintain \$5.45 per unit;
 - iii. Annual Mobilehome Rent Control Fee: maintain \$20.00 per unit; and,
 - iv. Fees in connection with withdrawal of a building under the Ellis Act Ordinance: maintain \$2,464 per unit for up to ten units and maintain \$907 per unit for over 10 units.

BACKGROUND

As part of the annual budgetary process, the Housing Department completes an analysis to determine the fee amounts for the various fees associated with operating the Rent Stabilization Program. The Rent Stabilization Program administers the following Ordinances:

- Apartment Rent Ordinance (ARO)
- Tenant Protection Ordinance (TPO)
- Ellis Act Ordinance (Ellis), and
- Mobilehome Rent Ordinance (MRO).

The provisions within those Ordinances provide the basis for setting and collecting fees on an annual basis.

- ***Apartment Rent Ordinance and Tenant Protection Ordinance (Chapter 17.23):*** Chapter 17.23 of San José Municipal Code authorizes the imposition of fees chargeable against each Rental Unit covered under the Chapter. Section 17.23.400 of Ch. 17.23 states, in relevant part, “The costs of providing services and administering this Chapter shall be reimbursed to the General Fund by imposition of a fee chargeable against each Rental Unit in the City of San José subject to the provisions of this Chapter. This is the fee previously codified in Section 17.23.480 and 17.23.490 pursuant to Ordinance No. 19696 adopted August 7, 1979.

Annually there are two fees to administer the Apartment Rent Ordinance (Parts 1-9) and Tenant Protection Ordinance (Part 12) under Chapter 17.23. The annual Apartment Rent Control Fee covers only rent controlled properties. The annual Apartment Non-Rent Control Fee covers non-rent-controlled properties of three or more units. While the Rent Control Fee has existed since the Apartment Rent Ordinance was originally adopted in 1979, the Apartment Non-Rent Control Fee was later adopted in Fiscal Year 2003-2004 when Part 7 was added to Ch. 17.23. Part 7 essentially provided for non-binding mediation to non-rent-controlled landlords and tenants when no-cause notices to vacate were served.

- ***Ellis Act Ordinance:*** Section 17.23.1130 of the Ellis Act Ordinance states, “The city shall establish fees for city-incurred costs which shall be paid by any owner who exercises the privilege to withdraw covered units from rent or lease. The city shall set the fee so as to recover all costs of administering this part.”
- ***Mobilehome Rent Ordinance:*** Section 17.22.900 of the Mobilehome Rent Ordinance states, “A rent dispute fee is hereby imposed upon each unit which is subject to the provisions of this chapter. Said fee is imposed for the purpose of reimbursement to the City’s general fund the costs of providing and administering the administrative hearing process by this chapter.” Additionally, Section 17.22.910 states, “The city manager and the commission shall report to the city council not less than once each fiscal year their recommendation regarding the amount of the fee necessary to recover the cost of administering this chapter. The amount of the fee shall be set forth in the schedule of fees adopted by resolution of the City Council.”

With the onset of the COVID-19 pandemic and Shelter in Place Orders issued, the Rent Stabilization Program (RSP or Program) shifted its short-term priorities to focus on housing stability for thousands of San José residents facing financial hardships due to the pandemic. In early March 2020, staff was tasked with implementing one of the first eviction moratoriums in the nation, and soon thereafter included a one-year rent repayment period and prohibition of additional charges related to penalties, fees, or interest on unpaid rents that accrued. In addition, RSP implemented a Moratorium on Rent Increases following the City Council’s adoption in April 2020 aimed at protecting tenants from unsustainable rent burdens for residents living in rent controlled mobilehomes and rent stabilized apartments. The Program committed to providing multilingual media, forms, and educational outreach resources available in English, Spanish, and Vietnamese related to the moratoria. The Rent Stabilization Program continues to be a resource for landlords and tenants seeking information on their rights and responsibilities related to the Apartment Rent Ordinance, Mobilehome Rent Ordinance, Tenant Protection Ordinance, Ellis Act Ordinance, Housing Payment Equality Ordinance, the Eviction Moratorium, and Moratorium on Rent Increases.

ANALYSIS

Staff annually conducts a cost recovery analysis for each fee program. This analysis considers the number of apartments and mobilehomes covered by the Apartment Rent Ordinance, Tenant Protection Ordinance, Ellis Act Ordinance, and the Mobilehome Rent Ordinance, and evaluates the costs to administer those ordinances. An allocation of staffing cost and non-personal costs are calculated on a program basis. Staff has also factored in the impact of COVID-19 in determining to maintain the current reduced fees for the Rent Stabilization Program (**Attachment A**). In addition, recently approved waivers for Program late fees and building permits will provide additional financial relief for landlords and mobilehome park owners.

A. Consideration of financial Impacts due to COVID-19 for tenants, residents, landlords, and mobilehome owners

While federal and state authorities exercise their authority to provide financial aid packages and other short-term protections for those impacted by COVID-19, the City of San José and Rent Stabilization Program has an ongoing commitment to those in our community who may need resources and referrals for assistance. At the same time, landlords and mobilehome owners are facing financial insecurity as tenants and residents have faced challenges paying rent since April 2020. In response to the COVID-19 impacts, in May 2020 staff recommended a fee reduction for the Fiscal Year (FY) 2020-2021 Rent Stabilization Program fee structure, which was later approved by the City Council:

- Annual Apartment Rent Control Fee: decreased from \$85.04 to \$55.00 per unit
- Annual Apartment Non-Rent Control Fee: decreased from \$8.76 to \$5.45 per unit
- Annual Mobilehome Rent Control Fee: decreased from \$24.24 to \$20.00 per unit, and
- Fees for withdrawal under the Ellis Act Ordinance: decreased from \$2,469 to \$2,464 per unit for up to ten units and increased from \$902 to \$907 per unit for over ten units.

B. Maintain Fee Reduction

A year later into the pandemic, Program staff has evaluated the fee structure for the Rent Stabilization Program for the upcoming FY 2021-2022 year. Recognizing that many residents continue to struggle to pay rent and property owners have their own financial obligations, staff carefully considered the proposed fee levels. The Rent Stabilization Program had vacant positions, resulting in a fund balance in FY 2019-2020. This fund balance allowed for a one-time reduction in fees for the program in FY 2020-2021.

The Program has continued to experience staff vacancies in the current year (FY 2020-2021), creating a fund balance that can be used to maintain this fee level for FY 2021-2022:

- Annual Apartment Rent Control Fee: maintain \$55.00 per unit
- Annual Apartment Non-Rent Control Fee: maintain \$5.45 per unit
- Annual Mobilehome Rent Control Fee: maintain \$20.00 per unit, and
- Fees in connection with withdrawal of a building under the Ellis Act Ordinance: maintain \$2,464 per unit for up to ten units and maintain \$907 per unit for over 10 units.

Holding the fee levels at this reduced rate will provide relief for all property owners and mobilehome owners covered by the multiple ordinances managed by the program. Using the accumulated fund balances will allow the Rent Stabilization Program fees to remain at the reduced rate for the coming fiscal year for mobilehomes and apartments covered by the Apartment Rent Ordinance and the Tenant Protection Ordinance (**Table 1**).

Table 1 – Reduction in Rent Stabilization Program Per Unit Fees for Owners

	Apartment Rent Ordinance Fee	Tenant Protection Ordinance Fee	Ellis Act Ordinance Fee	Mobilehome Rent Ordinance Fee
2019-2020 Fee Levels	\$85.04	\$8.76	\$2,469	\$24.24
2020-2021 Fee Levels	\$55.00	\$5.45	\$2,464	\$20.00
<i>Reduction</i>	(-35%)	(-37%)	(-20%)	
Proposed 2021-2022 Fee	\$55.00	\$5.45	\$2,464	\$20.00
<i>Maintain Reduction</i>	(0%)	(0%)	(0%)	(0%)

C. Additional Support for Landlords and Mobilehome Owners

On [April 28, 2020](#), the City Council adopted a Moratorium on Rent Increase Ordinance for rent stabilized apartments and rent-controlled mobilehomes. On [February 2, 2021](#), City Council adopted the 2021 Moratorium on Rent Increases for tenants and mobilehome owners/residents who have been financially impacted by COVID-19. The provisions of the Ordinance included financial relief for landlords and applied to late registration payments and building permit fees:

- Suspension of Late Fees for Apartment Rent Ordinance Fees** – Any outstanding late fees for owners of rent stabilized apartments under the Apartment Rent Ordinance were suspended from May 2020 to December 31, 2020, and then through February 2, 2021 to June 30, 2021. Late fees will not accrue during the term of the Ordinance for failure to pay the Apartment Rent Ordinance fee due in FY 2019-2020 and FY 2020-2021, as required under Chapter 17.23 of the San José Municipal Code. Landlords remain financially responsible for any late fees accruing prior to adoption of the Ordinances and upon its expiration. The Housing Department will work with the Finance Department to notify landlords that charging any additional late fees is suspended until June 30, 2021.
- Waiver of Building Permit Application Fees for Rental Properties** – The waiver for building permit application fees will apply to repairs or maintenance of apartments that would require a permit. The waiver will be applied to the application fees for building permits related to repairs or maintenance, which could include permits such as plumbing, electrical and mechanical. For example, if a water heater needed to be replaced, a building permit would be required – and the application fee for that building permit would be waived. However, it would not include waivers on construction taxes, nor waivers of any State or school fees (which are outside of the City’s authority to waive). There are approximately 38,000 rent stabilized apartments. Without knowing what types or the scale of repairs or maintenance is needed for these units, it is difficult to project the number of waivers that will be issued under this provision.

April 15, 2021

Subject: Rent Stabilization Program Fees FY 2021-2022

Page 5

- **Updates on resources through emails and postcards** – The Program has also provided e-mail updates on program changes and sent postcard mailers for significant policy changes. Most recently, the Program sent a mailer on the State Rental Assistance related to COVID-19 and vaccination information.

CONCLUSION

As the pandemic continues to cause financial impacts for landlords and mobilehome owners covered by the multiple ordinances implemented by the Program, staff's recommendation is to maintain reduced fee levels to provide financial relief. In order to maintain the reduced fee levels, the Program will use accumulated fund balances in FY 2021-2022 for apartments and mobilehomes covered by the City's ordinances.

EVALUATION AND FOLLOW UP

The Program will continue to monitor the climate of the rental market, property owner, and tenants needs during the upcoming year to assess any necessary adjustments to staffing and nonpersonal expenditures. The Program's fees will be included in the Housing Department's report for the 2021-2022 Proposed Fees and Charges for City Council in May 2021.

PUBLIC OUTREACH

The Rent Stabilization Program's fees will be agendaized at the Housing and Community Development Commission meeting.

/s/

FRED TRAN
Division Manager
Housing Department

For questions, please contact Fred Tran, Division Manager, at (408) 535-3860.

Attachments:

- Attachment A – Program Fees and Charges Summary

CITY OF SAN JOSE
HOUSING DEPARTMENT
RENT STABILIZATION PROGRAM

Program Fees and Charges Summary

	Rent Control (APARTMENT RENT ORDINANCE)								
	2016-2017	2016-2017	2017-2018	2017/2018	Estimated	2018-2019	2019-2020	2020-2021	2021-2022
	Adopted rate	Modified rate	Adopted Rate	Modified Rate PHASE II	2018/2019 PHASE III	Adopted Rate	Adopted Rate	Adopted Rate	Proposed Rate
TOTAL UNITS	45,166	44,359	44,359	44,359	44,359	42,913	39,009	39,009	38,441
Current Rate	12.25	\$ 19.29	\$ 30.30	\$ 55.80	\$ 78.00	\$ 77.30	\$ 85.04	\$ 55.00	\$ 55.00
Revenue	\$ 564,575	\$ 855,685	\$ 1,344,078	\$ 2,475,232	\$ 3,460,002	\$ 3,317,175	\$ 3,015,396	\$ 2,145,495	\$ 2,114,255
Expenditure	572,160	\$ 1,345,321	\$ 1,345,321	\$ 2,476,204	\$ 3,462,000	\$ 3,320,090	\$ 2,976,053	\$ 2,785,777	\$ 3,155,996
Cost Recovery	99%	64%	100%	100%	100%	100%	101%	77%	67%
PERSONAL SERVICES		\$ 1,090,160	\$ 1,090,160	\$ 1,538,854	\$ 3,112,000	\$ 2,972,390	\$ 2,647,053	\$ 2,290,262	\$ 2,516,996
NON-PERSONAL / EQUIPMENT		\$ 255,161	\$ 255,161	\$ 937,350	\$ 350,000	\$ 347,700	\$ 329,000	\$ 495,515	\$ 639,000
Total Cost		\$ 1,345,321	\$ 1,345,321	\$ 2,476,204	\$ 3,462,000	\$ 3,320,090	\$ 2,976,053	\$ 2,785,777	\$ 3,155,996
Cost Rate by Fiscal Year		\$ 30.33	\$ 30.33	\$ 55.82	\$ 78.05	\$ 77.37	\$ 76.29	\$ 71.41	\$ 82.10
Recommended Fee		\$ 30.30	\$ 30.30	\$ 55.80		\$ 77.30	\$ 77.30	\$ 55.00	\$ 55.00
2021-2022 Proposed Revenue Excess/(Shortfall)									\$ 2,114,255
2021-2022 Estimated Cost Recovery									\$ (1,041,741)
									66.99%

Non-Rent Control (TENANT PROTECTION ORDINANCE)					MOBILE HOME				
2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022
Adopted Rate	Adopted Rate	Adopted Rate	Adopted Rate	Proposed Rate	Adopted Rate	Adopted Rate	Adopted Rate	Adopted Rate	Proposed Rate
47,696	49,000	88,000	88,000	87,432	10,687	10,687	10,687	10,687	10,687
\$ 4.10	\$ 6.20	\$ 8.76	\$ 8.76	\$ 8.76	\$ 34.10	\$ 25.70	\$ 24.24	\$ 24.24	\$ 24.24
\$ 195,554	\$ 303,800	\$ 545,600	\$ 770,880	\$ 765,904	\$ 364,427	\$ 274,656	\$ 274,656	\$ 259,053	\$ 259,053
\$ 196,710	\$ 304,764	\$ 584,053	\$ 775,873	\$ 841,789	\$ 365,193	\$ 275,003	\$ 259,204	\$ 217,173	\$ 688,943
99%	100%	93%	99%	91%	100%	100%	106%	119%	38%
\$ 194,710	\$ 280,764	\$ 763,693	\$ 775,873	\$ 826,489	\$ 354,259	\$ 264,069	\$ 241,989	195,958	\$ 667,728
\$ 2,000	\$ 24,000	\$ 7,300	\$ 15,300	\$ 15,300	\$ 10,934	\$ 10,934	\$ 17,215	\$ 21,215	\$ 21,215
\$ 196,710	\$ 304,764	\$ 770,993	\$ 791,173	\$ 841,789	\$ 365,193	\$ 275,003	\$ 259,204	\$ 217,173	\$ 688,943
\$ 4.12	\$ 6.22	\$ 8.76	\$ 8.99	\$ 9.63	\$ 34.17	\$ 25.73	\$ 24.25	\$ 20.32	\$ 64.47
\$ 4.10	\$ 6.20	\$ 8.76	\$ 5.45	\$ 5.45	\$ 34.10	\$ 25.70	\$ 24.24	\$ 20.00	\$ 20.00
			\$ 476,504						\$ 213,740
			\$ (365,284)						\$ (475,203)
			56.61%						31.02%



Memorandum

TO: HOUSING & COMMUNITY
DEVELOPMENT COMMISSION

FROM: FRED TRAN

SUBJECT: SEE BELOW

DATE: April 15, 2021

Approved

Date

SUBJECT: RENT STABILIZATION PROGRAM DRAFT STRATEGIC PLAN 2021-2024

RECOMMENDATION

Review the staff report and provide possible recommendations to staff or the City Council on the Rent Stabilization Program Draft Strategic Plan for 2021-2024.

BACKGROUND

As recommend by the [2016 City of San José Office of the City Auditor's Report](#), the Rent Stabilization Program ("Program") developed a strategic plan that outlines desired goals, outcomes, and measures of program effectiveness to ensure customers are provided necessary services. The Rent Stabilization Program Strategic Plan *Room to Stabilize* (Strategic Plan) is included as **Attachment A**. While the [Rent Stabilization Program 2019-2020 Annual Report](#) documents the yearly outputs from the Rent Stabilization Program team's work, the Annual Report is now complemented by this Strategic Plan. The Strategic Plan is intended to guide staff's work with a focus on deriving insights regarding the *long-term impact* of the Rent Stabilization Program. The initial implementation efforts of this Strategic Plan will span the next three years from 2021 to 2024. While this is a relatively short timeframe, the quickly changing housing market and community demographics warrant regular review of the recommended goals.

ANALYSIS

The following three goals have been prioritized in an initial three-year action plan. These actions have been identified as having the greatest potential for impact and options for the near-term implementation.

FOR PROGRAM

Goal 1: Policy research and policy development to increase stability for residents who rent apartments and own mobilehomes in the City. The objective is to develop anti-displacement research and policies for tenants, landlords, mobilehome residents and park owners in the City of San José facing financial hardships due to COVID-19. In addition, it is the Program's objective to understand the effectiveness of policies intended to promote city-wide housing stability during COVID-19 relief and recovery efforts.

Goal 2: Support fair housing through inclusive education and outreach

- ***Targeted approach with stakeholders*** – To promote cultural and racial inclusion, the approach of a targeted audience is critical to provide education to tenants and landlords, as well as mobilehome residents and park owners. It is the objective of the Program to improve communication and outreach by adopting a targeted approach to tenants and landlords, and mobilehome residents and park owners.
- ***Cultural, racial, and accessibility inclusion*** – The Program serves the residents living in City of San José, which is composed of multi-cultural and racial diversity. The Program's objective is to educate and inform the rental community of rights and responsibilities with targeted outreach to renters with limited English proficiency, and renters with special needs such as seniors and people with disabilities.

FOR APARTMENT COMMUNITY

Goal 3: Stabilize housing for tenants and landlords in the City through the participation of the petitions and mediation programs and provide opportunities for education and enforcement of relevant Ordinances

- ***Petitions Process & Housing Mediation Program*** – In order to further the goal of stabilizing housing, the Program will first leverage the Petitions Program which accepts and processes tenant and landlord-initiated petitions. The Program provides mediations and administrative hearing to assist in resolving rental issues, as well as having an established partnership with the Santa Clara County Office of Mediation and Ombuds Services (OMOS). The objective of the Petitions Program is to provide efficient and effective customer service to process petitions submitted by tenants and landlords covered by the Apartment Rent Ordinance and resolve conflicts to ensure continuation of tenancy or more time to relocate.
- ***Rent Registry Program*** – The Rent Stabilization Program oversees registration of rent stabilized properties. The information collected in the Rent Registry is used to track rent stabilized rents and annual rent increases and compare them to market rate rents and annual increase. In addition, the Program's objective is to analyze the length of tenancy and turnover rates in rent stabilized apartments to measure effects of vacancy decontrol, and compare to market rate turnover rates. The Program plans to use the Rent Registry to enforce the Apartment Rent Ordinance by informing landlords of improper rent increases beyond allowable 5% in the Rent Registry and allowing tenants to verify rent levels through a future Tenant Portal currently under development.

- ***Administrative Citation Program*** – The Administrative Citation Program was adopted in 2019 as a tool to stabilize the rental community through compliance with the Apartment Rent Ordinance, Tenant Protection Ordinance, and Ellis Act Ordinance. The Program’s objective of the Administrative Citation Program is to foster compliance with the Ordinances through educating the rental community on their rights and responsibilities, correcting curable violation, and citing instances of violations when necessary. Another objective is to identify instances of potential non-compliance and investigate and enforce such instances, and have a targeted approach to inform residents and landlords of their rights and responsibilities.

FOR MOBILEHOME COMMUNITY

Goal 4: Preservation of mobilehomes and mobilehome parks as a source of affordable housing for senior citizens, residents on limited or fixed-incomes, and other vulnerable residents.

- **Outreach campaign to inform residents** – The Mobilehome Rent Ordinance addresses rent increases on an annual basis with the Consumer Price Index (CPI) as the determining factor. Under the Ordinance, a property owner has the right to file a fair return petition for a rent increase beyond the maximum allowable rent increase, filing the petition with the Rent Stabilization Program (RSP). The objective is to have quarterly outreach campaign to inform residents of their rights under the Mobilehome Rent Ordinance and the logistics of a fair return petition. Outreach will target those with the most severe needs, including senior citizens.
- **Program tracking of notices of terminations for mobilehomes** – While the Mobilehome Residency Law Protection Program, as established by HCD, coordinates the assistance to help resolve the most severe alleged violations that the Department receives, the Program can also help track voluntary submissions of notices of terminations for mobilehomes. The objective is to establish an internal system tracking notices of termination, examine trends and analyze opportunities to preserve housing through referrals and limited advocacy.

QUESTIONS FOR THE COMMISSIONERS

As the Program develops this Strategic Plan, it is important that the approach is appropriate for the development of the plan. The key questions asked included:

- How can the Program measure housing stability in our community?
- How can the Program determine an equitable way to do so that acknowledges the value of housing in most people’s lives and the importance of housing in society?
- How can the Program measure the impacts of the City’s existing ordinances aimed at achieving stability in our rental community, such as the Apartment Rent Ordinance Tenant Protection Ordinance, Ellis Act Ordinance, Housing Equality Payment Ordinance, and the Mobilehome Ordinance?

- How can the Program determine what impacts are being made with respect to COVID-19-related policies and program services toward the aim of achieving stability, such as the Eviction Moratorium, Moratorium on Rent Increase and Housing Mediation Program?

From the Commission's perspective, the Program would like feedback on:

- Are these the right questions?
- Have we identified the right goals and strategies?
- Is there a perspective we are missing?

Input from the Commission is critical in developing a plan that will serve the program and community well over the coming next three years.

CONCLUSION

This draft Strategic Plan outlines the goals, objectives, and strategies for the Program, apartment community, and mobilehome community. The Program will continue to collaborate with the community and stakeholders to further development a complete Strategic Plan that will include measures, targets, and activities to achieve each of the goals.

Once completed, the Strategic Plan will be reviewed regularly, and course corrected as needed. In order to track implementation efforts, the metrics laid out throughout the Strategic Plan will be tracked on an annual basis. Updated metrics will be publicly accessible on an interactive housing dashboard on the City's website. As part of the program, the Rent Stabilization Program will continue to prepare annual updates for submittal and discussion with the public and Housing & Community Development Commission. Updated metrics and the status of implementation efforts will be included in these reports.

EVALUATION AND FOLLOW UP

The Rent Stabilization Program Report *Room to Stabilize* will be heard by the City Council's Neighborhood Services and Education Committee on May 20, 2021, and will be agendaized for City Council on June 8, 2021.

PUBLIC OUTREACH

To continue the Program's commitment to engage the community in the development process of the first Strategic Plan, staff will invite the stakeholders in **Table 1** to join the following outreach meetings on Zoom to gather feedback on the goals, objectives, and outcomes and receive recommendations to include additional elements of measurements, targets, and activities:

Table 1 – Upcoming Outreach Summary with Stakeholders

Date & Time	Stakeholder Group
April 26, 2021 – 10:00 AM	Landlords and Property Managers
April 26, 2021 – 3:00 PM	Apartment Tenants
April 26, 2021 – 5:00 PM	Mobilehome Residents and Owners
April 27, 2021 – 10:00 AM	Mobilehome Park Owners
April 27, 2021 – 3:00 PM	General Public

/s/
FRED TRAN
Division Manager
Housing Department

For more information, contact Viviane Nguyen, Senior Analyst, at (408) 975-4462.

Attachments:

- **Attachment A** – Rent Stabilization Program Draft Strategic Plan 2021-2024



Room to Stabilize

Draft Rent Stabilization Program

Strategic Plan

A Three-Year Strategy from 2021 to 2024

City of San José

Housing Department



INTRODUCTION

Room to Stabilize is Rent Stabilization Program's First Strategic Plan

This Strategic Plan provides a forward-looking work plan for the RSP and provides guidance for the Program's work. It includes strategic initiatives with associated goals, strategies, actions, and measures that will be implemented within the community over a specific period of time. The strategic elements were derived from the Program staff prioritizing process and program evaluation, as well as reflect the community's involvement and feedback throughout the process.

The Housing Department's vision is to strengthen and revitalize the community through housing and neighborhood investment. As part of the Housing Department, the RSP mission is to stabilize the rental community through collaboration, education, engagement, enforcement to build and maintain safe, healthy, and sustainable communities. To accomplish this mission, RSP considered the following questions:

- How can the Program measure housing stability in our community?
- How can the Program determine an equitable way to do so that acknowledges the value of housing in most people's lives and the importance of housing in society?
- How can the Program measure the impacts of the City's existing ordinances aimed at achieving stability in our rental community, such as the Apartment Rent Ordinance Tenant Protection Ordinance, Ellis Act Ordinance, Housing Equality Payment Ordinance, and the Mobilehome Ordinance?
- How can the Program determine what impacts are being made with respect to COVID-19-related policies and program services toward the aim of achieving stability, such as the Eviction Moratorium, Moratorium on Rent Increase and Housing Mediation Program?

The Rent Stabilization Program 2019-2020 Annual Report documents the yearly accomplishments from the work of the RSP team, which oversees and enforces City ordinances through education, engagement and collaboration. The Annual Report is now complemented by this RSP Strategic Plan. The Strategic Plan is intended to guide staff work with a focus on deriving insights regarding the long-term impact of the Program.

Mission-Driven

The Strategic Plan focuses on understanding new and long-standing challenges related to rent stabilized housing in our community and provides clear actions to support the mission of the RSP team to stabilize the rental community through collaboration, education, engagement, and enforcement of the Ordinances it oversees. The Strategic Plan also supports the broader Housing Department mission to strengthen and revitalize our community through housing and neighborhood investment.

Informed by Data & Insights

The Strategic Plan presents a rigorous and disciplined approach to evaluation, rooted in data-driven analysis. Analytics will be conducted on data from community outreach and a variety of sources including the City of San José Rent Registry, Santa Clara County data, and federal sources such as U.S. Household Pulse Survey COVID-19.

Centered in Cultural, Racial, and Accessibility Equity

The RSP staff intends to incorporate its work with the Office of Racial Equity and benefit from its trainings, data collection, policy analysis and development, and develop stronger accountability measures. Established in 2020 in the City Manager's office, the Office of Racial Equity aims to advance systems change through a citywide racial equity framework that will examine and improve San José's internal policies, programs, and practices to eradicate any structural and/or institutional racism in the City of San José.

Connected Importance of Housing Stability and Health

Connecting housing and health means recognizing that housing stability is only one part of the problem. Compounding factors such as housing conditions and costs, neighborhood quality, access to amenities and services, social and economic factors can have compounding impacts on an individual's health and on community well-being. Notably, the development of this Strategic Plan was a priority prior to the COVID-19 health pandemic and has become even more important as the dual health and economic crises have further exposed and increased pre-existing inequities in housing, employment, and health.

A) Core Principles of Strategic Plan

The following statements are the principles that embody the spirit of the Strategic Plan. All of the objectives, strategies, and action items in the Strategic Plan were created with the following principles in mind:

- **Collaboration** – Acknowledge the importance of working in close concert with colleagues in the Housing Department and across the City of San José, along with community stakeholders, to gain insight and address community needs.
 - **Openness** – Create transparent accountability for RSP led initiatives by connecting proposed activities to a measurable results framework through which progress and goals are publicly tracked.
 - **Equity** – Recognize the important role of the Program in promoting equity to tenants, residents, landlords, and park owners throughout the San José rental community. It is the Program's priority to have equity in its process and equity in outcomes. Equity in process includes meaningful opportunities to engage with community stakeholders to gather input into the Plan. The Program will continue to learn, adjust, and commit to processes that empower community members to work with local government. Furthermore, staff intends for the Strategic Plan to strive to provide equity in outcomes. To this end, staff will work with the community to identify and prioritize metrics that consider: Who will each policy benefit? Who will be indirectly affected? Will unfair and biased outcomes be reduced or perpetuated?
-

B) Who We Are

We are proud of the broad range of programs and services we offer and our role in serving our community as the Rent Stabilization Program.

Rent Stabilization Program Organization

Director, Deputy Director, Division Manager: Represents the department on a macro-level and provides general oversight and direction towards achieving the vision of healthy communities that inspire belonging.

Jacky-Morales Ferrand, Rachel VanderVeen, Fred Tran

Petitions Team: Manages the intake, scheduling, and administrative process for tenant and landlord petitions. Coordinate hearings and mediations.

Elizabeth Guzman, Guadalupe Gonzalez, Lourdes Saucedo, Luisa Galdamez, Ramo Pinjic, Theresa Ramos

Compliance Team: Manage compliance and enforcement of the Program's Ordinances and implement the Rent Registry.

Abhinav Ganesh, Mari Padilla, Marisa Vela, Monica Velarde, Noel Padilla, Viviane Nguyen

City Attorney's Office – Liaison: Provide legal review for the Program including memos, outreach materials, administrative petition issues, Ordinance implementation and interpretation, and enforcement actions

Aaron Yu, Christopher Alexander, Carmen Dalpiaz

Goals Overview

The four Goals delineated below are structured to contribute program- and service-specific insights and collective insights as to how the Program is performing overall – all toward the aim of achieving a shared understanding of what “housing stability” in the City.

1

Policy research and policy development to increase stability for residents who rent apartments and own mobilehomes in the City.

2

Support fair housing through inclusive education and outreach.

3

Stabilize housing for tenants and landlords in the City through the participation of the petitions and mediation programs and provide opportunities for education and enforcement of relevant Ordinances.

4

Preservation of mobilehomes and mobilehome parks as a source of affordable housing for senior citizens, residents on limited or fixed-incomes, and other vulnerable residents.

FOR THE PROGRAM - GOAL 1

1

Goal: Policy research and policy development to increase stability for residents who rent apartments and own mobilehomes in the City

Objectives:

- Develop anti-displacement research and policies for tenants, landlords, mobilehome residents and park owners in the City of San José facing financial hardships due to COVID-19.
- Understand the effectiveness of policies intended to promote city-wide housing stability during COVID-19 relief and recovery efforts.

Strategies:

- Continue monitoring legislation and policy impacts related to the Eviction Moratorium on a county, state, and federal level
 - Continue efforts related to community development and legal information for apartment landlords, tenants and mobilehome residents and park owners
 - Provide transparency of resident access to program services and encourage feedback on Program policy and need.
-

FOR THE PROGRAM- GOAL 1

1

About:

On February 10, 2020, the Santa Clara County Public Health Officer announced a local health emergency due to the spread of COVID-19. On March 17, 2020, the Santa Clara County Public Health Officer issued a public health order, requiring residents to shelter in place in an effort to curb the growing threat of the virus. With this backdrop, the City of San José took proactive steps to increase housing stability for its residents.

On March 17, 2020, the City passed the first of its kind eviction moratorium. The moratorium sought to protect residents against an eviction, an action that promoted public health and safety by decreasing the possibility of eviction due to non-payment of rent as COVID-19 transmissions climbed. On April 28, 2020, the City passed a Moratorium on Rent Increases aimed at decelerating the accumulation of rental arrears among tenants. As the pandemic continued, the City adjusted its policies, including the introduction of the 2021 Moratorium on Rent Increases, a more targeted approach that protects the most vulnerable residents still being affected by the pandemic.



FOR THE PROGRAM - GOAL 2

2.A

Goal: Support fair housing through inclusive education and outreach

2.A) Targeted Approach with Stakeholders

Objective:

- Promote communication and outreach by adopting a targeted approach to tenants and landlords, and mobilehome residents and park owners.

Strategy:

- Establish a working committee for rent stabilized tenants, landlords, mobilehome residents, and mobilehome owners for policy feedback

About:

To implement the Program's outreach initiative, the outreach effort targets property owners, park owners, tenants and residents. The goal of our targeted audience is to monitor compliance, provide education to landlords, tenants and resident about new ordinances and their prospective rights and responsibilities. To reach our desired audiences, staff has conducted direct outreach to these groups by going into high volume communities that have rent control apartments and mobilehome parks. The program has also worked with their influencers to share information about rental housing and resources during community events.



FOR THE PROGRAM - GOAL 2

2.B

Goal: Support fair housing through inclusive education and outreach

2.B) Cultural, racial, and accessibility inclusion

Objective:

- Educate and inform the rental community of rights and responsibilities with targeted outreach to renters with limited English proficiency, and renters with special needs such as seniors and people with disabilities.

Strategy:

- Explore additional methods of education and outreach to optimize the impact of Program focusing on persons with limited English proficiency, seniors and people with disabilities.

About:

Inclusiveness is a key part of San José's identity as a community. Inclusive housing in the City means housing options throughout the City for people from all walks of life, all backgrounds, and all income levels.

Language Inclusiveness – San José is a racially diverse city. In the decade between the 2000 and 2010 Census, overall population in San José grew by 6%, with population growth occurring among Asians (26%) Hispanic/Latinos (16%), and Pacific Islanders (13%). This trend shows the diversifying population of the City, which is a “majority-minority” city, with the three biggest racial groups each comprising about one third of the City's population.

FOR THE PROGRAM

CULTURAL, RACIAL, AND ACCESSIBILITY INCLUSION

2.B

The Program has addressed the city's diverse racial make up with outreach delivered in at least three languages: English, Spanish, and Vietnamese, including informational webinars and community presentations services, information and resources. The Program has provided crucial information during the COVID-19 pandemic via social media platforms, webinars, and PSA's in these three specific languages.

In addition to delivering information in multiple languages, Program staff has been exploring how to optimize content for cultural sensitivity and receptivity. Limited early pilots found promising results. For example, one test documented an increase in inbound inquiries from Vietnamese-speaking renters following the airing of a radio PSAs in Vietnamese, and a second pilot project documented an increase in inquiries from Spanish-speaking renters following a TV PSA on Spanish-language television. These findings suggest that further optimizing message, platform and timing may increase the impact of Program education and outreach initiatives.

Moving forward, the Program will expand targeted education outreach to include sub-populations that often require special accommodations due to their unique characteristics and/or needs. These characteristics may include age, family characteristics, or disability, and can affect their accessibility to decent and affordable housing. For example, elderly individuals are often reliant on a fixed income, and experience higher health care costs. Large households require a greater number of bedrooms. Persons with disabilities have physical or mental impairments that may substantially limit major life activities, and may require accessible housing accommodations.i

FOR THE APARTMENT COMMUNITY - GOAL 3

3.A

Goal: Stabilize housing for tenants and landlords in the City through the participation of the petitions and mediation programs and provide opportunities for education and enforcement of relevant Ordinances

3.A) Petition Process & Housing Mediation Program

Objective:

- Provide efficient and effective customer service to process petitions submitted by tenants and landlords covered by the Apartment Rent Ordinance and resolve conflicts to ensure continuation of tenancy or more time to relocate.

Strategies:

- Ensure tenants and landlords who participate in the Petitions or Housing Mediation Programs follow through with the process, are accountable with the outcomes, and are satisfied or above satisfied with the process when completing Program survey.
- Continue outreach and multi-lingual engagement to vulnerable communities to provide petition and mediation services to resolve tenant and landlord conflicts. Follow up with tenants and landlords one year after the petition process to ensure accountability with Petitions or Mediation outcomes, and determine causes for vacancy.

FOR THE APARTMENT COMMUNITY

PETITION PROCESS & HOUSING MEDIATION PROGRAM

3.A

RSP Staff facilitate a Petitions process and a Housing Mediation Program with the aim to efficiently resolve rental issues among renters and landlords. Typically, the process begins with tenant and/or landlord-initiated petitions. Staff reviews and accepts petitions, and facilitates a process by which mediators and hearing officers work assist in resolving rental issues. Mediations are held to settle disputes via a Voluntary Agreement, without the need for a more formal administrative hearing. Most petitions are resolved through a voluntary mutual agreement. Participation in a mediation is voluntary where mediation outcomes may result in a voluntary agreement between the landlord and tenant. Administrative hearings are held for cases either not resolved through mediation or are requested by either party. At these hearings, the hearing officer reviews evidence and hears testimony from the parties and will issue a detailed written decision. Most petitions are resolved through a voluntary mutual agreement. Due to the pandemic, mediations, and hearings are conducted via a Zoom platform.

The Program also conducts mediations and administrative hearing through the Housing Mediation Program to assist in resolving rental issues, as well as having an established partnership with the Santa Clara County Office of Mediation and Ombuds Services (OMOS).

The Petition process and the Housing Mediation Program are critical housing services that often result in a mutual agreements between landlord and tenant that help resolve health and safety issues that, if left unresolved, may cause a tenant to consider leaving the apartment. Through the petitions process, a tenant and landlord may come to an agreement wherein habitability issues or disagreements about fees are resolved, making the apartment a more stable home for the tenant and often building stronger communication between the tenant and property owner. With the Housing Mediation Program, interested parties have an opportunity to resolve housing conflicts through a trained mediator, an especially necessary opportunity for building consensus during a pandemic.

FOR THE APARTMENT COMMUNITY - GOAL 3

3.B

Goal: Stabilize housing for tenants and landlords in the City through the participation of the petitions and mediation programs and provide opportunities for education and enforcement of relevant Ordinances

3.B) Rent Registry Program

Objectives:

- Utilize Rent Registry to track rent stabilized rents and annual rent increases and compare them to market rate rents and annual increase. In addition, analyze the length of tenancy and turnover rates in rent stabilized apartments to measure effects of vacancy decontrol, and compare to market rate turnover rates.
- Leverage database as an enforcement mechanism of rent increases to ensure rent stabilization by informing landlords of improper rent increases beyond allowable 5% in the Rent Registry and allowing tenants to verify

Strategies:

- Inform landlords about the Rent Registry, educating them about their obligations, and providing technical assistance throughout the registration process.
 - Maximize Program coordination and data standardization by developing and implementing data input procedures in Rent Registry and future Tenant Portal.
 - Publish regular quarterly reports with rent comparisons between rent stabilized rents and vacancy rates from the Rent Registry and compare to market rate apartments
-

FOR THE APARTMENT COMMUNITY

3.B) RENT REGISTRY PROGRAM

The Rent Stabilization Program oversees and administers the ordinances and its accompanying regulations for rent stabilized housing. In doing so, it collects housing data for rent stabilized properties, which are apartment buildings with three or more apartments, built before September 7, 1979. Implemented in 2018, the Rent Registry is where landlords register their rent stabilized apartments on an annual basis via the Rent Registry portal. San José's Rent Registry collects information relating to rent increases, security deposits, vacancies, and vacancy reasons, and helps ensure San José tenants' rights are protected. Data from the Rent Registry has proven to be a valuable tool for staff to collect and analyze the ARO market. In doing so, staff now has data on apartment size units, amenities and actual rental rate charges for ARO apartments. The registry gives the Housing Department the ability to proactively monitor and enforce via:

1. Analyzing data on current rents;
2. Automatically calculating maximum allowable rent increases;
3. Documenting instances of improper rent increases; and
4. Compliance through enforcement of improper rent increases.

A vital tool in the Program's rent stabilization strategy is placing a cap of 5% on the annual allowable rent increases for apartments. In the Bay Area, some rent stabilization programs such as Oakland and Los Gatos have rent increases that ties to the Consumer Price Index (CPI). While City Council directed staff to evaluate decreasing the 5% cap to tie to the CPI in 2018, the City Council ultimately decided to maintain the 5% annual cap. While limiting the rent increases, the Program allows for landlords to pass through significant increases in operation and certain maintenance costs, and allows for rents to return to market rate levels when the unit becomes vacant through "vacancy decontrol."

In evaluating the rents levels in the Rent Registry with rent caps compared to the market rates, staff found that rent stabilized apartments have consistently maintained lower rents compared to market rates. According to CoStar Fourth Quarter data, the average monthly rent for a two-bedroom apartment in 2020 was \$2,564. A rent stabilized two-bedroom apartment in the City of San José has an average rent of \$2,108. The nearly \$500 difference between the market rate and rent stabilized apartments illustrates the need for the City to maintain rent stabilized housing stock available for renters. Rent Registry information gathered in January 2021 revealed that vacancy rates for rent stabilized apartments is considerably lower at 8.7% than those at market rate (Class A and Class B). The rent cap remains an important tool to protect tenants from excessive rent increases that may lead to displacement.

FOR THE APARTMENT COMMUNITY - GOAL 3

3.C

Goal: Stabilize housing for tenants and landlords in the City through the participation of the petitions and mediation programs and provide opportunities for education and enforcement of relevant Ordinances

3.C) Administrative Citation Program

Objectives:

- Foster compliance with the Ordinances through educating the rental community on their rights and responsibilities, correcting curable violation, and citing instances of violations when necessary.
- Identify instances of potential non-compliance and investigate and enforce such instances, and have a targeted approach to inform residents and landlords of their rights and responsibilities.

Strategies:

- Strengthen enforcement with follow up on key requirements of the Ordinances, including landlords' filing of tenancy termination notice to identify potential non-compliance
 - Coordinate with the Department of Planning, Building, and Code Enforcement (PBCE) to analyze the Tiers program for rent stabilized apartments.
 - Evaluate the Ellis Act Ordinance to monitor withdrawn properties that have been developed or not have been redeveloped, as well as evaluate impacts on tenants displaced by the economics of redevelopment
 - Increase access to eviction data from Santa Clara County Superior Court and through Legal Services
-

FOR THE APARTMENT COMMUNITY

3.C) ADMINISTRATIVE CITATION PROGRAM

The Administrative Citation Program was adopted in 2019 as a tool to stabilize the rental community through compliance with the Apartment Rent Ordinance, Tenant Protection Ordinance, and Ellis Act Ordinance. However, Program staff is currently working with the Finance Department to issue citations for landlords who remain out of compliance following the issuance of warning letters. Staff has sent out warning letters of corrective action related to:

- **Non-registration violations of the Rent Registry as required by the Apartment Rent Ordinance:** After completing the first and second Rent Registry registration periods, Program staff conducted a review of non-registered ARO landlords and identified landlords in violation. Program staff found that of those landlords in violation, approximately 30% have had a recent address change. Following the analysis of the Rent Registry data, 2,563 Notice of Violation and Corrective Action letters were mailed in December 2020 and 108 in January 2021. Since the initial 2,563 letters issued in December 2020, an additional 1,713 properties have registered completely. As a result, the number of registered apartments increased from 49% to 87%. The Program will continue to provide these Notices and opportunities for landlords to comply with the requirements of the Rent Registry before issuing Administrative Citations.
 - **Improper notices of terminations:** The Tenant Protection Ordinance requires all notices of termination to state a "just cause." This applies to tenants living in apartment buildings with three or more apartments. Under the Tenant Protection Ordinance, landlords must submit copies of any notices of termination to the City. Under the Tenant Protection Ordinance, there are 13 Just Causes. Certain causes require the landlord to provide relocation assistance to the tenant. Staff has sent out Notice of Corrective Action for improper notices of terminations, including but not limited to non-disclosure of at least one of the thirteen just causes.
 - **Monitor tenant buyout agreement regulations:** The Apartment Rent Ordinance provides strict guidelines regarding negotiated landlord-tenant agreements for early move-outs. Staff has worked with landlords to successfully submit complete buyout agreements and communicated follow up for incomplete agreements.
 - **Relocation benefits:** Staff have sent communications to tenants and landlords to explain relocation benefits requirements under the Tenant Protection Ordinance, including for when a unit is being remodeled, converted, or demolished are entitled to relocation payments and reimbursements.
 - **Special notice requirements:** Staff continues to monitor required postings and attachments that the landlord of apartments to provide tenants with a copy of written notice about specific tenant rights under the Apartment Rent Ordinance and Tenant Protection Ordinance, as well as referrals when submitting the termination notices.
-

FOR THE MOBILEHOME COMMUNITY - GOAL 4

4.A

Goal: Preservation of mobilehomes and mobilehome parks as a source of affordable housing for senior citizens, residents on limited or fixed-incomes, and other vulnerable residents.

4.A) Outreach campaign to inform residents

Objective:

- Quarterly outreach campaign to inform residents of their rights under the Mobilehome Rent Ordinance and the logistics of a fair return petition. Outreach will target those with the most severe needs, including senior citizens.

Strategies:

- Establish a communications plan wherein quarterly outreach will focus on a different topic that may affect residents. Topics may include but are not limited to: the Mobilehome Rent Ordinance provisions on evictions, resources available from the California Department of Housing and Community Development, upcoming in-person City events, and local community-based organizations that may assist with home repair.
 - Collect call log data from the previous Fiscal Year to prioritize outreach to the parks with the most inquiries.
 - Through a mailing and social media campaign, invite Senior Citizens to enroll in a specialized outreach newsletter, delivered to the senior citizens on a quarterly basis.
-

FOR THE MOBILEHOME COMMUNITY - GOAL 4

4.B

Goal: Preservation of mobilehomes and mobilehome parks as a source of affordable housing for senior citizens, residents on limited or fixed-incomes, and other vulnerable residents.

4.B) Program tracking notices of terminations for mobilehomes

Objective:

- Establish an internal system tracking notices of termination, examine trends and analyze opportunities to preserve housing through referrals and limited advocacy.

Strategies:

- At the beginning of each year, through a mailing and/or social media campaign, Rent Stabilization Program staff can encourage residents to inform the Program when they receive a notice of termination. Staff will provide resources and follow up on each instance, as appropriate.
 - At the end of each Fiscal Year, Program staff will produce data analytics on the notices of termination, mapping hardest hit areas. Staff will prioritize outreach for the following Fiscal Year in those areas.
-

FOR THE MOBILEHOME COMMUNITY - GOAL 4

The Mobilehome Rent Ordinance addresses rent increases on an annual basis with the Consumer Price Index (CPI) as the determining factor. Under the Ordinance, a property owner has the right to file a fair return petition for a rent increase beyond the maximum allowable rent increase, filing the petition with the Rent Stabilization Program (RSP). A hearing officer will evaluate the fair return petition and make a determination for a possible rent increase beyond the maximum allowable rent increase. Service reduction claims may be heard by the Mobilehome Law Residency Program by submitting a complaint with the California Department of Housing and Community Development (HCD). A mobilehome owner or tenant may pursue their own civil action for a service reduction through a court of competent jurisdiction as well.

Beginning July 1, 2020, the Mobilehome Residency Law Protection Program, as established by HCD, began taking Mobilehome Residency Law-related complaints and coordinating assistance to help resolve the most severe alleged violations that the Department receives. The Mobilehome Residency Law Protection Program provides more information on this new program designed to help resolve certain disputes between mobilehome/manufactured homeowners in mobilehome parks and park owners/management.

CONCLUSION

Initial implementation efforts of this Strategic Plan span the next three years. While this is a relatively short time frame, the quickly changing housing market and community demographics warrant regular review of the remaining recommended actions. Communities throughout the City are struggling with housing challenges. Out of these challenges will likely come new strategies and innovative solutions. This Strategic Plan will be reviewed regularly, and course action adjusted as needed. In order to track implementation efforts, the metrics laid out throughout the Strategic Plan will be tracked on an annual basis. Updated metrics will be publicly accessible on an interactive housing dashboard on the City's website. As part of the program, the Rent Stabilization Program will continue to prepare an annual update for submittal and discussion with the public and Housing and Community Development Commission. Updated metrics and the status of implementation efforts should be included in these reports.

DRAFT STRATEGIC PLAN 2021-2024

RENT STABILIZATION PROGRAM



Memorandum

TO: HOUSING & COMMUNITY
DEVELOPMENT COMMISSION

FROM: Fred Tran

SUBJECT: SEE BELOW

DATE: April 15, 2021

Approved

Date

**SUBJECT: RENT STABILIZATION PROGRAM FISCAL YEAR 2020-2021
QUARTERS 1, 2, AND 3 REPORT FOR APARTMENTS, INCLUDING
THE APARTMENT RENT ORDINANCE, TENANT PROTECTION
ORDINANCE, AND ELLIS ACT ORDINANCE**

RECOMMENDATION

Review the staff report and provide possible recommendations to staff on the Rent Stabilization Program Quarters 1, 2, and 3 Report for Fiscal Year 2020-2021.

BACKGROUND

The Rent Stabilization Program is providing a summary of program activities for Fiscal Year (FY) 2020-2021 Quarters 1, 2, and 3 to the Housing and Community Development Commission. The Rent Stabilization Program conducts a variety of activities for the San José rental community including:

- responding to general resident inquiries and providing referrals as needed;
- developing and implementing housing policies;
- managing submissions of termination notices;
- managing tenant and landlord petitions and scheduling for mediation or administrative hearings; and
- engaging continuously with community members and community-based organizations with educational workshops and outreach.

A dashboard summary of Program updates throughout Quarters 1, 2, and 3 is included as **Attachment A**.

ANALYSIS

Major actions taken during Quarters 1, 2, and 3 are summarized below by administration of the Apartment Rent Ordinance, Tenant Protection Ordinance, and Ellis Act Ordinance. Quarter 1 runs from July 2020 to September 2020. Quarter 2 from October 2020 to December 2020, and Quarter 3 is from January 2021 to March 2021. The Rent Stabilization Program continues to adjust its services to the rental community due to the ongoing COVID-19 pandemic. A summary of the components of the analysis includes:

- COVID-19 related housing protections;
- Apartment Rent Ordinance;
- Ellis Act Ordinance withdrawals;
- Administrative Citation Program;
- Tenant Protection Ordinance;
- Legal services assistance; and,
- Program inquiries received.

A. COVID-19 Related Housing Protections

As the COVID-19 pandemic slows a full economic recovery, Program staff continues to respond to the evolving City, State, and Federal pandemic responses and policy changes.

2020 and 2021 Eviction Moratorium – On March 17, 2020, Program staff supported the policy coordination of an urgency eviction moratorium ordinance, and City Council unanimously approved the 2020 Eviction Moratorium. Due to the passage of the State law COVID-19 Tenant Relief Act (known as AB 3088), the City’s eviction moratorium was superseded on August 31, 2020. As a result, staff hosted informational webinars in English, Spanish, and Vietnamese to inform the apartment and mobilehome rental community of the statewide eviction moratorium. State law AB 3088 was set to expire on January 31, 2021.

In anticipation of a potential lapse in protection for renters, on January 26, 2021, Program staff brought to City Council an updated 2021 Eviction Moratorium. The 2021 Eviction Moratorium passed unanimously due to significant increases in COVID-19 related cases and deaths in December 2020 and January 2021, and in furtherance of the public’s health, safety and welfare. Subsequently, on January 28, 2021, the Governor signed Senate Bill 91 into law, extending statewide eviction protections through June 30, 2021 and establishing a substantial State rental assistance program for residents continuing to be affected by the pandemic. Due to the extension of State law protections, the City’s Eviction Moratorium was not put into place. Program staff conducted informational webinars and recorded Public Service Announcements in English, Spanish, and Vietnamese to educate the public on the new State law and the availability of rental assistance with an emphasis on outreach to rent stabilized landlords and tenants and mobilehome residents and park owners.

2020 and 2021 Moratorium on Rent Increases – The 2020 Moratorium on Rent Increases was passed on April 28, 2020 and was set to expire on December 31, 2020. The Moratorium

prohibited collection of rent increases for rent stabilized apartments and mobilehomes across the City until January 1, 2021. Program staff returned to City Council on February 2, 2021 to propose a 2021 Moratorium on Rent Increases. Prior to bringing the recommended action forward, Program staff worked with stakeholders from the mobilehome and apartment communities and received feedback that the 2021 Moratorium on Rent Increases should focus on protecting the most vulnerable residents and tenants financially impacted by COVID-19. The Moratorium is set to expire on June 30, 2021 and only applies to residents and tenants who submit a Declaration of COVID-19 Related Financial Distress after receiving a rent increase notice.

Statewide Rental Assistance – On March 15, 2021, the State COVID-19 Rent Relief Program was launched and is now accepting applications. The program provides assistance to help low-income tenants pay rent and utilities. Applications may be submitted by both tenants and landlords. Details and the application link will be available at [Housingiskey.com](https://housingiskey.com) or via a toll-free phone number 833-430-2112. The state has provided multilingual information (Spanish, English, Chinese, Korean, Vietnamese, and Tagalog). Landlords may apply for rental assistance on behalf of their tenants which includes mobilehome renters. In addition, the City and County each received direct funds from the federal government. On March 23, 2021, City Council approved a hybrid plan of local and state the Rental Assistance as well with the County Board of Supervisors. Both the City and County are coordinating an effort to launch local programs.

Partnership with Santa Clara County’s Mediation Program – In partnership with the Santa Clara County Office of Mediation and Ombuds Services, the Rent Stabilization Program has promoted a free mediation program for tenants and landlords to resolve housing disputes. Program staff process mediation inquiries and make referrals to the County Mediation program as needed. County Mediators are available to facilitate conflict resolutions through housing conversations. Between July 2020 and March 31, 2021, Program staff has referred 24 cases to the County Office of Mediation and Ombuds Services and five are still open, pending scheduling. Of the 19 closed cases, nine resulted in zoom mediations with seven agreements reached; six cases were coached wherein Mediators talked through scenarios with the referred party; and four cases were conciliated, meaning Mediators spoke to both parties separately, resulting in three agreements. A more detailed breakdown of the cases and resolutions is found in **Attachment A**.

B. APARTMENT RENT ORDINANCE

Summary of Petitions Filed – A summary of petitions filed quarterly is provided in **Table 1**. Due to the pandemic and compliance with Federal, State and local restrictions, the Rent Stabilization Program transitioned its mediation and hearing services to a Zoom online platform. During Quarter 1 and Quarter 2, there were still four petitions put on hold by parties since March 2020. The parties had intended to wait for in-person mediation. As the pandemic and City Hall closure continued, by Quarter 3, all four petitions were heard via Zoom.

The Service Reduction Petition claims included infestation of cockroaches, rats, bedbugs, and mold, as well as leakage of water and lack of heat. During Quarters 1, 2, and 3, there were three service reduction petitions claiming utility issues.

Table 1 – Summary of Petition Type by Quarter

Petition Type	Q1	Q2	Q3	Total
Service Reduction	8	9	13	30
Rent Registry	0	0	0	0
Rent Increase	0	0	2	2
Joint	2	1	0	3
Ineligible	3	2	2	7
Withdrawn	1	1	2	4
Total	14	13	19	46

During the three quarters, 46 total petitions were submitted. Of these tenant petitions, the primary driver for submission was service reductions. Due to the timing of the Rent Registry second registration period, there were no Rent Registry related petitions submitted during Quarter 1, Quarter 2, and Quarter 3. Additionally, Petition outcomes are detailed below in **Table 2**. The overall number of petitions experienced a decrease when compared to 2019-2020 figures. This decrease may be attributed to the County’s Shelter in Place Order that had been in effect during the reported quarters and the inability for in-person visits to City Hall and the Housing Department. Program staff has documented an increase in petitions following targeted outreach efforts in Quarter 3. Quarter 3 has experienced the largest increase in petition submissions, with 19 petitions submitted to date.

Table 2 – Summary of Petition Outcomes by Quarter

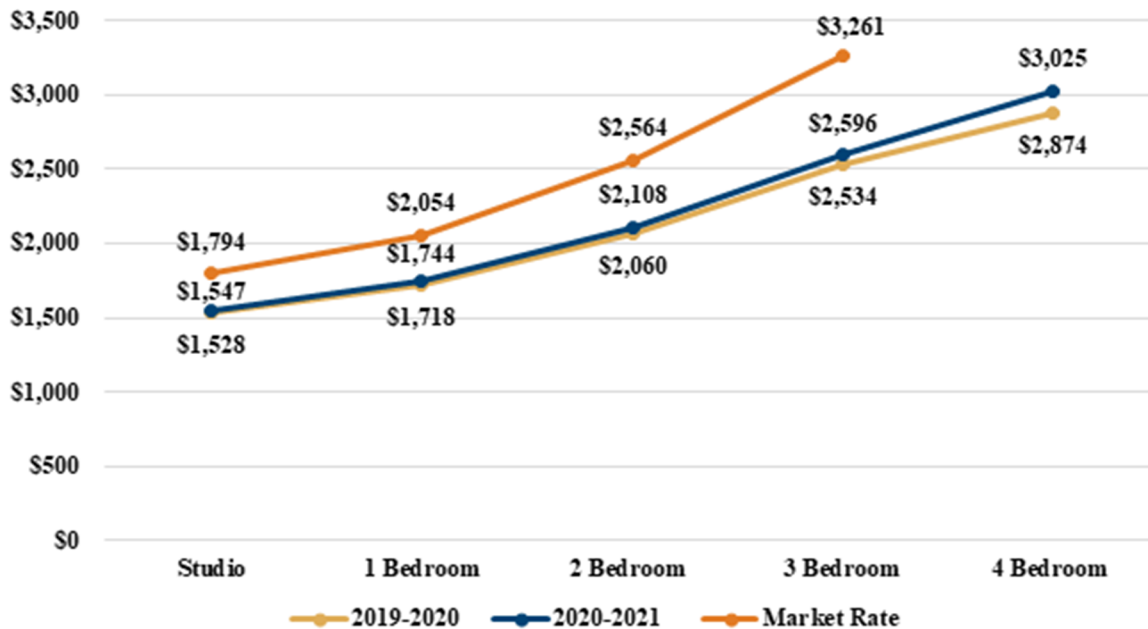
Petition Outcomes	Q1	Q2	Q3	Total
Pending Action	1	2	7	10
Voluntary Agreements	4	5	8	15
Hearing Officer Decision	3	2	0	5
Administrative Decision	2	1	0	3
Total	10	10	15	33

The goal of our program is to facilitate the resolution of housing disputes between tenants and landlords. During the reported Quarters, 45% of the petitions filed were resolved by voluntary agreement. Pending action may mean a hearing, mediation or a decision is being scheduled. Program staff review all petitions and only eligible petitions will continue through the mediation/hearing process. Across the three quarters, 78% of the submitted petitions were eligible for the program’s petition process.

Rent Registry – As of March 31, 2021, a total of 33,569, or 87%, of all rent stabilized apartments have been registered in the Rent Registry for the second registration period which took place from October 1, 2020 to November 30, 2020. There are 2,494 registered property owners. For the second registration period, Program staff created and disseminated user guides, paper

registration forms, Frequently Asked Questions, and 26 video tutorials in English, Spanish, and Vietnamese through the Rent Registry website and on the Housing Department website. **Graph 1** summarizes the rent for Rent Stabilized apartments in 2019-2020, 2020-2021, and market-rate rent from Costar quarter 4¹. Note that Costar does not report rent for four-bedroom units. Apartments not registered are ineligible for general annual rent increases.

Graph 1 – Summary of Rent Stabilized Apartments Rent in 2019-2020, 2020-2021, and Market Rate Rent from CoStar Quarter 4



The findings of comparison between the three datasets of information are as follows:

- **Rent Registry rents from 2019-2020 increased 2.56% in 2020-2021** – Program staff calculated the difference in mean rents from 2019-2020 and current rent for rent stabilized apartments and found that rent increased on average by 2.56%.
- **Comparison of two-bedroom rent stabilized apartment versus market-rate apartment** – When comparing rent stabilized apartments to market rate apartments, a rent stabilized two-bedroom apartment is \$2,108, which is 18% lower compared to the market rate of \$2,564.

Tenant buyouts for rent stabilized apartments – Under the ARO, a landlord and tenant can enter into a voluntary buyout agreement where the tenant relinquishes possession of the apartment typically in exchange for an agreed upon sum of money. These agreements are voluntary for both parties. This process is typically initiated by the landlord and can be for any reason, including sale of the property, removing the property from the rental market, owner move-in, or remodeling of the apartments. There have been 15 tenant buyout

¹ <https://www.sanjoseca.gov/home/showpublisheddocument?id=70484>

agreements submitted and accepted since Quarter 1. The submissions originated from five properties.

- **1 buyout – 469 S. 4th Street – Complex of 3 apartments.** This property was purchased by a developer with the intent for redevelopment.
- **1 buyout – 2501 Skylark Drive – Complex of 8 apartments.** Reason for tenant buyout unknown.
- **1 buyout – 694 S. 2nd Street – Complex of 11 apartments.** Reason for tenant buyout unknown.
- **8 buyouts – 475 S. 4th Street – Complex of 12 apartments.** This property was purchased by a developer and intends on redevelopment. The Ellis Act Ordinance section further expands on this property.
- **4 buyouts – 794 Deland Ave – Complex of 6 apartments.** There was new ownership for this complex and the landlord wanted to make improvements to the units.

The average tenant buyout was \$6,753 per tenant household.

C. ELLIS ACT ORDINANCE

The Ellis Act Ordinance applies when a landlord or developer plans to demolish or remove rent stabilized apartments from the rental market. Since July 2020, one landlord has issued notices to withdraw their apartments from the rental market with the intention for redevelopment. Prior to the initiation of the Ellis Act Ordinance, from August to December 2020, the eight tenant households agreed to tenant buyout agreements containing comparable relocation assistance amounts. The property withdrawn is a twelve unit apartment building, with eleven current vacant apartments prior to initiating the Ellis Act Ordinance and one tenant receiving the noticing and relocation assistance as required under the Ordinance. On March 21, 2021, the owner issued the 120-day notice to the remaining tenant and prepared relocation assistance, with the possibility of providing an extension for up to one year upon request by the tenant. The summary of withdrawals under the Ellis Act Ordinance are summarized in **Table 3** and **Table 4**:

Table 3 – Summary of Withdrawals for Rent Stabilized Apartments from 2018 - 2021

	2018 - 2019	2019 - 2020	2019 - 2020	2020 - 2021
# of apartments with tenants receiving notice and relocation benefits	4	5	3	1
# apartments vacated due to Tenant Buyout agreements prior to initiation of Ellis	0	0	0	8
# of apartments vacant when Ellis initiated	0	2	0	3
Total	4	7	3	12

Table 4 – Total Rent Stabilized Apartments and Market Rate Apartments Withdrawn by Fiscal Year through the Ellis Act Ordinance

Total Rent Stabilized Apartments Withdrawn	
2018-2019	4
2019-2020	10
2020-2021	12
Total	26
Total Market Rate Apartments Withdrawn	
2018-2019	5
Total	5

D. ADMINISTRATIVE CITATION PROGRAM

After completing the first and second Rent Registry registration periods, Program staff conducted a review of non-registered ARO landlords and identified 157 landlords in violation. Program staff also found that of those landlords in violation, 37 have had a recent address change. Following the analysis of the Rent Registry data, 2,563 Notice of Violation and Corrective Action letters were mailed in December 2020 and 108 in January 2021. Since the initial 2,563 letters issued in December 2020, an additional 1,713 properties have registered completely. As a result, the number of registered apartments increased from 49% to 87%. The Program will continue to provide these Notices and opportunities for landlords to comply with the requirements of the Rent Registry before issuing Administrative Citations.

Since the Program's Administrative Citation process was adopted in 2019, the Program has emphasized compliance by issuing Notices of Violations to encourage compliance prior to issuing citations. However, Program staff is currently working with the Finance Department to issue citations for landlords who remain out of compliance following the issuance of warning letters for the Rent Registry violations. A copy of the Notice of Violation and Corrective Action letter is included as **Attachment B**.

E. TENANT PROTECTION ORDINANCE

Notices of Terminations Received

Since July 2020, the Program has received 6,921 notices of terminations for apartments in the City as required by the Tenant Protection Ordinance. Of the notices received, a notice may contain more than one just cause reason listed. The top three most common reasons are:

- **6,477 (99%) Nonpayment of rent.**
- **240 (4%) Material or habitual violation of tenancy:** The reasons listed on the notice of termination for just cause include violating lease guidelines such as disruption at the property and/or alleged harassment towards other tenants or towards property management staff.
- **155 (2%) Nuisance behavior:** The reasons listed on the notice of termination for this just cause includes peace disturbance and unit sanitation.

While local and State Eviction Moratoria have suppressed the number of Notice of Termination and Unlawful Detainer submissions, Nonpayment of Rent notices are still the highest number of notices that are being issued to tenants. In addition, a total of 68 Unlawful Detainers were submitted to the program from July 1, 2020 to March 31, 2021. Of those 68 Unlawful Detainers, 23 were for Nonpayment of Rent. Staff reviewed several Unlawful Detainers submitted for Nonpayment of Rent and findings included observations that landlords submitted blank Declaration of COVID-19 Related Financial Distress forms. This denotes in part that the Unlawful Detainer was based on the tenant's alleged failure to submit the Declaration within the 15-day Notice period as required by State law AB 3088. **Table 5** summarizes the notices received in Quarter 1, Quarter 2, and Quarter 3.

Table 5 – Notices of Terminations Received for Quarters 1, 2, and 3

Inquiries	Q1	Q2	Q3	Total
1. Nonpayment of rent	1,372	2,542	2,563	6,477
2. Material or habitual violation of tenancy	51	68	121	240
3. Substantial damage to the apartment	1	3	12	16
4. Refusal to agree to a similar or new rental agreement	0	0	0	0
5. Nuisance behavior	44	66	45	155
6. Refusing access to the apartment	0	0	2	2
7. Unapproved holdover subtenant	9	6	5	20
8. Criminal Activity	1	1	5	7
9. Substantial rehabilitation of the apartment	0	0	0	0
10. Ellis Act Removal	0	0	1	1
11. Owner move-in	1	0	0	1
12. Order to vacate	0	1	0	1
13. Vacation of unpermitted apartment	0	1	0	1
Exempt from the TPO	133	172	191	496
Total	1,612	2,860	2,945	7,417

Mapping of Unlawful Detainers Submitted to Program from 2/2020 to 1/2021

While current State and Federal Eviction Moratoria protect tenants financially impacted by COVID-19 from eviction for non-payment of rent, Staff analyzed a sample of 49 Unlawful Detainers that were filed with the Rent Stabilization Program from February 2020 to January 2021. Of this sample, nine Unlawful Detainers were submitted prior to the City's Eviction Moratorium and 40 were submitted during the moratorium. Termination causes included: 1) damage to the apartment, 2) disorderly conduct and or disturbing the peace, and 3) nonpayment of rent prior to the City's Eviction Moratorium. Staff also found that there was not a strong correlation between COVID-19 cases and Unlawful detainers. Additional staff analysis and findings included:

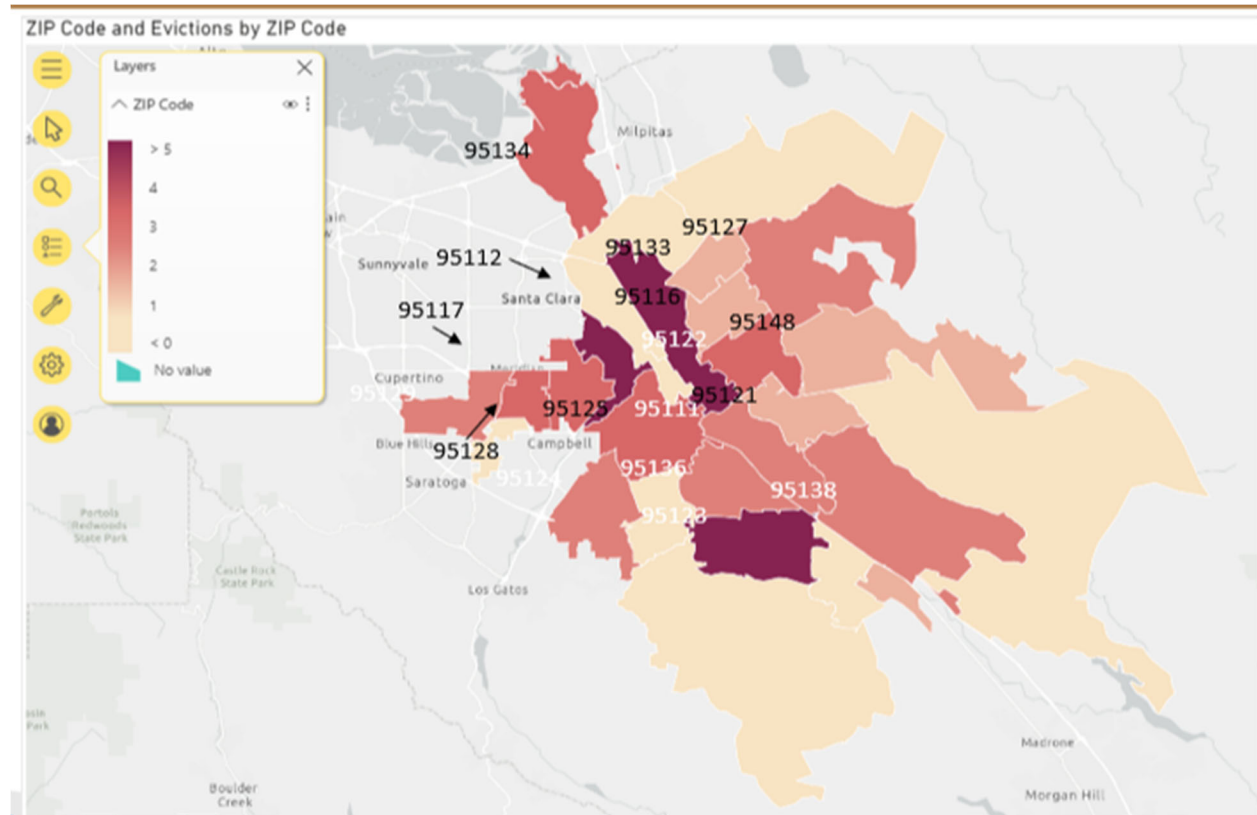
- **\$2,367** was the average monthly rent owed by tenants.
- **Zip codes 95112 (District 3) with five submissions, 95126 (District 6) with five submissions, and 95123 (District 10) with six submissions** had the highest total

Unlawful Detainers submitted. Zip code 95123 (District 10) also had the highest nonpayment of rent related Unlawful Detainer submissions.

- **Types of property groups** that were submitted: 16 rent stabilized apartments, five project-based, 12 non-rent stabilized apartments, and 16 other.

Using the software program Power BI and Tableau, staff created a map of the 49 Unlawful Detainers by zip code that were submitted to the Program (**Map 1**): [COVID-19 Eviction Data | City of San José](#)

Map 1 – Total Unlawful Detainers Submitted to Rent Stabilization Program by Zip Code from 2/2020 to 1/2021



F. LEGAL SERVICES ASSISTANCE

The City awarded the San José Housing Consortium (comprised of Law Foundation, Bay Area Legal Aid, Senior Adults Legal Assistance, Asian Law Alliance, and Project Sentinel) a \$500,000 contract to provide legal education and services to tenants and landlords beginning in fall 2018. The goal of the contract is to increase housing stability by providing free landlord/tenant counseling, education, referrals, and legal assistance to low-income tenants and landlords. These services also include outreach and education to low-income tenants and landlords Citywide.

The Housing Consortium also reported for Quarter 1 and Quarter 2:

- **1,098** unduplicated participants were served.
- Income level that received the most legal services was *non-low-/moderate-income*, with nearly **47%** of clients served (**Table 6**).
- The race and ethnicity category that received the most legal services were Other (32%), Whites (29%), and Asian (20%) (**Table 7**).
- Quarter 3 data was not available at the time of this report.

Currently, the contract agreement does not include tracking of outcomes of the services provided.

Table 6 – Legal Services Client Data by Income

	Q1	Q2	Total
Extremely Low-Income <i>At or below 30% of Area Median Income</i>	171	126	297
Very Low-Income <i>31% to 50% of Area Median Income</i>	25	23	48
Low-/Moderate-Income <i>51% to 80% of Area Median Income</i>	91	85	176
Non-Low-/Moderate-Income <i>Exceeds 80%</i>	287	234	521
Total	574	468	1,098

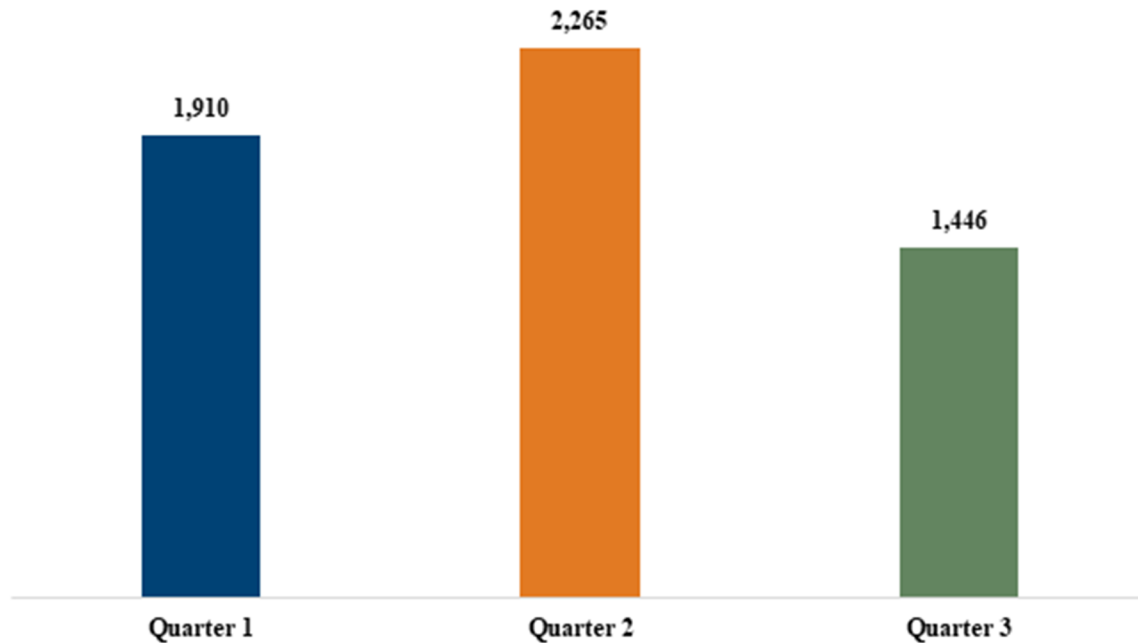
Table 7 – Legal Services Client Data by Race and Ethnicity

Race/Ethnicity	Q1	Q2	Total
White	105	71	176
Hispanic	57	24	81
African American or Black	15	14	29
Asian	64	58	122
American Indian or Alaska Native or Other Pacific Islander	4	0	4
Other	115	78	193
Total	360	245	605

G. PROGRAM INQUIRIES RECEIVED

The Program received 5,621 inquiries from July 1, 2020 through March 31, 2021. **Graph 2** summarizes the breakdown of the total number of inquiries received by staff in the most recent three quarters.

Graph 2 – Summary of Total Inquiries Received by Staff in the Most Recent Quarters



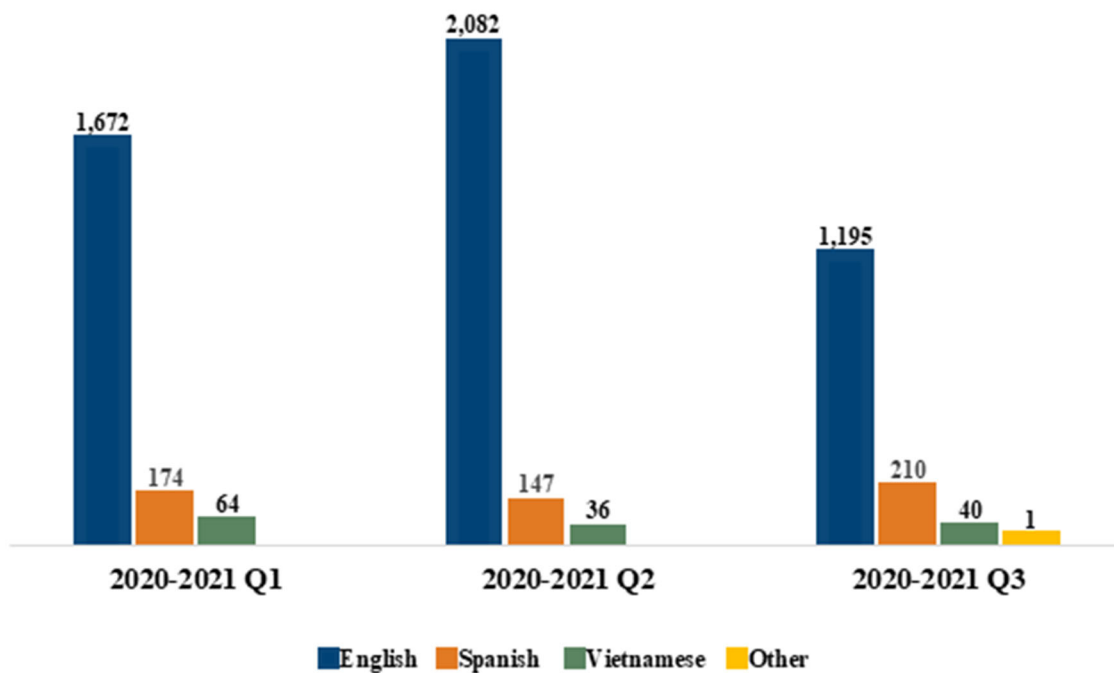
The outreach strategies the Program generated the following:

- **July 2020 – September 2020:** Program staff received general inquiries regarding the City of San José Moratorium on Rent Increase and its applicability. In addition, there were a significant number of tenant and landlord inquiries regarding rights under the Moratorium on Rent Increases, and local and State eviction moratoria. Many tenants also requested information for food resources and rental assistance.
- **October 2020 – December 2020:** Rent Registry registration mailers were sent out to 3,058 landlords informing them of the upcoming registration period and 2,563 Notice of Violation and Corrective Action letters were mailed to landlords who were not in compliance with the Rent Registry requirements. Landlords inquired about successfully completing the registration process for the second registration period. Many inquiries were from landlords who received a Notice of Violation and Corrective Action and who were unaware that the second registration period required an update in rental information. Program staff fielded inquiries from landlords who had no changes to report and were unaware of how to update a “no change” on the registration portal. Other inquiries included requests for resources on rental assistance, eviction protections and housing resources.
- **January 2021 – March 2021:** Program staff continued to receive general inquiries about the 2021 Moratorium on Rent Increases, 2021 Eviction Moratorium, and state eviction protections. There were significant inquiries regarding Federal, State, and local rental assistance. Many tenants and landlords requested legal referrals.

Summary of Inquiries by Language – The Rent Stabilization Program received 1,910 inquiries during the first quarter, 2,265 inquiries during the second quarter, and 1,446 inquiries during the third quarter. **Graph 3** summarizes the breakdown of inquiries by language for all three quarters:

- 4,949 inquiries (88.04%) received in English
- 531 inquiries (9.45%) received in Spanish
- 140 inquiries (2.49%) received in Vietnamese, and
- 1 inquiry (0.02%) received in Other.

Graph 3 - Summary of Inquiries by Language in the Most Recent Three Quarters



PUBLIC OUTREACH

Outreach efforts for Quarter 1, Quarter 2, and Quarter 3 were all conducted online due to the COVID-19 pandemic and Shelter-in-Place Orders. Program staff held informational meetings attended by tenants, property owners, and community stakeholders. The program also hosted webinars, recorded public service announcements, and recorded television and radio interviews:

- **483 webinar attendees and 18 total webinars hosted** in English, Spanish, and Vietnamese (**Table 8**);
- **241 social media webinar views** for COVID-19 related moratoriums in English, Spanish, and Vietnamese (**Table 9**);
- **225 social media views for public service announcements (PSAs)** for COVID-19 related moratoriums in English, Spanish, and Vietnamese (**Table 10**);

- **13 e-blasts** in English, Spanish, and Vietnamese related to the Eviction Moratorium, Moratorium on Rent Increases, and Rent Registry;
- **3,058 landlord mailers** informing of Rent Registry;
- **38,429 postcard mailers for tenants** informing on Eviction Moratorium and Moratorium on Rent Increases;
- **26 total video tutorials on the Rent Registry** in English, Spanish, and Vietnamese;
- **11 Spanish interviews** with Telemundo and Univision, and **2 Vietnamese radio PSAs** on Việt Nam Bắc Cali 1500 AM radio; and
- **16 tenant and landlord meetings** by Legal Services.

Table 8 – Total Webinars Hosted and Attendees for Eviction Moratorium, Moratorium on Rent Increases, and Statewide Moratoriums

Webinars in English, Spanish, & Vietnamese by Quarter	Webinars	Attendees
Q1	6	220
Q2	6	154
Q3	6	109
Total	18	483

Table 9 – Total Webinar Views for Eviction Moratorium, Moratorium on Rent Increases, and Statewide Moratoriums

Language	YouTube	Facebook	Total
English	167	19	186
Spanish	23	5	28
Vietnamese	23	4	27
Total	213	28	241

Table 10 – Total Views on 3 PSAs for Eviction Moratorium, Moratorium on Rent Increases, and Statewide Moratoriums

Language	YouTube	Facebook	Total
English	42	50	92
Spanish	32	8	40
Vietnamese	26	67	93
Total	100	125	225

COORDINATION

This memorandum was coordinated with the City Attorney's Office.

/s/

FRED TRAN

Division Manager

Rent Stabilization Program

For any questions, please contact Fred Tran at Fred.Tran@sanjoseca.gov or 408-975-4443.

Attachments:

Attachment A – Dashboard Summaries: Petitions and Compliance Team

Attachment B – Notice of Violation and Corrective Action



Rent Stabilization Program – Compliance Team

Dashboard of Accomplishments for 2020-2021 Quarters 1, 2, & 3

TRENDS

- **Rent Registry:** Average of **87%** registration rate for each 1.0 and 2.0 Rent Registry registration period. **61% decrease in paper registration** from prior registration period.
- **Citation Program:** After **2,563** warning letters were sent to landlords who did not register for 2.0 in December 2020, the registration rate increased from **49% to 87%**.
- **Tenant buyout:** Average buyout agreement per tenant household was **\$6,753**.
- **Notices of Termination:** While local and State Eviction Moratoria have suppressed the number of Notice of Termination and Unlawful Detainer submissions, Nonpayment of Rent notices are still the highest number of notices (99%) that are being issued to tenants.
- **Unlawful Detainers:** **\$2,367** was the average monthly rent owed by tenants. **Zip codes 95112 (District 3) with 5 submission, 95126 (District 6) with five submissions, and 95123 (District 10) with six submissions** had the highest total Unlawful Detainers submitted.

TRACKING & COMPLIANCE

ARO Units Withdrawals through Ellis Act Ordinance

12 apartments – 475 S. 4th Street



- Property intended for redevelopment
- 1 tenant currently receiving relocation assistance

Tenant Buyouts

15 apartments – average amount of \$6,753

- 1 buyout – 469 S. 4th Street – Complex of 3 apartments
- 1 buyout – 2501 Skylark Drive – Complex of 8 apartments
- 1 buyout – 694 S. 2nd Street – Complex of 11 apartments
- 8 buyouts – 475 S. 4th Street – Complex of 12 apartment
- 4 buyouts – 794 Deland Ave – Complex of 6 apartments

Notices of Terminations

7,417 notices & 68 Unlawful Detainers processed



Top three most common reasons for termination:

- Nonpayment of Rent (99%),
- Material or Habitual Violation of Tenancy (4%), and
- Nuisance Behavior (2%)

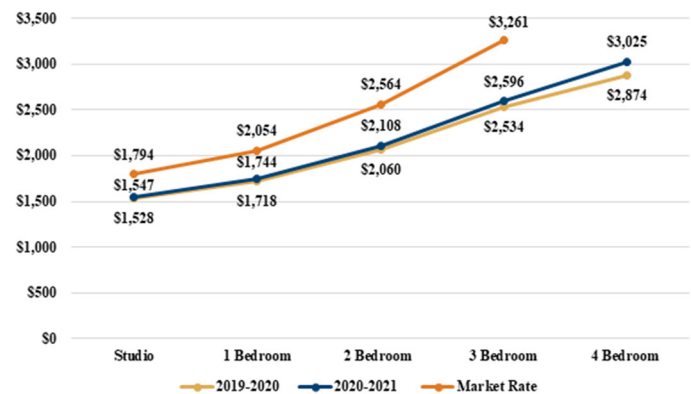
Administrative Citation

- **2,563 warning letters** sent to landlords for non- registration with rent registry
- **Citation program** in development with Finance Department



Rent Registry

- **33,569 (87%):** Registered apartments
- **2,494:** Landlords (unduplicated)
- **1,498:** Ownership record updates



POLICY

City Council & HCDC Reports to Support

(in collaboration with Petitions & Inclusionary Team)

- Rent Stabilization Program Annual Report
- 2020 and 2021 Eviction Moratorium
- 2020 and 2021 Moratorium on Rent Increases
- 2021 Updates to the Inclusionary Housing Ordinance

PROJECT UPDATES

- **The Opportunity Project (TOP)** with Google on understanding evictions trends from TPO data.
- **5 PRA Requests** completed related to TPO data for research projects and news articles.
- **Management of the Legal Services grant**
- **Dashboard with maps and analysis Unlawful Detainers** submitted to Rent Stabilization Program from 2/2020 to 1/2021 with PowerBI and Tableau:
[COVID-19 Eviction Data | City of San Jose](#)

Rent Stabilization Program – Petitions Team

Dashboard of Accomplishments for 2020-2021 Quarters 1, 2, & 3

TRENDS

- **52% of petitions that have completed the petitions process were related to service reductions:** 22 of the 42 Petitions were related to service reductions claims: cockroaches and bed bug infestation, lack of heat, and broken appliances. An additional 7 service reduction petitions are currently pending the mediation or hearing process.
- **28% of all submitted petitions came from one zip code:** Of the 46 Petitions filed, 13 Petitions came from zip code **95112**, located in District 3.
- **Approximately 20% of all resident inquiries across Quarter 1, 2, and 3 was for rental assistance and COVID-19 related concerns:** 1,097 out of the 5,621 total inquiries concerned COVID-19 and requests for rental assistance.

PETITIONS SUBMITTED & OUTCOMES

Types of Submitted:

Total: 46

- **Service Reduction:** 30
- **Joint Petitions:** 3
- **Rent Increase:** 2
- **Ineligible:** 7
- **Withdrawn:** 4

Service Reduction petitions may include utility concerns.

Outcomes:

- **Voluntary Agreements:** 15
- **Hearing Officer Decisions:** 5
- **Administrative Decisions:** 3
- **Pending Action:** 10

Top 4 Zip Codes for Petitions Submitted:

ZIP Code	95112	95117	95122	95129
# Petitions	13	10	3	3

The remaining 15 petitions came from:

95014 (1), 95111 (2), 95116 (1), 95123 (1), 95124 (2), 95125 (2), 95126 (2), 95127 (1), 95128 (2), 95130 (3).

MULTI-LINGUAL OUTREACH

Interpretation Services requested for Petitions Submitted

- Spanish: 6
- Vietnamese: 0



Ongoing stakeholder meetings:

- Parish Engagement (Wednesdays)
- Department of PRNS Project Hope

Zoom Outreach Presentations:

- 9 to tenants living in apartments
- 3 to landlords of apartments
- 1 to the public
- 1 to mobilehome communities
- 7 to partnerships—collaboration due to COVID-19



MOBILEHOMES

- **Total number of inquiries:** 113
- **Registration Forms:** Currently 56% of park owners submitted a Property Owner Registration Form to update their contact information
- **Ongoing issues:** Triangle Trailer Mobilehome Park was operating under a suspended permit from 11/5/2020 to 3/19/2021. The State Department of Housing and Community development has reinstated permit is reinstated as of 3/19/2021 after the park complied with health and safety violations.



SANTA CLARA COUNTY MEDIATION PROGRAM

- **Total cases referred by City staff:** 24
- **Open Cases:** 5 **Closed Cases:** 19
- **Resolutions of Closed Cases:**
 - 6 cases coached
 - OMOS staff spoke to 1 party through a housing issue
 - 9 cases Mediated on Zoom
 - 6 written agreements
 - 1 verbal agreement
 - 2 cases with no agreement
 - 4 cases conciliated (staff spoke to parties separately)
 - 3 had verbal agreements
 - 2 had no agreement





Department of Housing
RENT STABILIZATION PROGRAM

NOTICE OF VIOLATION & CORRECTIVE ACTION

12/3/2020

(Property Owner Address)

Re: **(Property Address)**

Dear **(Property Owner Name)**,

The Housing Department for the City of San José (“Housing”) has determined that you have not complied with your legal obligations under Part 9 of Chapter 17.23 of San José Municipal Code, the Apartment Rent Ordinance (“Ordinance”).

VIOLATION:

Rent Registry – Failure to Rent Register.

As required under section 17.23.900.A. of the Ordinance, landlords shall complete and submit a registration for each Rent Stabilized Unit annually on a City approved form. You have not registered your Rent Stabilized Units located at **(Property Address)**. Please be advised that this is a violation of the Ordinance and can result in an enforcement action taken against you, including but not limited to an administrative citation in the amount of \$500.00 per unregistered unit.

CORRECTIVE ACTION:

To avoid an administrative citation, you must cure the violation by taking the following action, subject to review and approval by the Housing Department:

- 1) Register all Rent Stabilized Units with the City either through the registration form, or on the Rent Registry Website: <https://sjrentregistry.force.com>

This action must be completed no later than 12/23/2020.

After the deadline listed above, Housing will determine whether you have corrected the violation. If you believe you have complied with the corrective action listed above, please contact the Housing Department immediately at (408) 975-4470.

We look forward to your anticipated cooperation in this matter.

Sincerely,

Noel O. Padilla

Noel O. Padilla
Analyst • Rent Stabilization Program • (408) 975-2645



Memorandum

TO: HOUSING & COMMUNITY
DEVELOPMENT COMMISSION

FROM: Theresa Ramos

SUBJECT: SEE BELOW

DATE: April 15, 2021

Approved

Date

**SUBJECT: RENT STABILIZATION PROGRAM FISCAL YEAR 2020-2021
QUARTERS 1, 2, AND 3 REPORT FOR MOBILEHOMES, INCLUDING
THE MOBILEHOME RENT ORDINANCE AND MORATORIUM ON
RENT INCREASES**

RECOMMENDATION

Review the staff report and provide possible recommendations to staff on the Rent Stabilization Program Quarters 1, 2, and 3 Report for Fiscal Year 2020-2021.

BACKGROUND

The Rent Stabilization Program (Program) is providing a summary of Program activity, including reports and mobilehome call log inquiries regarding mobilehome issues and trends impacting San José mobilehome park communities. The Program provides education and information to protect the rights and improve relations between residents and park owners and managers.

ANALYSIS

Due to the COVID-19 pandemic, City Hall remains closed to the public. Program staff continues to provide remote services to the mobilehome community via phone, email and the online platform, Zoom. Major actions taken during the first, second, and third quarter of 2020-2021 continued community engagement via phone and email assistance making, referrals to legal and social services as needed. The summary of the analysis includes:

- Annual percentage rental rate increase at 3%;
- Annual invoices and registration for landlords of mobilehome parks;
- Summary of mobilehome inquiries; and
- Moratorium on Rent Increases.

A. Annual Percentage Rental Rate Increase at 3%

The City of San José's Mobilehome Rent Ordinance, San José Municipal Code (SJMC) Chapter 17.22.155, allows mobilehome park owners/managers to increase rents without an administrative hearing if the increase does not exceed the maximum annual percentage increase (MAPI). The MAPI is set by the City of San José, based on the Consumer Price Index (CPI) Report for San Francisco-Oakland-San José All-Items/All Urban Consumers for the month of April. The MAPI is calculated as three-quarters of the CPI with a floor of 3% and a cap of 7%. The April 2019 CPI for the San Francisco Area established by the Bureau of Labor Statistics reflected an annual percentage increase of 1.11%. The Ordinance provides a MAPI calculation taking 75% of CPI to set the rent increase. Using the April 2020 CPI rate, 75% of 1.11% is 0.08%. In accordance with the requirements of SJMC Chapter 17.22, which allows a minimum of 3% rent increase to a maximum 7% rent increase, the MAPI for October 1, 2020, through September 30, 2021, is 3.00%.

B. Annual Invoices and Registration for Landlords of Mobilehome Parks

In December 2020, Program staff generated annual mobilehome park Rent Stabilization invoices and delivered invoices to park owners through a combination of email and U.S. Postal mail. The Program Administrative Mobilehome fee for 2020-2021 is \$20, of which half of the fee (\$10) may be passed through to residents. The staff recommended fee for this coming year is to remain at \$20 per space lot under the Mobilehome Rent Ordinance. Subsequently in December 2020, Program staff also sent out a Registration of Landlord Form for Mobilehome parks owners to update the park owner/operator information and to date. The Program has received 56% of the forms from mobilehome parks. Program staff is continuously reaching out via phone call and e-mail to park owners/operators who have not submitted their form in order to maintain park owner/operator registration updates.

C. Summary of Mobilehome Inquiries

The Rent Stabilization Program received 113 mobilehome park inquiries, summarized in **Table 1**. The issues that received the most inquiries were: miscellaneous, code enforcement and maintenance, and rent increases.

Table 1 - Summary of Mobilehome Issues Received

Issue	Q1	Q2	Q3	Total
Miscellaneous	20	11	6	37
Rent Increases	15	7	5	27
Code Enforcement and Maintenance	10	6	3	19
Fees	1	3	8	12
Request for Information	5	1	1	7
Referrals	3	4	0	7
Eviction Information	1	1	1	3
Site Visits	1	0	0	1
Total	56	33	24	113

Additional information about these interactions is found in **Attachment A**.

Park-Specific Issues

Below is a summary of the major park issues reported within the last three quarters and Program staff referrals to provide information and resources.

- **San José Verde Mobilehome Park** (149 space lots) has one resident with an ongoing allegation that the park owner lacked the proper permits to operate. Program staff reviewed the concerns and determined that park had current City permits to operate the park. The resident also submitted a petition with the Program, and it was deemed ineligible. Under the Mobilehome Rent Ordinance, residents residing in mobilehome parks cannot file petitions. Program Staff referred the resident to legal services for assistance.
- **Magic Sands** (541 Spaces) has a resident concern about a power outage at the park as it is a recurring concern. Program staff followed up with the CEO Manager of the park who said that in 2021, the park submitted their application to convert their electrical meters to PG&E & PUC and is waiting for approval. As for the power outage, the CEO Manager updated Program staff stating that it was PG&E's transformer that was defected and has since been repaired. In the meantime, the park has been providing generators when a power outage occurs. Staff noted the inquiry.
- **Westwinds Mobilehome Park** (723 space lots) experienced an electrical outage for a few hours in February 2021 and park notified residents via phone message service application. Program staff noted inquiry.
- **Triangle Trailer Mobilehome Park** (24 space lots) received a Suspension of Permit Notice from the State, Housing and Community Development (HCD) on or about November 5, 2020. Program staff assisted the resident by contacting the State to verify and confirmed that the park permit was suspended due to state health and safety violations. Program staff referred the resident to legal services for assistance, but the resident declined the referral and has decided to move out to avoid park retaliation. Program staff reached out to both the park

owner and park manager, but they were uncooperative. Program staff contacted the State and was informed that the park violations have been cleared and reinstated as of March 19, 2021.

D. Moratorium on Rent Increases

On February 2, 2021, the City Council passed a Moratorium on Rent Increase Ordinance affecting properties covered under the Mobilehome Rent Control Ordinance and Rent Stabilized Apartments. The 2021 Moratorium on Rent Increases applies to residents and tenants of rent-stabilized apartments and mobilehomes experiencing COVID-19 financial distress who have received a notice of rent increase. To prevent the rent increase from going into effect during the moratorium, the resident must submit a Declaration of COVID-19 Related Financial Distress. The City's Rent Stabilization Program administers the Mobilehome Rent Ordinance throughout the City's 59 mobilehome parks. Rent increases may occur at park anniversary dates. The Moratorium on Rent Increases have prevented 19 of the 59 parks from collecting rent increases that would have taken place between March and June 30, 2021; however, the rent increases may take effect after the Moratorium expires consistent with parks' anniversary dates.

E. Statewide Rental Assistance

On March 15, 2021, the State's COVID-19 Rent Relief Program was launched and is now accepting applications. The program provides assistance to help low-income tenants pay rent and utilities. Applications can be submitted by both tenants and landlords. Details and the application link will be available at [Housingiskey.com](https://www.housingiskey.com) or via a toll-free phone number (833-430-2112). The State has provided information in multiple languages (Spanish, English, Chinese, Korean, Vietnamese, and Tagalog). Landlords can apply on behalf of their tenants, which includes mobilehome renters.

In addition, the City and County each received funds directly from the federal government. On March 23, 2021, the City Council approved a hybrid plan of local and state Rental Assistance as well with the County Board of Supervisors. Both the City and County are coordinating an effort to launch local programs, anticipated in May 2021.

PUBLIC OUTREACH

Moratorium on Rent Increases Discussion

In January 2021, Program staff was directed by the City Council to seek community input regarding potential implementation of a 2021 Moratorium on Rent Increases. On January 26, 2021, the Program hosted an online community meeting online via Zoom with 41 people in attendance to provide comments. The attendance included a representation of park owners, landlords and residents. Prior to the meeting, a public letter was submitted by representatives of the organizations Brandenburg, Staedler & Moore and Golden State Manufactured-Home Owners League (GSMOL) calling for the City of San José to adopt a Moratorium on Rent Increases that only applied to residents that were financially impacted by COVID-19. During the

meeting, park owners conveyed that there are residents that are going to be highly impacted by the moratorium on Rent Increases. Park owners shared that they have been working hard to preserve housing affordability for their residents and expressed concern that the moratorium would not allow them to continue to help their residents. One park owner disagreed with the passage of the Moratorium on Rent Increases, urging support instead for a targeted rental assistance approach. Attendees present at the meeting asked for transparency from the Department, and a few of the park owners expressed their inclination to file a fair return petition with the Department if a moratorium prohibited rent increases for all mobilehome residents, rather than the targeted approach. Since the onset of pandemic, there have been no Fair Return petitions filed with the Program.

Multilingual Mobilehome Mailer for Moratorium on Rent Increases, Eviction Moratorium, and Vaccination Information

As part of the outreach effort to the community, Program staff created an informational card that will be mailed to mobilehome residents and tenants in rent stabilized apartments with updates on the various local, State, and federal COVID-19 laws. It will also include information regarding the 2021 Rent Increase Moratorium and important information on COVID-19 vaccines. The mailing of the multilingual postcard in English, Spanish and Vietnamese was sent in late March 2021.

/s/
THERESA RAMOS
Senior Analyst
Housing Department

For questions, please contact Theresa Ramos, Senior Analyst at 408-975-4475 or Theresa.Ramos@sanjoseca.gov.

Attachment:

Attachment A – Call Log Report



Memorandum

TO: HOUSING & COMMUNITY DEVELOPMENT COMMISSION (HCDC)
SUBJECT: CALL LOG REPORT

FROM: Theresa Ramos
DATE: 4/2/2021

Total Calls=113

	ID	Date	Requestor	Mobilehome Park	Topic	Resolution Suggested
July	Interaction Log-44696	7/1/2020	RESIDENT	SAN JOSE VERDE MOBILEHOME PARK	Code Issue;Rights	Referral
July	Interaction Log-41551	7/1/2020	RESIDENT	LAMPLIGHTER MOBILEHOME PARK	COVID-19	Ordinance
July	Interaction Log-41540	7/1/2020	RESIDENT	LAMPLIGHTER MOBILEHOME PARK	Allowable Rent Increase	Information
July	Interaction Log-41538	7/1/2020	OTHER	Unavailable	Ordinance	Information
July	Interaction Log-44693	7/1/2020	Property Manager	SAN JOSE VERDE MOBILEHOME PARK	Code Issue	Site Visit
July	Interaction Log-41567	7/2/2020	RESIDENT	WESTERN TRAILER MOBILEHOME PARK	Harrasment	Referral
July	Interaction Log-41721	7/2/2020	RESIDENT	LAMPLIGHTER MOBILEHOME PARK	Allowable Rent Increase;COVID-19	Ordinance
July	Interaction Log-41664	7/7/2020	RESIDENT	SAN JOSE VERDE MOBILEHOME PARK	Maintenance	Referral
July	Interaction Log-41722	7/8/2020	RESIDENT	Unavailable	Allowable Rent Increase;COVID-19	Information
July	Interaction Log-44700	7/8/2020	Property Manager	SAN JOSE VERDE MOBILEHOME PARK	Code Issue	Information
July	Interaction Log-41735	7/10/2020	RESIDENT	CASA DEL LAGO	Rights	Information
July	Interaction Log-41738	7/10/2020	RESIDENT	GOLDEN WHEEL PARK	Allowable Rent Increase;COVID-19	Information
July	Interaction Log-41737	7/10/2020	Property Manager	RANCHO SANTA TERESA MOBILEHOME PARK	COVID-19	Information
July	Interaction Log-41794	7/13/2020	RESIDENT	CASA DEL LAGO	Rights;COVID-19	Information
July	Interaction Log-44697	7/15/2020	RESIDENT	SAN JOSE VERDE MOBILEHOME PARK	Rights;Utility Overcharges	Referral
July	Interaction Log-42655	7/15/2020	RESIDENT	LAMPLIGHTER MOBILEHOME PARK	Allowable Rent Increase	Information

July	Interaction Log-41955	7/21/2020	RESIDENT	CARIBEES MOBILEHOME PARK	Allowable Rent Increase	Information
July	Interaction Log-41999	7/22/2020	RESIDENT	MAGIC SANDS	Ordinance	Information
July	Interaction Log-42028	7/23/2020	OTHER	SLEEPY HOLLOW TRAILER CT.	Management Harassment	Referral
July	Interaction Log-42113	7/27/2020	RESIDENT	HOMETOWN MONTEREY OAKS	Allowable Rent Increase	Referral
July	Interaction Log-42185	7/29/2020	RESIDENT	HOMETOWN MONTEREY OAKS	Fees	Referral
July	Interaction Log-42188	7/29/2020	RESIDENT	SILVER CREEK MOBILEHOME PARK	Eviction	Referral
Aug	Interaction Log-42334	8/5/2020	RESIDENT	HOMETOWN MONTEREY OAKS	Office Information	Other
Aug	Interaction Log-42335	8/5/2020	RESIDENT	Unavailable	Maintenance	Information
Aug	Interaction Log-44698	8/14/2020	RESIDENT	SAN JOSE VERDE MOBILEHOME PARK	Service	Information
Aug	Interaction Log-44699	8/17/2020	RESIDENT	SAN JOSE VERDE MOBILEHOME PARK	Service	Information
Aug	Interaction Log-42593	8/18/2020	RESIDENT	FOOTHILLS MOBILELODGE	Referral Advice	Referral
Aug	Interaction Log-42581	8/18/2020	Property Manager	MAGIC SANDS	Service	Information
Aug	Interaction Log-42637	8/20/2020	RESIDENT	WESTWINDS MANUFACTURED HOME COMMUNITY	Allowable Rent Increase	Referral
Aug	Interaction Log-42656	8/20/2020	RESIDENT	CHATEAU LA SALLE MOBILEHOME PARK	Rights	Information
Aug	Interaction Log-42651	8/20/2020	LANDLORD	SLEEPY HOLLOW TRAILER CT.	Service	Information
Aug	Interaction Log-42718	8/24/2020	RESIDENT	Unavailable	Service	Referral
Aug	Interaction Log-42771	8/26/2020	RESIDENT	WESTERN TRAILER MOBILEHOME PARK	Harrasment;Referral Advice;Rights	Referral
Aug	Interaction Log-42795	8/26/2020	RESIDENT	WESTERN TRAILER MOBILEHOME PARK	Rights	Information
Aug	Interaction Log-42794	8/26/2020	RESIDENT	WESTERN TRAILER MOBILEHOME PARK	Rights	Information
Aug	Interaction Log-43019	8/27/2020	RESIDENT	IMPERIAL SAN JOSE MOBILE ESTATES	Service	Referral
Aug	Interaction Log-42813	8/27/2020	RESIDENT	CASA DEL LAGO	Rights	Information
Aug	Interaction Log-42831	8/28/2020	RESIDENT	BELLA ROSA MOBILODGE	COVID-19	Information
Aug	Interaction Log-42833	8/28/2020	RESIDENT	CASA DEL LAGO	Allowable Rent Increase;COVID-19	Ordinance

Aug	Interaction Log-42832	8/28/2020	RESIDENT	BELLA ROSA MOBILODGE	COVID-19	Information
Aug	Interaction Log-42905	8/31/2020	RESIDENT	BELLA ROSA MOBILODGE	COVID-19	Information
Aug	Interaction Log-42894	8/31/2020	RESIDENT	Unavailable	Service	Referral
Aug	Interaction Log-42886	8/31/2020	RESIDENT	WESTERN TRAILER MOBILEHOME PARK	Rights	Information
Sept	Interaction Log-43015	9/1/2020	RESIDENT	WESTERN TRAILER MOBILEHOME PARK	Maintenance	Information
Sept	Interaction Log-43013	9/4/2020	RESIDENT	MOUNTAIN SPINGS	Allowable Rent Increase;COVID-19	Information
Sept	Interaction Log-43016	9/4/2020	RESIDENT	WESTERN TRAILER MOBILEHOME PARK	Code Issue;Maintenance	Information
Sept	Interaction Log-43022	9/4/2020	RESIDENT	Unavailable	Office Information	Information
Sept	Interaction Log-43047	9/8/2020	RESIDENT	SAN JOSE VERDE MOBILEHOME PARK	Maintenance	Information
Sept	Interaction Log-43258	9/18/2020	RESIDENT	LAMPLIGHTER MOBILEHOME PARK	Allowable Rent Increase;COVID-19	Referral
Sept	Interaction Log-43297	9/18/2020	RESIDENT	LAMPLIGHTER MOBILEHOME PARK	Allowable Rent Increase;COVID-19	Information
Sept	Interaction Log-43298	9/22/2020	RESIDENT	LAMPLIGHTER MOBILEHOME PARK	Allowable Rent Increase;COVID-19	Information
Sept	Interaction Log-43300	9/22/2020	RESIDENT	VILLAGE OF THE FOUR SEASONS	Allowable Rent Increase;COVID-19	Information
Sept	Interaction Log-43299	9/22/2020	RESIDENT	TRAILER TERRACE	Code Issue	Information
Sept	Interaction Log-43320	9/23/2020	RESIDENT	Unavailable	Office Information	Referral
Sept	Interaction Log-43363	9/25/2020	RESIDENT	LAMPLIGHTER MOBILEHOME PARK	Allowable Rent Increase;COVID-19	Information
Sept	Interaction Log-43407	9/29/2020	RESIDENT	SILVER CREEK MOBILEHOME PARK	Maintenance	Referral
Oct	Interaction Log-44706	10/6/2020	Property Manager	SAN JOSE VERDE MOBILEHOME PARK	Rights	Information
Oct	Interaction Log-44805	10/12/2020	RESIDENT	CASA DEL LAGO	Allowable Rent Increase	Information
Oct	Interaction Log-44003	10/21/2020	RESIDENT	CASA DEL LAGO	Allowable Rent Increase	Information
Oct	Interaction Log-44066	10/23/2020	Property Manager	MAGIC SANDS	Fees	Information
Oct	Interaction Log-44708	10/29/2020	Property Manager	SAN JOSE VERDE MOBILEHOME PARK	Rights	Other
Oct	Interaction Log-44209	10/30/2020	Property Manager	SUMMERSET MOBILEHOME PARK	Fees	Information
	Interaction		Property	SUMMERSET		

Nov	Log-44253	11/3/2020	Manager	MOBILEHOME PARK	Fees	Ordinance
Nov	Interaction Log-44709	11/4/2020	Property Manager	SAN JOSE VERDE MOBILEHOME PARK	Allowable Rent Increase;COVID-19	Information
Nov	Interaction Log-44711	11/4/2020	Property Manager	SAN JOSE VERDE MOBILEHOME PARK	COVID-19	Information
Nov	Interaction Log-44710	11/4/2020	Property Manager	SAN JOSE VERDE MOBILEHOME PARK	Allowable Rent Increase	Information
Nov	Interaction Log-44713	11/10/2020	Property Manager	SAN JOSE VERDE MOBILEHOME PARK	COVID-19	Information
Nov	Interaction Log-44526	11/12/2020	RESIDENT	Unavailable	Rights	Referral
Nov	Interaction Log-44532	11/12/2020	RESIDENT	TRAILER TERRACE	Code Issue;Rights	Referral
Nov	Interaction Log-44714	11/12/2020	Property Manager	SAN JOSE VERDE MOBILEHOME PARK	Service	Referral
Nov	Interaction Log-44605	11/16/2020	RESIDENT	COLONIAL MOBILE MANOR MOBILEHOME PARK	Mobilehome Eviction;COVID-19	Referral
Nov	Interaction Log-44652	11/18/2020	RESIDENT	SUNSHADOW MOBILEHOME PARK	Service	Referral
Nov	Interaction Log-45817	11/23/2020	RESIDENT	SAN JOSE VERDE MOBILEHOME PARK	Service	Referral
Nov	Interaction Log-44848	11/30/2020	RESIDENT	OAKCREST ESTATES MOBILEHOME PARK	Rent Registry	Information
Nov	Interaction Log-44901	11/30/2020	RESIDENT	WESTWINDS MANUFACTURED HOME COMMUNITY	Code Issue;Maintenance	Referral
Dec	Interaction Log-44827	12/1/2020	RESIDENT	Unavailable	Maintenance	Referral
Dec	Interaction Log-45116	12/1/2020	OTHER	CHATEAU LA SALLE MOBILEHOME PARK	COVID-19	Information
Dec	Interaction Log-44922	12/3/2020	RESIDENT	WESTWINDS MANUFACTURED HOME COMMUNITY	Maintenance;Rights	Referral
Dec	Interaction Log-44920	12/4/2020	RESIDENT	CASA DEL LAGO	Allowable Rent Increase	Information
Dec	Interaction Log-44921	12/4/2020	RESIDENT	FOOTHILLS MOBILELODGE	Allowable Rent Increase;COVID-19	Information
Dec	Interaction Log-45029	12/7/2020	RESIDENT	FOOTHILLS MOBILELODGE	Rights	Information
Dec	Interaction Log-45036	12/8/2020	RESIDENT	Unavailable	Service	Other
Dec	Interaction Log-45089	12/8/2020	RESIDENT	FOOTHILLS MOBILELODGE	Allowable Rent Increase;COVID-19	Information
Dec	Interaction Log-45078	12/8/2020	RESIDENT	Unavailable	Rights	Information
	Interaction					

Dec	Log-45303	12/14/2020	RESIDENT	Unavailable	Service	Information
Dec	Interaction Log-45305	12/14/2020	RESIDENT	MAGIC SANDS	Code Issue	Information
Dec	Interaction Log-45315	12/14/2020	RESIDENT	RIVERBEND MOBILEHOME PARK	Maintenance	Information
Dec	Interaction Log-45304	12/14/2020	RESIDENT	RIVERBEND MOBILEHOME PARK	Service	Information
Dec	Interaction Log-45603	12/22/2020	LANDLORD	TRAILER TERRACE	Office Information	Information
Jan	Interaction Log-45976	1/13/2021	RESIDENT	LA BUONA VITA MOBILEHOME PARK	Fees	Information
Jan	Interaction Log-45985	1/14/2021	RESIDENT	SILVER CREEK MOBILEHOME PARK	Allowable Rent Increase;COVID-19	Information
Jan	Interaction Log-45986	1/14/2021	RESIDENT	CASA ALONDRA MOBILEHOME PARK	Allowable Rent Increase;COVID-19	Information
Jan	Interaction Log-46385	1/22/2021	RESIDENT	SAN JOSE VERDE MOBILEHOME PARK	Ordinance;Service	Petition
Jan	Interaction Log-46125	1/26/2021	RESIDENT	CAL-HAWAIIAN MOBILEHOME PARK	Allowable Rent Increase;COVID-19	Information
Feb	Interaction Log-46426	2/4/2021	Property Manager	HOMETOWN EASTRIDGE ESTATES	Fees	Information
Feb	Interaction Log-46313	2/5/2021	RESIDENT	CAL-HAWAIIAN MOBILEHOME PARK	Allowable Rent Increase;COVID-19	Information
Feb	Interaction Log-46754	2/5/2021	LANDLORD	COTTAGE TRAILER GROVE MOBILEHOME PARK	Fees	Information
Feb	Interaction Log-46319	2/8/2021	RESIDENT	CAL-HAWAIIAN MOBILEHOME PARK	Eviction	Information
Feb	Interaction Log-46755	2/9/2021	LANDLORD	COTTAGE TRAILER GROVE MOBILEHOME PARK	Fees	Information
Feb	Interaction Log-46427	2/10/2021	Property Manager	HOMETOWN EASTRIDGE ESTATES	Fees	Information
Feb	Interaction Log-46574	2/16/2021	LANDLORD	SAN JOSE TRAILER PARK	Fees	Information
Feb	Interaction Log-46467	2/17/2021	Property Manager	HOMETOWN EASTRIDGE ESTATES	Office Information	Information
Feb	Interaction Log-46550	2/18/2021	Property Manager	WHISPERING HILLS MOBILEHOME PARK	Fees	Information
Feb	Interaction Log-46620	2/23/2021	RESIDENT	LAMPLIGHTER MOBILEHOME PARK	Allowable Rent Increase	Ordinance
March	Interaction Log-46719	3/1/2021	LANDLORD	TRIANGLE TRAILER PARK	Rights	Information
March	Interaction Log-46721	3/1/2021	LANDLORD	TRIANGLE TRAILER PARK	Rights;Service	Other
March	Interaction	3/2/2021	LANDLORD	COTTAGE TRAILER GROVE MOBILEHOME	Fees	Information

	Log-46756			PARK		
March	Interaction Log-46833	3/5/2021	RESIDENT	LA BUONA VITA MOBILEHOME PARK	Rights	Referral
March	Interaction Log-46880	3/10/2021	RESIDENT	CAL-HAWAIIAN MOBILEHOME PARK	Rights	Referral
March	Interaction Log-46968	3/17/2021	LANDLORD	TRIANGLE TRAILER PARK	Code Issue	Other
March	Interaction Log-46980	3/17/2021	LANDLORD	MAGIC SANDS	Maintenance	Information
March	Interaction Log-47058	3/23/2021	LANDLORD	TRIANGLE TRAILER PARK	Code Issue	Information
March	Interaction Log-47118	3/26/2021	RESIDENT	Unavailable	Service	Referral

Brief Synopsis on Disposition of Calls

7/1/2020 - SAN JOSE VERDE MOBILEHOME PARK

Resident's issue: Resident complained about the neighbor's fence being torn down without permission, the electric power box not fixed, no park business license, illegal rent increases and utility overcharges. Program staff requested that resident to have neighbor contact the program for assistance, will conduct a site visit to meet with the park manager about the generators and electric box. Program staff referred the resident to contact the state Ombudsman for assistance for a complaint of the electric box and permits, and Finance department for business license permits.

7/1/2020 - LAMPLIGHTER MOBILEHOME PARK

Resident's issue: Resident requested information regarding rent increase. Program staff explained the Moratorium on Rent Increases.

7/1/2020 - LAMPLIGHTER MOBILEHOME PARK

Resident's issue: Resident inquired about her Mobile Home being part of the Rent Increase Moratorium. Program staff explained the Moratorium of Rent Increase.

7/1/2020 - Unavailable

Other: Caller requested the total number of space lots not under rent control. Program staff provide the caller with information of 124 space lots exempt from the City's Mobilehome Rent Ordinance for this year.

7/1/2020 - SAN JOSE VERDE MOBILEHOME PARK

Landlord's issue: Landlord met with Program staff to look at a resident's fence where the park made repairs and discussed the generators outage and an anticipated date for completion of the park's electric box repair. Landlord said that due to COVID-19 and delays, anticipates that repairs should be completed by mid July.

7/2/2020 - WESTERN TRAILER MOBILEHOME PARK

Resident's issue: Resident is not on the lease to the trailer she rents. Resident has been having issues recently with the property manager and had an incident today: resident was working at home due to COVID-19 and she and property manager got into an argument about how loud the resident was allegedly being during a phone conference. Resident states that she had all the windows to the trailer closed and that following the disagreement about how loud resident was in her room, the property manager called the lease holder of the trailer (resident's roommate) and had a disagreement with him too. This resulted in property manager threatening resident with eviction. Referred tenant to State's Mobilehome Residency Law, and legal services.

7/2/2020 - LAMPLIGHTER MOBILEHOME PARK

Resident's issue: Resident inquired about a rent increase on July 1, 2020 and the Moratorium on Rent Increases. Program staff explained to the resident the Ordinance.

7/7/2020 - SAN JOSE VERDE MOBILEHOME PARK

Resident's issue: Resident called to complain about the manager closing the laundry room for three weeks and over a month with one of the washing machines is out of order. Program staff informed the resident that they will contact the park manager regarding the issue and referred the resident to the state Ombudsman for assistance.

7/8/2020 - Unavailable

Resident's issue: Resident left a message regarding a rent increase and a postcard about the Moratorium on Rent Increases. Program staff returned phone call and provided information and phone number in case resident has additional questions.

7/8/2020 - SAN JOSE VERDE MOBILEHOME PARK

Other: Program staff contacted the park manager regarding the laundry room being closed and currently there is only one washing machine the is operating and requested prompt assistance for repair.

7/10/2020 - CASA DEL LAGO

Resident's issue: Resident requested information regarding allowable rent increase. Program staff called back and left a message and briefly explained the Moratorium on Rent Increase.

7/10/2020 - GOLDEN WHEEL PARK

Residents' issue: resident requested information regarding the Moratorium of Rent Increase. Program staff explained to the resident the Ordinance.

7/10/2020 - RANCHO SANTA TERESA MOBILEHOME PARK

Landlord's issue: Landlord requested information about late fee and late payment of rent. Program staff explained the Eviction Moratorium and referred to legal counsel for assistance.

7/13/2020 - CASA DEL LAGO

Resident's issue: Resident called back and stated that the landlord increased rent in February and wants to know if the increase is subject to the Moratorium of Rent Increase.

7/15/2020 - SAN JOSE VERDE MOBILEHOME PARK

Resident's issue: Resident complained about the park owner not having a business license permits and of overcharges for utilities. Program staff referred the resident to the City's Finance Department for assistance with business license and permits and for utility overcharges Weights and Measures and California Public Utility Charges for assistance.

7/15/2020 - LAMPLIGHTER MOBILEHOME PARK

Resident's issue: Resident requested information regarding garbage rates. Program staff referred the resident to Environment Services for assistance.

7/21/2020 - CARIBEES MOBILEHOME PARK

Resident's issue: Resident requested information regarding a rent increase in April. Program staff explained that the rent increase is allowed because the Moratorium on Rent Increases did not go into effect until April 28, 2020 and the

Ordinance is not retroactive.

7/22/2020 - MAGIC SANDS

Resident's issue: Resident requested information about the anniversary date for rent increase based on home sale. Program staff explained the Mobilehome Rent Ordinance and the Moratorium on Rent Increase.

7/23/2020 - SLEEPY HOLLOW TRAILER CT.

Other: Caller requested legal advice on behalf of her elderly grandparents regarding park manager harassment. The park managers refuses to take space rent on time and picks up the rent days/weeks later. Program staff referred the caller to legal services for assistance.

7/27/2020 - HOMETOWN MONTEREY OAKS

Resident's Issue: Resident received a text message from the park manger that effective Aug.1, resident's garbage and sewer bill would increase. Program Staff referred to legal services and Housing and Community State department website for the Mobilehome Residency Law.

7/29/2020 - HOMETOWN MONTEREY OAKS

Other: Program Staff called resident with research update. Staff was unable to find information regarding a landlord's duty to provide a 30 days' notice for an increase in utility bill. Referred to Housing and Community Development state website for more information about filing complaints.

7/29/2020 - SILVER CREEK MOBILEHOME PARK

Resident's Issue: Resident attempted to pay rent on July 1st, but rent was rejected because resident was not on lease in 2008. Resident has been renting a room in the mobilehome and the mobilehome owner recently passed away. On 7/29/20, a 3-day notice was posted on the resident's door to pay rent, and resident is unsure what action to take because ownership of the mobilehome is under question by deceased owner's sister. Referred caller to legal services.

8/5/2020 - HOMETOWN MONTEREY OAKS

Other: Program staff called resident and left a message.

8/5/2020 - Unavailable

Resident's issue: Resident requested information regarding about permits for patio. Program staff called back and left a message to contact the State Housing and Community Development for assistance.

8/14/2020 - SAN JOSE VERDE MOBILEHOME PARK

Other: Program staff called resident and left a message for a call back.

8/17/2020 - SAN JOSE VERDE MOBILEHOME PARK

Other: Program staff called back resident and was informed that she wants a return call from the Director of Housing.

8/18/2020 - FOOTHILLS MOBILELODGE

Other: Called to report someone subleasing with a Section 8 voucher. Program staff referred caller to the Housing Authority.

8/18/2020 - MAGIC SANDS

Other: Program staff called and left a message to the park manager for a call back.

8/20/2020 - WESTWINDS MANUFACTURED HOME COMMUNITY

Resident's issue: Resident complained about a rent increase 6% notice. Program staff reviewed the notice and determined that the resident is on a long term lease.

8/20/2020 - CHATEAU LA SALLE MOBILEHOME PARK

Resident's issue: Resident requested information regarding subletting. Program staff referred the resident to state mobilehome residency for assistance.

8/20/2020 - SLEEPY HOLLOW TRAILER CT.

Landlord's issue: Landlord checked-in with Program staff to inform that they had a recent electrical outage and has been working on the issue. Program staff noted issue.

8/24/2020 - Unavailable

Resident's issue: Resident requested a change of title to mobilehome. Program staff referred the resident to the State Mobilehome Title Registry for assistance.

8/26/2020 - WESTERN TRAILER MOBILEHOME PARK

Resident's issue: Resident is having issues with Property Manager. Program staff referred the resident to legal services for assistance.

8/26/2020 - WESTERN TRAILER MOBILEHOME PARK

Other: Program staff spoke with the new park manager who will address illegal parking by hiring a towing company.

8/26/2020 - WESTERN TRAILER MOBILEHOME PARK

Resident's issue: Resident called to complain about new park manager not enforcing park rules. Resident claims neighbor block front entrance of mobilehome blocking fire lanes. Program staff will make contact with the park manager regarding issue.

8/27/2020 - IMPERIAL SAN JOSE MOBILE ESTATES

Other: Program staff returned phone call and left a message to contact the State Mobilehome Title Registry for assistance.

8/27/2020 - CASA DEL LAGO

Resident's issue: Resident requested information regarding tree trimming responsibility. Program staff referred the resident to the state Mobilehome Residency Law for information.

8/28/2020 - BELLA ROSA MOBILODGE

Resident's issue: Resident requested information regarding the Moratorium of Rent Increase. Program staff explained the Ordinance to the resident.

8/28/2020 - CASA DEL LAGO

Resident's issue: Resident received a letter two months ago for a rent increase. Resident also received a notification from the City regarding a rent increase moratorium. Program staff verified that resident is exempt from the rent increase moratorium because resident is on a long term lease.

8/28/2020 - BELLA ROSA MOBILODGE

Other: Program staff followed up with the resident and request a copy of a notice of a rent increase to determine if the

increase is allowed. Resident will send a picture of notice.

8/31/2020 - BELLA ROSA MOBILODGE

Other: Program staff explained to the resident that the Moratorium on Rent Increase does not cover her anniversary date for rent increase.

8/31/2020 - Unavailable

Resident's issue: Resident requested information regarding state renewal. Program staff referred the resident to the state mobilehome title registry for assistance.

8/31/2020 - WESTERN TRAILER MOBILEHOME PARK

Resident's issue: Resident provided photos of neighbor's truck parked on the street in front of her gate to enter her house. Program staff noted pictures, contacted the park manager and will conduct a site visit.

9/1/2020 - WESTERN TRAILER MOBILEHOME PARK

Other: Program staff conducted a site visit and explained to the resident that the park manager needs access to the meters and required to keep the walkway clear. Program staff will follow up with the park manager about towing illegal parked cars.

9/4/2020 - MOUNTAIN SPINGS

Resident's issue: Resident requested information about annual rent increase notice for 3% in January. Program staff explained the rent increase freeze notice. The increase will take effect in January.

9/4/2020 - WESTERN TRAILER MOBILEHOME PARK

Other: Program staff followed up with the park manager regarding illegal parked cars and access to the meters. Park manager has a towing company for their park and resident will remove planters and maintain a clear area of the meters and electrical pole.

9/4/2020 - Unavailable

Resident's issue: Resident requested information to change title on mobilehome as husband has passed away and remove a lien as the mortgage loan has been paid off. Program staff referred the resident to the state Mobilehome Title Registry for assistance.

9/8/2020 - SAN JOSE VERDE MOBILEHOME PARK

Resident's issue: Resident called to complain about generator outage. Program staff had notified HCD regarding the electrical panel outage.

9/18/2020 - LAMPLIGHTER MOBILEHOME PARK

Resident's issue: Resident received a rent increase notice on July 1, 2020 and wants to know if their park is subject to the Moratorium on Rent Increases. Program staff explained to the resident that the park is covered and notified the park manager to credit residents' rent for the months of July to September.

9/18/2020 - LAMPLIGHTER MOBILEHOME PARK

Other: Program staff called and left another message with park manager.

9/22/2020 - LAMPLIGHTER MOBILEHOME PARK

Other: Program staff left a message with the regional manager regarding a possible illegal rent increase as per the

Moratorium of rent increase.

9/22/2020 - VILLAGE OF THE FOUR SEASONS

Resident's issue: Resident requested information regarding the moratorium of rent increase. Program staff explained the eviction moratorium on rent increase.

9/22/2020 - TRAILER TERRACE

Resident's issue: Resident complained about next door neighbor who is welding (using a generator for lighting the torch for cutting metal iron) in his car port. The resident is concerned of a safety hazard.

9/23/2020 - Unavailable

Resident's issue: Resident requested information about a change of title to mobilehome. Program staff referred the resident to the state Mobilehome Title Registry for assistance.

9/25/2020 - LAMPLIGHTER MOBILEHOME PARK

Other: Program staff spoke with the Regional Manager who explained that there is a billing and credit one each resident's statement. Regional Manager is available on Tuesday to meet with the resident to explain the billing statement.

9/29/2020 - SILVER CREEK MOBILEHOME PARK

Resident's issue: Resident requested information regarding a permit to repair mobilehome. Program staff referred the resident to the State Ombudsman Office for assistance.

10/6/2020 - SAN JOSE VERDE MOBILEHOME PARK

Resident's issue: Resident sent a copy of complaint filed with Weights and Measures. Program staff received information.

10/12/2020 - CASA DEL LAGO

Resident's issue: Resident requested information regarding allowable rent increases. Program staff explained the Mobilehome Rent Ordinance.

10/21/2020 - CASA DEL LAGO

Resident's issue: Resident requested information about allowable rent increase. Program staff explained the Moratorium on Rent Increases.

10/23/2020 - MAGIC SANDS

Property Manager issue: Program manager requested clarification on the fee exemption paperwork that his office received. Program staff explained the paperwork and the fee schedule.

10/29/2020 - SAN JOSE VERDE MOBILEHOME PARK

Resident's issue: Resident provided a copy of complaint filed with the State Housing and Community Development regarding issues related to false electrical charges, real estate licensing and state registration. Program staff received information.

10/30/2020 - SUMMERSET MOBILEHOME PARK

Property Manager's Issue: Property Manager sent Program Staff fee exemption form via email. Program Staff replied that the form was incomplete and invited Property Manager to send required documents.

11/3/2020 - SUMMERSET MOBILEHOME PARK

Program Manager's Issue: Program Staff responded to Program Manager's email regarding fee exemptions. Program Staff explained that mobilehome lots where a manager lives do not qualify for the exemption.

11/4/2020 - SAN JOSE VERDE MOBILEHOME PARK

Resident's issue: Resident sent information regarding illegal rent increase notice. Program requested a copy of the alleged illegal rent increase notice to review to make a determination of rent increase.

11/4/2020 - SAN JOSE VERDE MOBILEHOME PARK

Resident's issue: Resident requested copies of the Moratorium on Eviction and Moratorium on Rent Increase that were recently mailed out to residents.

11/4/2020 - SAN JOSE VERDE MOBILEHOME PARK

Other: Program staff received resident's alleged illegal rent increase notice sent to residents. Program reviewed the notice and determined that the notice of a rent increase will go into effect in February 2021 and will not violate the Moratorium on Rent Increase which sunsets on January 1, 2021.

11/10/2020 - SAN JOSE VERDE MOBILEHOME PARK

Other: Program staff provided resident with copy of the Eviction Moratorium and Moratorium on Rent Increase.

11/12/2020 - Unavailable

Other: Caller requested assistance with her sale of mobilehome mortgage. Program staff referred the resident to legal services for assistance.

11/12/2020 - TRAILER TERRACE

Resident's issue: Resident called to complain about the neighbor welding from 4pm to 6pm using a back up generator. Program noted the complaint. Program referred the resident to file a complaint with the State Ombudsman.

11/12/2020 - SAN JOSE VERDE MOBILEHOME PARK

Resident's issue: Resident complained about information provided by staff regarding the Moratorium on Rent Increase allowing park owners notifying residents on their park anniversary dates and requested to refer her inquiry to the Director. Program staff referred the request to the Deputy Director and Director for assistance.

11/16/2020 - COLONIAL MOBILE MANOR MOBILEHOME PARK

Resident's issue: Resident requested information regarding the county eviction moratorium for late fees. Program staff referred the resident to the county for information.

11/18/2020 - SUNSHADOW MOBILEHOME PARK

Resident's issue: Resident requested information about change of mobilehome title. Program staff referred the resident to the State Mobilehome Title Registry for assistance.

11/23/2020 - SAN JOSE VERDE MOBILEHOME PARK

Resident's issue: Resident complained about a power outage. Program staff referred issue to the program manager for follow up assistance. Issue is outside of the Mobilehome Rent Ordinance and to be referred to the State Ombudsman Office for assistance.

11/30/2020 - OAKCREST ESTATES MOBILEHOME PARK

LL called to have PW reset however email shows as inactive. Staff transferred LL to Monica.

11/30/2020 - WESTWINDS MANUFACTURED HOME COMMUNITY

Resident's issue; Resident requested information regarding tree responsibility. Program staff referred the resident to state Ombudsman for assistance and legal services for assistance.

12/1/2020 - Unavailable

Resident's issue: Resident requested information regarding a tree removal responsibility. Program staff referred the resident to the state Ombudsman Office and legal services for assistance.

12/1/2020 - CHATEAU LA SALLE MOBILEHOME PARK

Property Manager Issue: Property manager had questions on the Eviction Moratorium

12/3/2020 - WESTWINDS MANUFACTURED HOME COMMUNITY

Other: Received email to contact mobilehome resident requesting information. Program staff contacted resident and had already assisted resident with issue related to a tree cut down and roots uplifting cement. Program staff referred the resident to the state Ombudsman for assistance.

12/4/2020 - CASA DEL LAGO

Resident's issue: Resident requested information regarding allowable rent increase and the Moratorium of Rent Increase. Program staff explained the Ordinance.

12/4/2020 - FOOTHILLS MOBILELODGE

Resident's issue: Resident requested information regarding allowable rent increases and the moratorium on rent increases. Program staff called and left a message explaining the Ordinance.

12/7/2020 - FOOTHILLS MOBILELODGE

Resident's Issue: Resident wanted to know if the Moratorium on Rent Increases is still in effect and whether he has to pay his rent increase. Explained the Ordinance and referred to legal services.

12/8/2020 - Unavailable

Other: Programs staff returned a phone call and left a message for a call back.

12/8/2020 - FOOTHILLS MOBILELODGE

Resident's issue: Resident left a message requesting information regarding a rent increase notice. Program staff returned phone call and left message explaining the Moratorium of Rent Increases.

12/8/2020 - Unavailable

Resident's issue: Resident requested information regarding a change to mobilehome title registry. Program staff referred the resident to the state Mobilehome Title Registration for assistance.

12/14/2020 - Unavailable

Other: Program staff received another message requesting copy of mobilehome title registration. Program staff returned phone call and left a message with resident.

12/14/2020 - MAGIC SANDS

Resident's issue: Resident requested legal advise regarding next door neighbor's blight and roach infestation. Program staff referred the resident to file a complaint with the park manager and the state Ombudsman.

12/14/2020 - RIVERBEND MOBILEHOME PARK

Resident's issue: Resident complained about the park manager annual notice to make repairs and recently reduced work hours. Program explained annual notice and referred the resident to the State Mobilehome Residency Law for assistance.

12/14/2020 - RIVERBEND MOBILEHOME PARK

Other: Program staff called resident and left a message for a callback.

12/22/2020 - TRAILER TERRACE

Landlords issue: Landlord had questions regarding the Mobilehome Landlord Registration form RSP sent out at the beginning of the month.

1/13/2021 - LA BUONA VITA MOBILEHOME PARK

Resident's issue: Resident inquired about her registration payment. Program staff referred her to HCD.

1/14/2021 - SILVER CREEK MOBILEHOME PARK

Resident's issue: Resident requested information regarding rent increase moratorium. Program staff explained the Ordinance to the resident.

1/14/2021 - CASA ALONDRA MOBILEHOME PARK

Resident's issue: Resident inquired about the rent increase moratorium. Programs staff explained the Ordinance to the resident.

1/22/2021 - SAN JOSE VERDE MOBILEHOME PARK

Resident's Issue: Service overcharged/INELIGIBLE PETITION

1/26/2021 - CAL-HAWAIIAN MOBILEHOME PARK

Resident's issue: Resident requested clarification of her rent increase notice and payment. Program staff explained the Moratorium on Rent Increase.

2/4/2021 - HOMETOWN EASTRIDGE ESTATES

Property Manager's Issue: Property Manager informed Program Staff that mobilehome park received a delinquency notice but could not get a hold of Finance. Staff informed property manager that she would followup with Finance.

2/5/2021 - CAL-HAWAIIAN MOBILEHOME PARK

Resident's issue: Resident requested information about the 2021 eviction moratorium and rent increase moratorium. Program staff explained the ordinances.

2/5/2021 - COTTAGE TRAILER GROVE MOBILEHOME PARK

Property Owner's Issue: Property owner inquiry for annual mobilehome invoices. Property owner sent a check to the Finance Department and wanted an update. Program Staff verified owner's address and will send another copy of invoice. Program staff will follow up with Finance Department as well.

2/8/2021 - CAL-HAWAIIAN MOBILEHOME PARK

Resident's issue: Resident requested legal advice for an eviction to move out as mobilehome was sold by bank due to mortgage default. Program staff referred the resident to legal services for assistance.

2/9/2021 - COTTAGE TRAILER GROVE MOBILEHOME PARK

Property Owner's Issue: Property Owner requested an update from Program Staff regarding mobilehome invoice. Program Staff notified Property Owner that Finance Department was still working with Program Staff to resolve the issue.

2/10/2021 - HOMETOWN EASTRIDGE ESTATES

Property Manager's Issue: Property Manager requesting information update from Program Staff about delinquency notice. Program staff did not have an update.

2/16/2021 - SAN JOSE TRAILER PARK

Property Owner's Issue: Landlord received a delinquency notice regarding mobilehome 2020 fee. Program Staff notified property owner that they would look into the issue.

2/17/2021 - HOMETOWN EASTRIDGE ESTATES

Property Manager's Issue: Property Manager requesting link for Eviction Moratorium webinars. Program staff provided link.

2/18/2021 - WHISPERING HILLS MOBILEHOME PARK

Property Manager's Issue: Property Manager inquiry regarding yearly fee structure. Program Staff explained that the December 2020 fee invoice is for the 2019-2020 Fiscal Year.

2/23/2021 - LAMPLIGHTER MOBILEHOME PARK

Resident's issue: Resident requested information regarding allowable rent increase for a dealer pull-out. Program staff explained the Mobilehome Rent Ordinance.

3/1/2021 - TRIANGLE TRAILER PARK

Other: Program staff contacted the park owner regarding suspended mobilehome park permit. Program staff verified with the State HCD. Park owner directed program staff to speak with son Corbin for assistance.

3/1/2021 - TRIANGLE TRAILER PARK

Other: Program staff called park owner's son Corbin and inquired about a suspended permit issued by the state. Son denied suspension of permit and said staff didn't know what they are talking about, to come to the park and hung up. Program staff called back and asked if hang up was accidental as program staff is requesting an appointment for a site visit. Son became aggressive using profanity at program staff, said staff was a brut and to talk to his attorney and hung up. Program staff left a message with park owner and left a message for a call back as son yelled at staff.

3/2/2021 - COTTAGE TRAILER GROVE MOBILEHOME PARK

Other: Program Staff called Property Owner with an update and a request for more information to be submitted via email. on February 23, 2021. Property Owner responded via email with the necessary information and Program Staff will coordinate with the Finance Department accordingly.

3/5/2021 - LA BUONA VITA MOBILEHOME PARK

Resident's Issue: Resident wanted to know what to do about safety issues (overnight guests staying longer than permitted, houseless population increase in the park). Referred to HCDC.

3/10/2021 - CAL-HAWAIIAN MOBILEHOME PARK

Resident requested legal advice for an eviction to move out as mobilehome was sold by bank due to mortgage default. Staff referred resident to legal services.

3/17/2021 - TRIANGLE TRAILER PARK

Other: Staff followed up with Park owner and is waiting for a response to a proposed conference meeting so discuss a current issue with suspended park permit.

3/17/2021 - MAGIC SANDS

Other: Program staff followed up with the park manager regarding the electric upgrade. Program staff was informed that submission of application was submitted to P&E and the Public Utility Commission.

3/23/2021 - TRIANGLE TRAILER PARK

Other: Program staff made a third attempt to contact the park owner regarding the suspended permit to collect rent. Program staff left a final voice message with the park owner.

3/26/2021 - Unavailable

Resident's issue: Resident requested information about living in a mobilehome park and affordable housing. Program staff provided the resident with information and resources for accessing housing.

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