



Presented by the City Attorney's Office
Yibin Shen – City Attorney
Bill Chapin – Rent Program Director

RENT PROGRAM ANNUAL REPORT

JAN 1, 2023 – DEC 31, 2023



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INTRODUCTION



The City Attorney's Office is pleased to submit the Rent Program's seventh annual report.

The Alameda Rent Program was created to implement the City's Rent Ordinance through education, community engagement and collaboration to promote equity and stability in the rental market.

This report and the public services described throughout would not be possible without the efforts of the following individuals:

Alameda Rent Program Current Staff:

Yibin Shen – City Attorney
 Bill Chapin – Rent Program Director
 Ryan Halpern – Rent Program Manager
 Clara Shan – Rent Program/Housing Specialist
 Sarah Le – Rent Program/Housing Specialist
 Brendan Sullivan-Sarinana – Rent Program/Housing Specialist
 Sarita Dixit – Rent Program Assistant
 Michelle Esguerra – Rent Program Assistant
 Gene Diaz – City Attorney Investigator
 Michael Roush – Special Counsel
 Adam Radinsky – Special Counsel
 Doug McManaway – Deputy City Attorney
 Rico Fenix – Paralegal & Housing Specialist

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2023 PROGRAM HIGHLIGHTS

- City Council adopted a revised Capital Improvement Plan (CIP) Policy, allowing more projects to qualify while providing greater tenant protections.
- Integrated existing Account Clerk position to be within the Rent Program to process annual fee payments.
- Developed a new form (RP-210) that landlords may use to notify tenants of permitted rent increases and pass-throughs.
- Establishment of a Temporary Relocation Tenant Assistance Fund ensures that displaced tenants receive the payments to which they are entitled.

In an average month, program staff responded to **761 inquiries**.

\$46,000 was refunded to **53 tenants** following invalid rent increases, most identified via rental unit registration and requiring no action on the part of the tenant.

Staff obtained tenancy information for **437 previously unregistered rental units**, reducing the remaining unregistered units to **less than 5%** of all rental units citywide.

78

- Submissions to review rent increases and/or registration

73

- Units monitored for compliance after a "no fault" termination of tenancy

45

- Submissions to review a termination of tenancy

28

- Petitions filed for rent adjustment hearings

26

- Informational Workshops hosted

23

- Temporary Relocation Submissions

19

- Buyout Agreement Submissions

17

- Public Records Requests

15

- Decisions by hearing officers

3

- Capital Improvement Plan submissions

LEGISLATIVE UPDATE

Capital Improvement Plans

After years of outreach, research, and proposals, the Rent Program in 2023 received approval for the first major update to the Capital Improvement Plan (CIP) Policy since it was implemented in 2016. The purpose of the policy is to maintain the quality of the City's rental housing stock, ensure that landlords receive a just and reasonable return on their capital expenditures, and limit the displacement of tenants. By filing an application, landlords may recover the cost of eligible improvements over time by passing them on to the tenants in the form of a pass through.

Although Rent Program staff were already researching updates to the CIP Policy in response to direction from City Council in July 2022, the issue took on greater urgency when the owners of a 452-unit property filed a CIP application in October 2022, seeking to pass through \$24 million of investments. Responding to concerns about the possibility of substantial rent increases for hundreds of tenants, in June 2023, Council adopted Ordinance 3341, which imposed a temporary moratorium on CIP applications for properties with 25 or more units.

Over the course of 2023, Rent Program staff held focus groups with landlord and tenant representatives and three public workshops on CIPs. Informed by feedback from stakeholders, staff presented two policy options to Council in October and December 2023, leading to the adoption of Ordinance 3361 and a new CIP Policy effective in January 2024. Highlights include:

- Projects must meet minimum cost thresholds of at least \$10,000 total and \$1,000 per unit.
- Properties with 25 or more rental units are not eligible for a CIP but may include capital improvement expenses in a Fair Return Petition.
- Properties with five to 24 units may recover only a percentage of the total cost of improvements other than seismic retrofitting and lead remediation.
- The maximum monthly CIP pass through amount is capped at no more than 5% of a tenant's current rent at the time of approval.
- When combined with other lawful rent increases permitted by the Rent Ordinance, the CIP pass through cannot result in a total increase of more than 8%.
- A low-income hardship exemption is available for qualifying tenants.
- Landlords may no longer permanently terminate a tenancy in conjunction with a CIP.

Temporary Relocation Tenant Assistance Program

On October 25, 2023, City Council adopted Resolution 16108, establishing a fund for the Temporary Relocation Tenant Assistance Program. This program ensures eligible tenants receive timely financial support when temporarily displaced from their rental units through no fault of their own. If a landlord fails to immediately make the temporary relocation payments required by the Rent Ordinance, the Rent Program will provide assistance and seek to recover those funds from the landlord.

Database Vendor Contract Extension

On December 19, 2023, the City Council authorized a five-year agreement with 3Di Inc., allowing the vendor to continue to host the Rent Registry and provide database maintenance services.

ALAMEDA RENTAL MARKET

16,579 UNITS SUBJECT TO THE RENT ORDINANCE (as of December 31, 2023)

Fully Regulated Units

13,741 | 83%

REGULATION TYPE:

Subject to all provisions of the Rent Ordinance

UNIT TYPE:

Multi-family units (two or more dwelling units, even if a property owner lives in one of the units) built prior to February 1, 1995.

Partially Regulated Units

2,838 | 17%

REGULATION TYPE:

Subject to the Rent Ordinance's provisions governing terminations of tenancy, payment of relocation fees, and rental unit registration. Exempt from rent increase limits.

UNIT TYPE:

Single-family homes, condominiums, a permitted accessory dwelling unit on the same lot as a single-family home, privately owned units occupied by a Housing Choice Voucher (Section 8) participant, multi-family units built after February 1, 1995.

Exempt Units

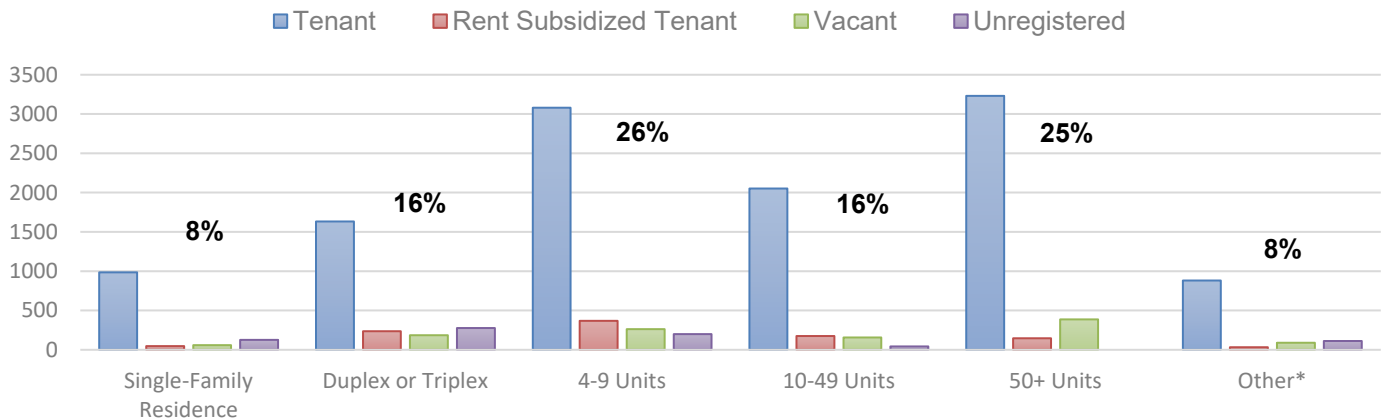
REGULATION TYPE:

Not subject to the Rent Ordinance

UNIT TYPE:

Commercial units, institutional uses such as assisted living facilities, mobile homes, accommodations of 30 days or less, rental units owned by the Housing Authority or a non-profit organization with a rent regulatory agreement in place.

Number of Rental Units by Building Type



*Includes condominiums, townhouses, ADUs, and residential units in mixed-use buildings.

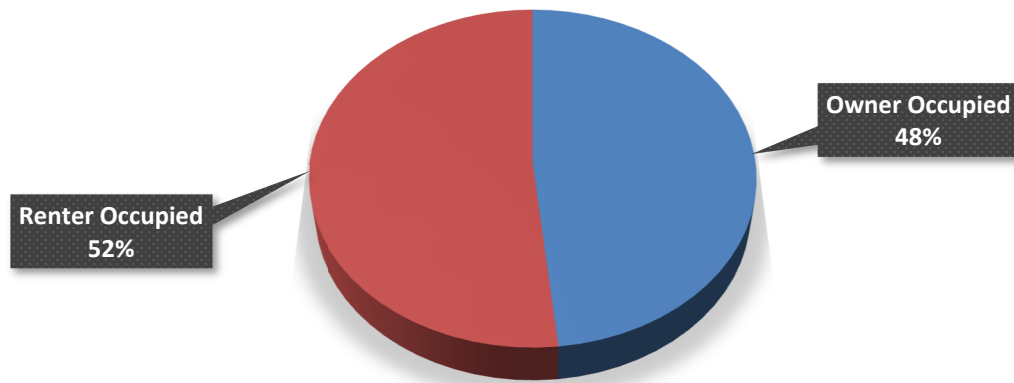
**As of December 31, 2023

Data sourced from rental unit registration with the Alameda Rent Program.

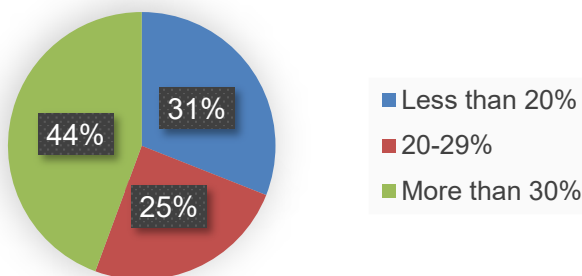
Note, approximately 96% of units in the rental market have been registered as of December 31, 2023. Unregistered units are assumed to be subject to the Rent Ordinance.

RENTAL MARKET TRENDS

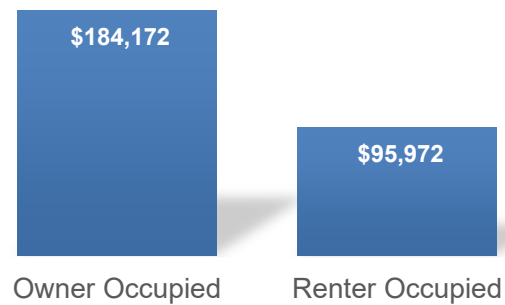
Occupied Housing Units



Percentage of Household Income Spent on Rent

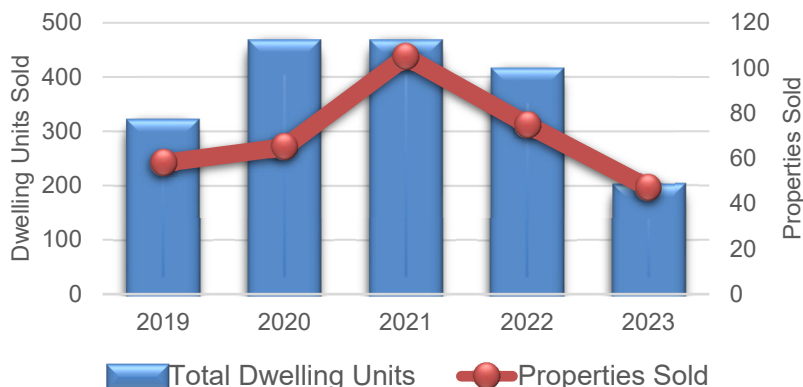


Median Household Income



Source: U.S. Census 2022 American Community Survey Five-Year Estimates

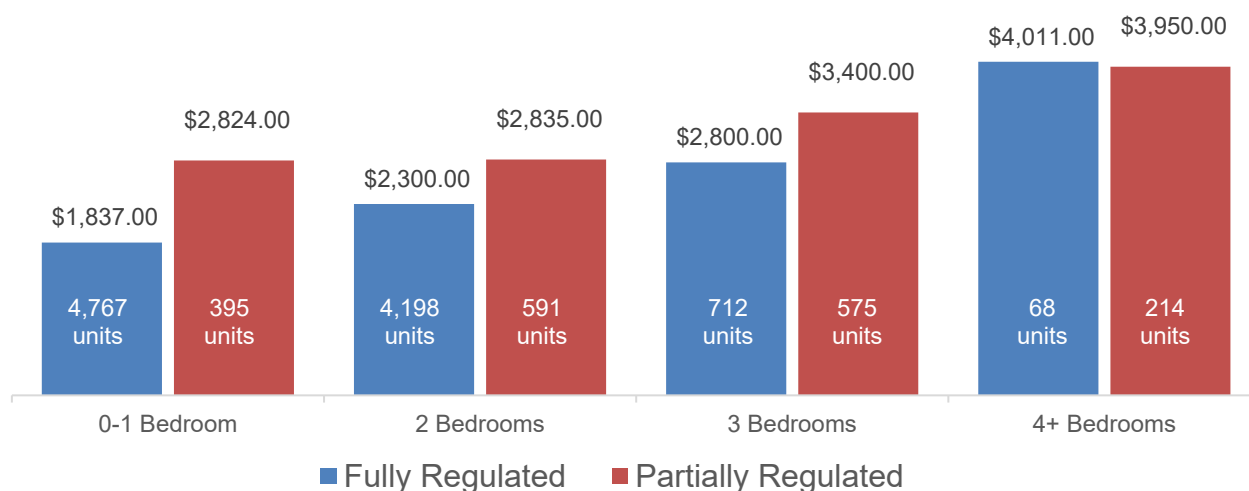
Multi-Unit Property Sales



The number of multi-unit properties sold in Alameda has fluctuated between 58 and 105 since the passage of the current Rent Ordinance in 2019, averaging about 70 per year. Note a significant jump from 65 sales in 2020 to 105 in 2021 during the COVID-19 pandemic. Amid high interest rates, sales have declined 55% since this peak in 2021.

Source: Alameda County Assessor

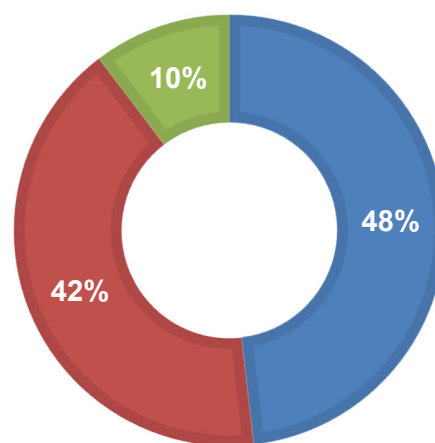
Median Monthly Rent by Number of Bedrooms



With the registration of several newly constructed, large multi-unit properties, the Alameda Rent Registry in 2023 saw a 9% increase in median rents for Partially Regulated rental units.

RENTAL UNITS OWNED BY LANDLORDS WITH ADDRESSES ...

- ...in Alameda
- ...elsewhere in California
- ...outside California



Registered Tenant-Occupied Units (includes Rent-Subsidized Tenants)

| | 2022 | 2023 | % Change |
|---|--------|--------|----------|
| Single-Family Homes (includes ADUs) | 983 | 1,035 | 5.3% |
| Condos/ Townhouses | 504 | 510 | 1.2% |
| Multi-Unit (includes mixed-use buildings) | 10,489 | 11,352 | 8.2% |
| TOTAL: | 11,976 | 12,897 | 7.7% |

The number of tenant-occupied units is affected by landlords registering previously unregistered properties, as well as when units are added or removed from the rental market.

Data based on registration information submitted by landlords and verified for fully and partially regulated units through the FY2023-2024 registration certification process.

ANNUAL PROGRAM FEE

An annual program fee is charged to landlords who own units subject to the Rent Ordinance. Since 2020, the Alameda City Council has adopted a tiered fee structure with reduced fees for partially regulated units. In addition, the City of Alameda covers the entire fee for privately owned units occupied by a Housing Choice Voucher (Section 8) participant, as an incentive to encourage landlords to rent to voucher holders.

Beginning with FY 2020-2021, landlords have been permitted to pass half of the program fee on to tenants in 12 equal installments.

Per Resolution 15571, program fees are revised annually by a factor equal to the difference in the San Francisco-Oakland-Hayward Region Consumer Price Index for All Urban Consumers (CPI-U) for the twelve-month period April through April of the prior fiscal year:

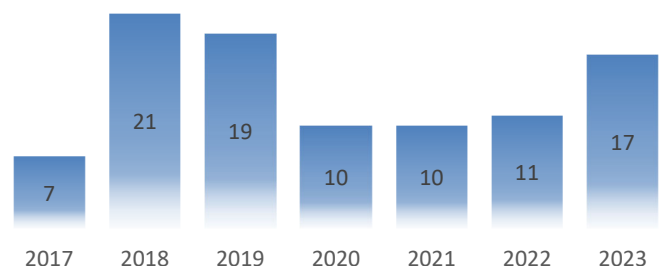
| Regulation Type | Per-Unit Fee for FY2023-24 |
|---------------------------|----------------------------|
| Fully Regulated Units | \$162 |
| Partially Regulated Units | \$109 |
| Rent-Subsidized Units | \$0 |

PUBLIC RECORDS REQUESTS

Landlords, tenants, and members of the public may request non-exempt rent registry information under the California Public Records Act. Per State law, tenant information in the Rent Registry is considered “confidential” and is exempt from disclosure under the California Public Records Act.

In 2023, the Rent Program received and responded to 17 requests for public records.

REQUESTS RECIEVED BY YEAR



RENTAL UNIT REGISTRATION

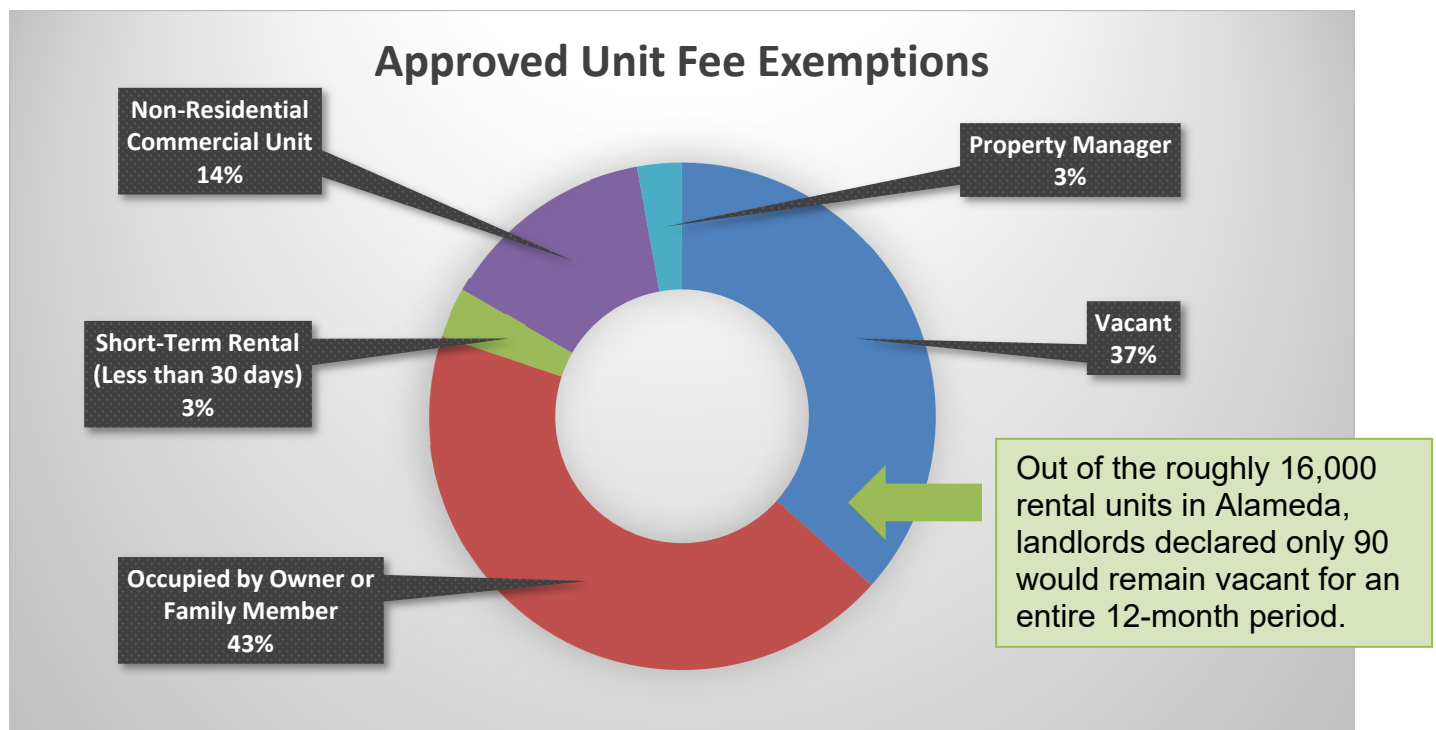
In January 2020, the online Rent Registry was launched to allow owners and property managers to submit rental unit information to meet requirements set forth in the Alameda Municipal Code, Section 6-58.55. A landlord who has failed to register a rental unit is not eligible to increase the rent and may be subject to an enforcement action, leading to fines and penalties.

The Rent Ordinance requires landlords to submit an annual registration statement for each rental unit. During the COVID-19 pandemic, the program did not enforce this requirement; however, beginning June 2024, landlords will be required to provide the current rent for each rental unit, prior to submitting payment of the annual program fee. This information will allow the Rent Program to provide maximum permissible rent increases for each unit.

As of December 31, 2023:

- 92% of rental properties had been registered.
- 95% of total rental units had been registered.

In 2023, landlords submitted 282 requests to exempt an individual rental unit from the annual program fee, of which 246 were approved. A unit may be approved for an exemption because it is occupied by the owner, a family member who pays no rent, or an on-site property manager who pays reduced rent; is a non-residential, commercial unit; is rented short-term to guests for 30 days or less; or will remain vacant for the entire fiscal year.



Another 140 submissions during calendar year 2023 declared that an entire property was exempt from the Rent Ordinance because it has no residential rental units.

COMMUNITY ENGAGEMENT

Workshops

The Rent Program hosts two monthly general informational workshops for both landlords and tenants: one each month held in-person at City Hall West in the afternoons and one in the evenings remotely via Zoom. A total of 26 workshops were hosted in calendar year 2023 with 76 attendees.

In addition, more than 75 members of the public participated, both online and in person, at two special public workshops in August and October as part of outreach efforts in developing a new Capital Improvement Plan Policy (see pg. 3).

761

Average monthly interactions with public

3,666

Average monthly website visits

Individual Service

Program staff answer questions and provide services to the public through the program website and responding to phone and email inquiries. Over the course of the year, staff had a total of 9,136 interactions with 4,707 individuals. The program website logged 43,996 total sessions during 2023.

3,304

Newsletter subscribers as of December 2023



Fair Housing Conference

In April 2023 the Alameda City Attorney's Office hosted its third annual Fair Housing Conference at City Hall.

Topics included the City Attorney's Mediation Program, fair housing laws, disability rights, end of COVID-19 emergency protections, tenant relocation assistance regulations, and an overview of Rent Program services. The presentation included guest speakers representing the City Attorney's Office, Alameda Rent Program, U.S. Department of Housing and Urban Development (HUD), Santa Monica City Attorney's Office, and the Alliance of Californians for Community Empowerment.

68 members of the public attended both in person and via Zoom.

RENT INCREASE REGULATIONS

Annual General Adjustment

Fully Regulated Units are subject to a cap on the annual amount of a rent increase. Each year, the rent may only increase by the Annual General Adjustment (AGA), calculated at 70% of the percentage change in the Consumer Price Index for the 12-month period ending April of each year; provided, however, in no event will the Annual General Adjustment be more than 5% nor less than 1%.

- 2023 AGA: 2.9% - Effective September 1, 2023 - August 31, 2024
- 2022 AGA: 3.5% - Effective September 1, 2022 - August 31, 2023
- 2021 AGA: 2.7% - Effective September 1, 2021 - August 31, 2022
- 2020 AGA: 1.0% - Effective September 1, 2020 - August 31, 2021
- 2019 AGA: 2.8% - Effective September 1, 2019 - August 31, 2020

A landlord may increase rent by the AGA only if the landlord has complied with all provisions of the Rent Ordinance, including payment of all program fees owed for the property and registration of all rental units.

3,101
AGA rent increases
reported

In 2023, Landlords reported 3,101 cases of rent increased by the AGA or less, accounting for approximately 23% of the fully regulated rental units in Alameda.

“Banked” Rent Increases

The ordinance allows landlords who choose not to raise the rent for a full 12 months or choose to raise the rent by less than the full AGA, to “bank” those unused amounts. These unused portions can be carried over and added to a subsequent year’s AGA; however, such increases are subject to numerous restrictions.

Importantly, even if a landlord has more “banked,” the Rent Ordinance prevents the landlord from increasing rent by a percentage that exceeds the current AGA plus 3.0%. In addition, such a rent increase in excess of the AGA cannot be imposed in consecutive years or more than three times during any one tenancy.

626
Banked rent increase
submissions

Due to the moratorium on rent increases during the COVID-19 pandemic, most landlords ended up banking rent increases from 2020, 2021, and/or 2022, and were not eligible to serve notice of a rent increase using these banked amounts until at least December 18, 2022. The 2023 calendar year was therefore the first time since the Rent Ordinance’s adoption that program staff processed banked rent increase submissions. During this period, landlords reported 626 such increases, representing roughly 5% of all fully regulated rental units in Alameda.

Annual Notification for Regulated Rental Units

In November 2023, the Rent Program issued letters to landlords and tenants of fully regulated units in the City of Alameda, providing a summary of AGA and Banked Rent Increase regulations, as well as a notice about annual registration requirements beginning in FY24-25.

PETITIONS, APPEALS & HEARINGS

A landlords or tenant may file a petition for a rent-adjustment hearing or to appeal a determination by the Rent Program Administrator. Petitions and appeals are heard by hearing officers who issue binding decisions, subject to judicial review. The petitioning party always has the burden of proof.

Landlord Petitions

A landlord may petition for an upward adjustment to the Maximum Allowable Rent if the landlord believes an increase is necessary to provide a fair rate of return.

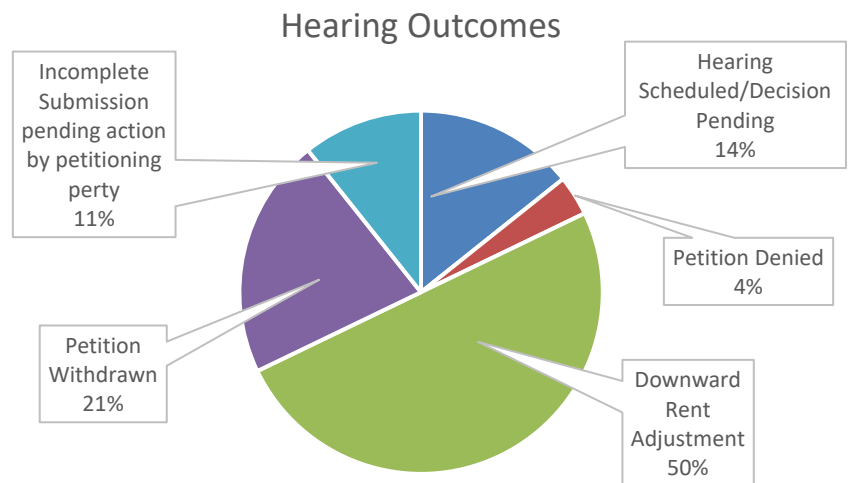
Tenant Petitions

A tenant may request a reduction in the rent if they can show:

- There has been a reduction in housing services, living space, or amenities, such as loss of parking or the availability of laundry facilities on site.
- There has been a substantial deterioration of the rental unit.
- The landlord has failed to comply with housing, health, and safety codes or the City's rent regulations.

2023 Petition Submissions

| | |
|--|-----------|
| Landlord petitions requesting an upward rent adjustment | 1 |
| Tenant petitions requesting and downward rent adjustment | 27 |
| TOTAL: | 28 |



Downward Rent Adjustments

In 14 out of the 27 tenant petitions filed in 2023, a hearing officer determined a rent adjustment was warranted and ordered a total of \$15,715 in retroactive reimbursements made to tenants. In ten of these cases, the hearing officer also ordered prospective rent decreases contingent on landlords resolving existing conditions, resulting in an average downward rent adjustment of -13.2% for tenants.

STAFF REVIEW OF RENTS

Rent Program staff conduct reviews of registration information and rent-increase notices based on requests from tenants and landlords or when the registration process indicates a violation has occurred. Staff works with landlords to correct registration errors. When a rent violation is identified, staff directs the landlord to reset the rent and refund any overpayment to the tenant. If the tenant received an invalid notice that is not yet effective, staff directs the landlord to rescind the notice.

\$46,272.22

Total paid to tenants
owed a refund after a
rent violation

53

Tenants received
refunds

\$873.06

Average refund

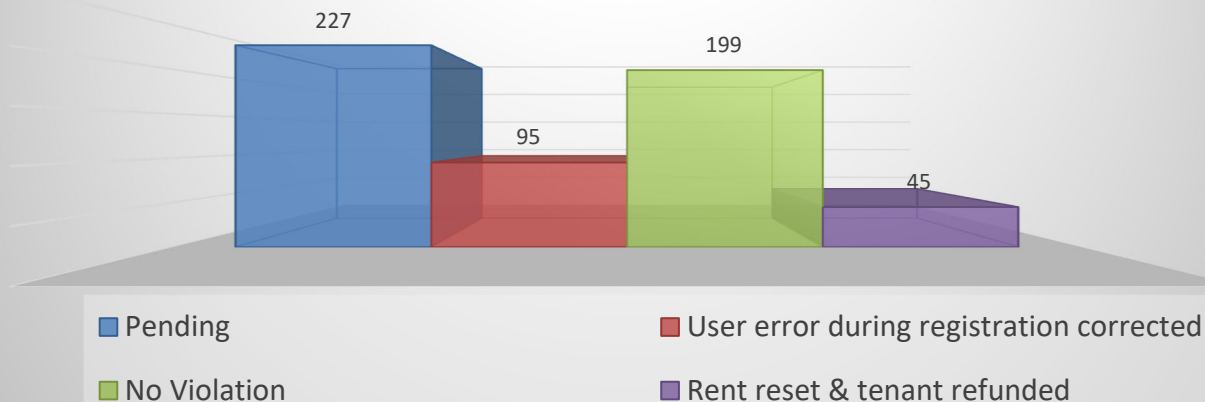
Registration Errors and Invalid Rent Increases

During calendar year 2023, program staff reviewed 556 cases in which registration information submitted by the landlord indicated at least one of the following:

- A rent increase exceeding the Annual General Adjustment (AGA)
- Reported current rent exceeds the Maximum Allowable Rent (MAR)
- A rent increase within one year of move-in
- A rent increase with an effective date after April 22, 2020, and before June 1, 2022 in violation of the COVID-19 urgency ordinance
- Reported base rent exceeding the current rent

Cases that remained open at the end of 2023 will be marked for enforcement action if staff have confirmed a violation and the landlord fails to address the error.

Registration Error Review Outcomes



Requests for Staff Review

Tenants may request that Rent Program staff review previous or pending rent increases to determine if they complied with the City's regulations. Tenants may also contest the base rent (and/or the housing services included with the base rent) that the landlord reported when registering the unit. In addition, landlords or tenants may request a review of the Rent Program's calculation of the Maximum Allowable Rent for a unit.



| | |
|-----------------------------|-----------|
| Landlord-initiated requests | 3 |
| Tenant-initiated requests | 47 |
| TOTAL: | 50 |

TERMINATIONS OF TENANCY

For Cause Grounds

No relocation payment is required, and no reporting is required with the Rent Program.

- Non-payment of rent
- Breach of the lease
- Failure to give access
- Nuisance

No Fault Grounds

Relocation payment is required, and restrictions are placed on the rent and/or the occupancy/use of the unit.

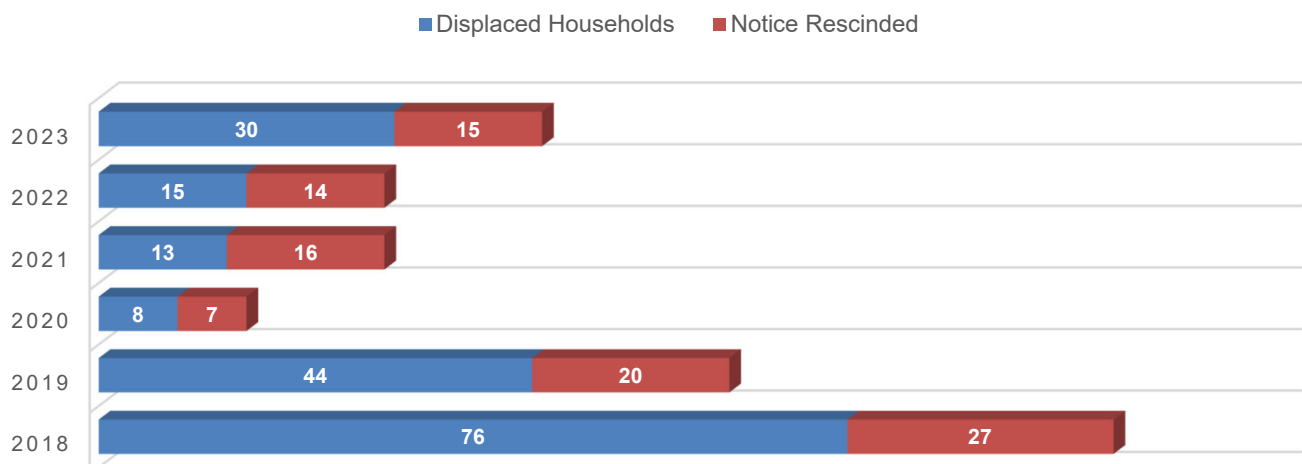
- Owner move-in
- Demolition
- Permanent withdrawal from the rental market
- Compliance with a governmental order

The Rent Program received a total of 45 submissions in 2023 for no-fault terminations of tenancy. Of these, 15 notices were rescinded, primarily due to deficiencies in the notice. The remaining 30 submissions represent a 60 percent reduction in displaced households from the peak in 2018, prior to passage of a “just cause” ordinance in June 2019 that removed “No Cause” as one of the allowable no-fault grounds.

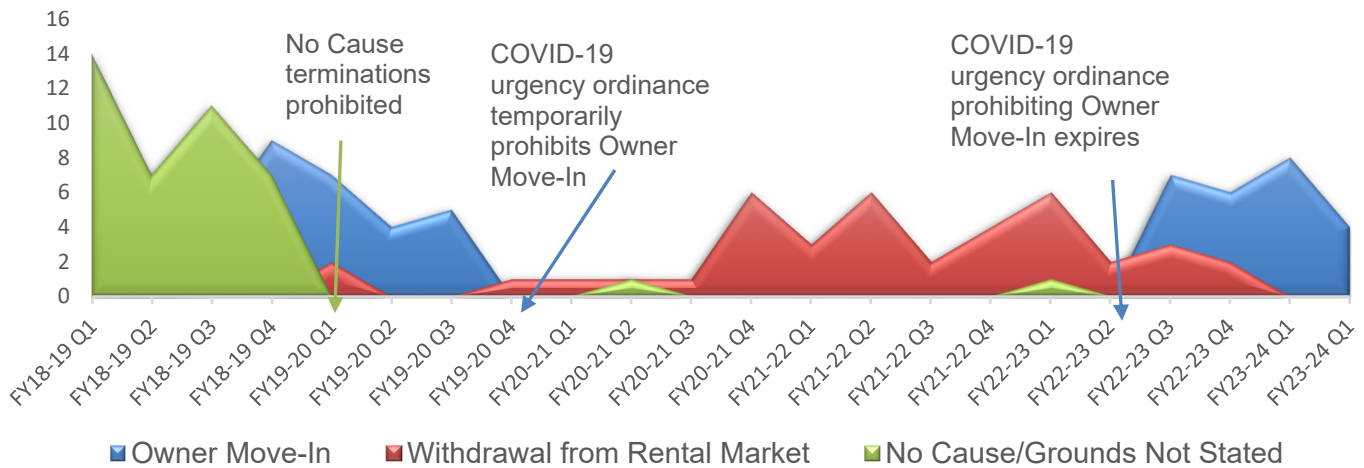
During most of 2020, 2021, and 2022, landlords were prevented from taking action to terminate tenancy based on Owner Move-In due to tenant protections adopted by City Council in response to the COVID-19 pandemic. The end of the Declaration of Local Emergency meant that landlords could resume serving notice of an Owner Move-In as of November 18, 2022. Landlords subsequently terminated 25 tenancies based on Owner Move-In in 2023.

25
Owner Move-Ins since
end of moratorium

TERMINATION OF TENANCY SUBMISSIONS BY YEAR



Quarterly No-Fault Terminations of Tenancy FY18-19 to FY23-24



Relocation Payments

Tenants are owed a relocation assistance payment when they are not at-fault for the termination of tenancy.

Payment amounts were established by City Council resolution and based on two months' rent at the federal government's estimate of the regional Fair Market Rent for a unit with the same number of bedrooms, as well as estimates of other costs displaced tenants may face such as moving expenses and taxes. In addition, certain tenant households are entitled to a larger payment, namely those that have a tenant who a) is a senior adult, b) is a person with a disability, or c) has at least one child under the age of 18 residing in the household.

By City Council resolution, relocation payment amounts are updated annually based on a component of the Consumer Price Index. Amounts effective as of July 1, 2023:

| Rental Units | Base Amount | Qualified Tenant Household Amount |
|--------------------|-------------|-----------------------------------|
| Studio | \$6,298 | \$8,138 |
| 1 Bedroom | \$7,073 | \$9,304 |
| 2 Bedrooms | \$8,171 | \$10,918 |
| 3 Bedrooms | \$10,260 | \$14,083 |
| 4+ Bedrooms | \$11,990 | \$16,679 |

DISPLACED HOUSEHOLDS

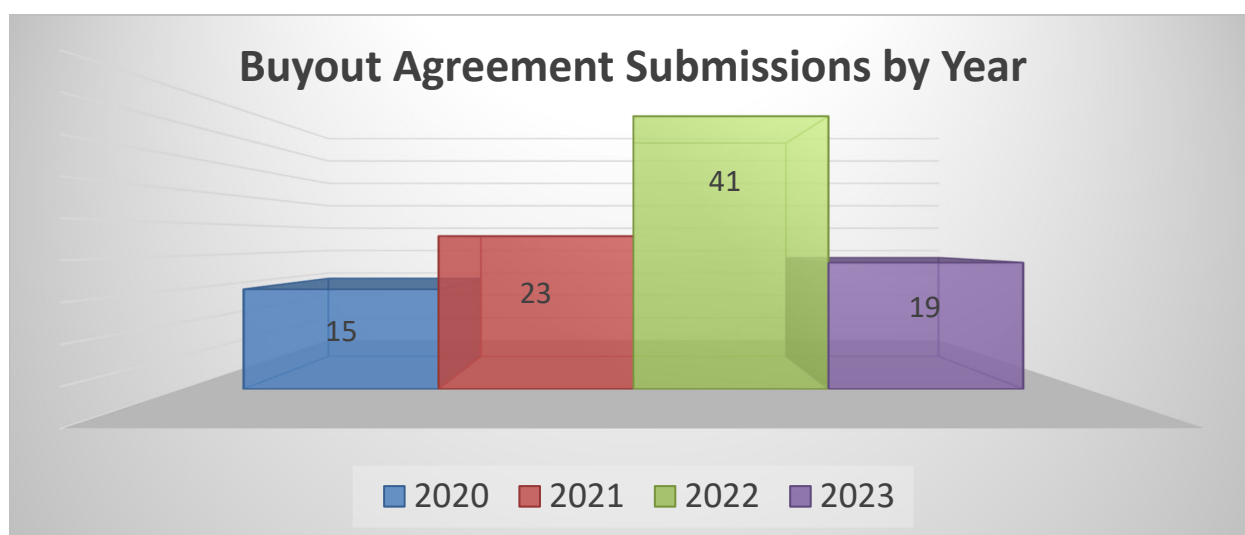


BUYOUT AGREEMENTS

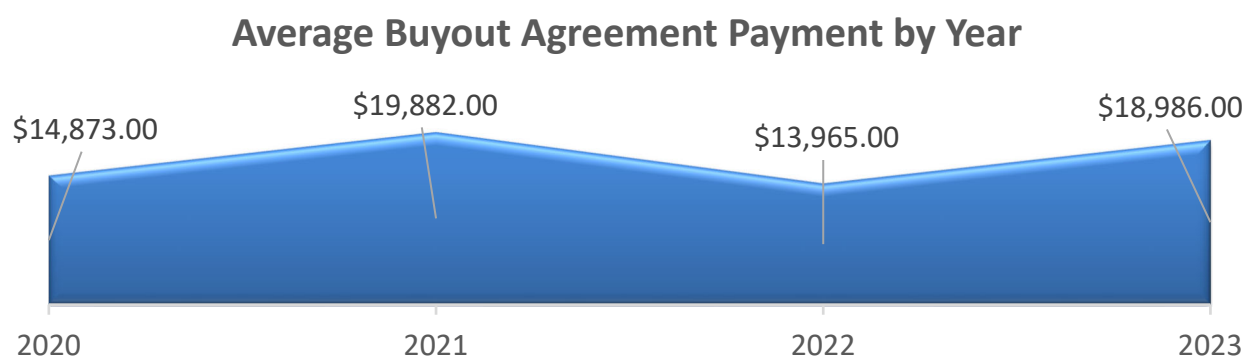
A buyout agreement is a written agreement between a landlord and a tenant, by which a tenant agrees to vacate a rental unit, usually in return for money. The Rent Ordinance affords certain protections to tenants who are offered buyout agreements, including the ability to rescind an agreement up to 30 days after signing.

Buyout agreements must be filed with the Rent Program. Staff reviews submissions to ensure that tenants have been advised of their rights. An agreement that does not satisfy all requirements of the Rent Ordinance is not valid, and the tenant may rescind an invalid agreement at any time; however, the parties may still decide to proceed with the agreement.

The number of buyout agreements increased during the COVID-19 pandemic, during which no-fault terminations of tenancy based on Owner Move-In were not permitted. In 2023, following the end of the moratorium, the Rent Program received 19 buyout agreement submissions (15 of which met all requirements), a 54% reduction compared to 2022.



The average payment for the 19 submissions was \$18,986. For comparison's sake, this amount is \$10,141 more than the average relocation payment required by the Rent Ordinance if those same tenants had instead been served with a no-fault termination of tenancy (*see pg. 15*).



MONITORING OF UNITS

FOLLOWING NO FAULT TERMINATIONS OF TENANCY

Certain restrictions are imposed on landlords following a “no fault” terminations of tenancy. These restrictions apply regardless of a change in ownership. On an annual basis, staff initiates monitoring of the unit to verify compliance with the restrictions, including:

- That residency requirements are met following terminations based on owner move-in
- That the unit is not being rented following withdrawal of the unit from the rental market
- When a tenant finds new housing based on an invalid notice that does not state grounds for termination, that the rent for a new tenant is not more than 5% of the prior rent.

Units Monitored in 2023

| | Grounds Not Stated | Owner Move-In | Withdrawal from the Rental Market | TOTAL |
|--------------------|--------------------|---------------|-----------------------------------|-------|
| Met compliance | 0 | 10 | 1 | 11 |
| Monitoring Ongoing | 4 | 24 | 34 | 62 |
| TOTAL: | 4 | 34 | 35 | 73 |



TEMPORARY RELOCATIONS

Temporary relocation payments are owed when the tenant has temporarily vacated the rental unit (a) in compliance with a governmental agency's order to vacate; (b) due to health or safety conditions, as defined; or (c) as part of an approved Capital Improvement Plan.

For the first 60 days after the tenant vacates the rental unit, the landlord must make payments based on per diem rates set by the City Council to reflect local lodging, meal, laundry, and pet boarding expenses. A tenant continues to pay rent to the landlord while receiving these payments. If the tenant remains displaced for longer than 60 days, the payments switch to a "rent differential" model, calculated by subtracting the tenant's rent from a fair market value for a unit with a comparable number of bedrooms. A tenant does not pay rent to the landlord while receiving a rent differential payment. These payments continue until the tenant either re-occupies the rental unit or finds alternative, permanent housing.

23
Tenant households
owed temporary
relocation payments

SUBMISSIONS

In 2023, the Rent Program oversaw temporary relocation payments owed to 23 tenant households displaced due to governmental orders to vacate and/or health and safety conditions. This represents a large increase compared to 2022—when there were only three such cases—that can largely be attributed to a single 18-unit property that was subject to an order to vacate in December 2023. Of the 23 cases, three households found alternative permanent housing, one household was able to move into a comparable unit onsite, and 19 households re-occupied their units after repairs were completed. Tenants received total payments ranging from \$933 to \$8,680.

CAPITAL IMPROVEMENTS

If a landlord intends to make substantial capital improvements to a property, the landlord may submit a Capital Improvement Plan (CIP) to recover from the tenants, over time, the amortized cost of the improvements. If any tenants must be displaced, even temporarily, the landlord must submit a plan to the Rent Program for approval prior to work commencing.

SUBMISSIONS

Three CIP applications were received in 2023. In two cases, landlords sought only approval to terminate tenancies because the work could not be accomplished safely while tenants remained in their units. One was approved, but the tenant subsequently agreed to a buyout. The other applicant did not file complete documentation, and the case remains in pending status. A third submission was denied because the improvements did not meet a minimum cost threshold.

3
Capital Improvement
Plan submissions

Note: In December 2023, City Council adopted a new CIP Policy that includes lower cost thresholds and no longer allows permanent terminations of tenancy. See pg. 3 for details.

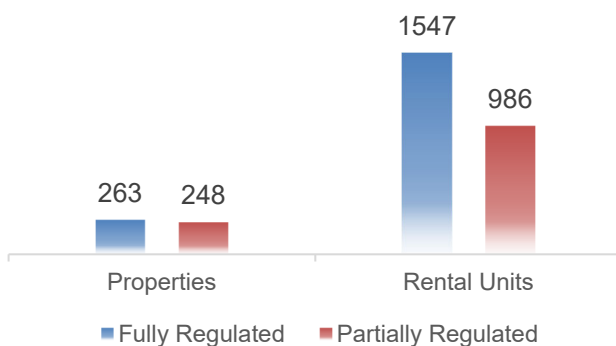
ENFORCEMENT FOR VIOLATIONS

Rent Program operational staff works closely with city attorneys in every step of the education and enforcement process. When program staff determines there has been a violation of the Rent Ordinance, they notify the violator and provide information on the necessary steps for redress. When program staff is unable to resolve the issue with the violator, they work in collaboration with city attorneys to take appropriate enforcement action.

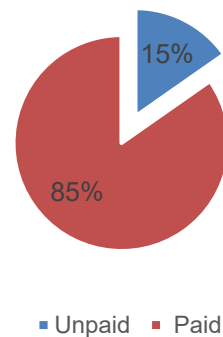
Failure to Pay Program Fees

As of December 31, 2023, 511 properties had failed to submit payment of program fees, accounting for approximately 2,533 total rental units. A total of \$530,336 in unpaid fees for FY23-24 remained pending on December 31, 2023.

UNPAID PROPERTIES



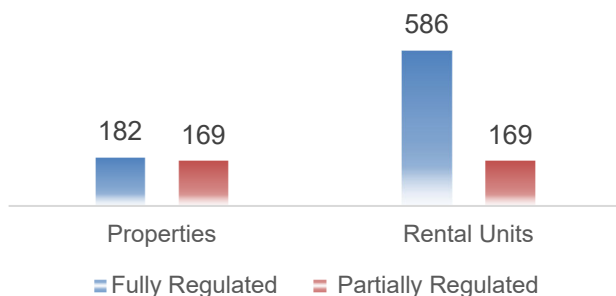
TOTAL UNPAID UNITS



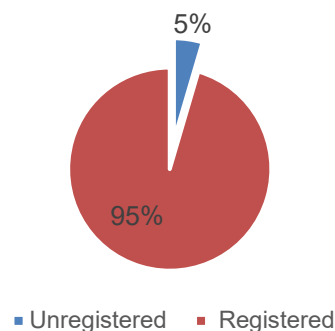
Failure to Register Rental Units

As of December 31, 2023, 351 properties had failed to submit registration of rental units, accounting for an estimated 755 total rental units. Staff continues to work with landlords to register properties, processing 82 late registration property submissions in 2023.

UNREGISTERED PROPERTIES



TOTAL UNREGISTERED UNITS



ENFORCEMENT FOR VIOLATIONS

Non-Compliance Notices

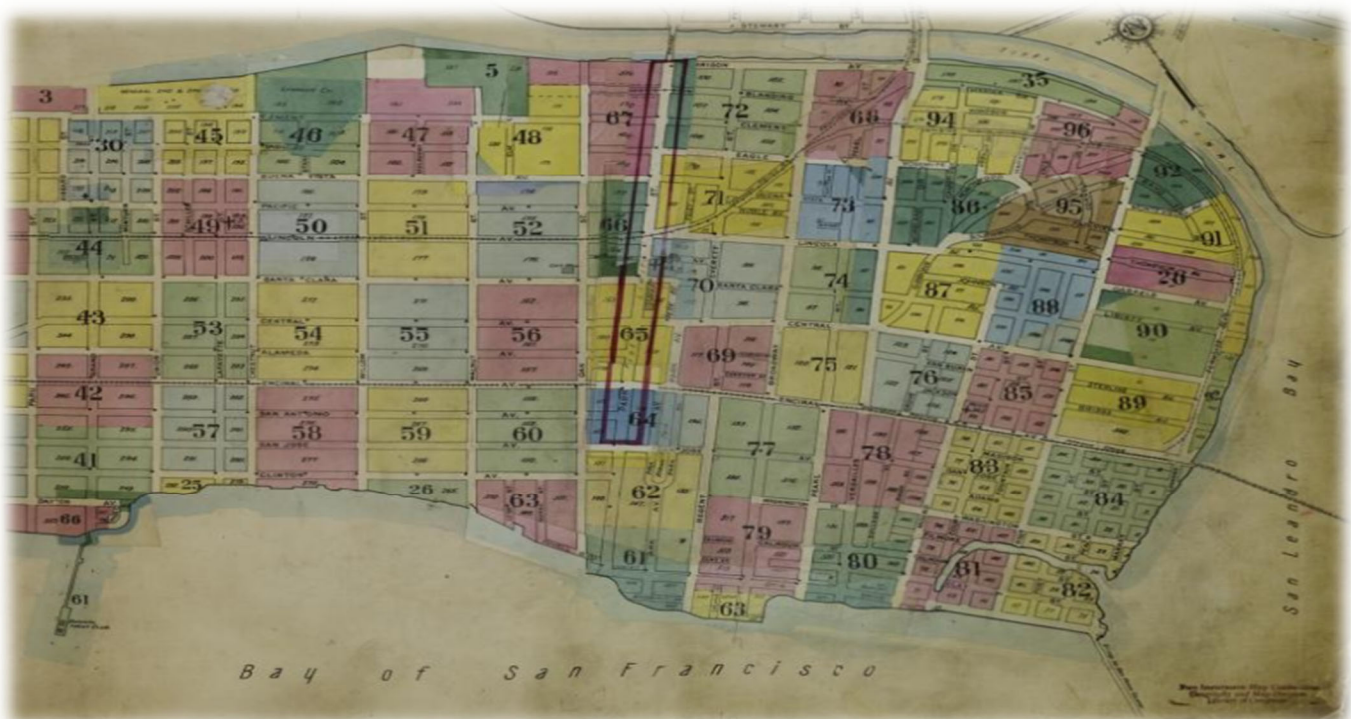
In March 2023, 145 units were flagged for potential invalid rent increases based on registration data. Subsequently the Rent Program issued 290 letters to landlords and tenants notifying them of potential violations of the Rent Ordinance's limits on rent increases. These letters warned landlords of the possibility of fines and penalties for failure to address the violations. More than 80% of these cases have been resolved; the remainder have been flagged for additional enforcement action.

In December 2023, the Rent Program issued 627 Non-Compliance Notices for properties that failed to register units and/or failed to submit payment of program fees. The 1,813 tenants residing at these properties also received a letter notifying that the landlord could not impose a rent increase until compliance is demonstrated.

Administrative Citations

The Rent Ordinance provides that the City may issue administrative citations and fines to any landlord or the landlord's agent for violations of the Rent Ordinance. In 2023, the Rent Program issued citations related to two properties:

- One count for violation of the Rent Ordinance section prohibiting the unbundling of fees for utilities and housing services included with the rent, with fines totaling \$250.
- 59 counts for failure to register, failure to pay program fees, and violation of the Rent Ordinance sections prohibiting retaliation and waiver of tenants' rights, with fines totaling \$14,750.



HOUSING EDUCATION & MEDIATION

At the direction of City Council in November 2021, the City Attorney's Office established a mediation program to assist both landlords and tenants with housing needs. The Prosecution and Public Rights Unit works to resolve consumer protection, labor, and fair housing issues through education, mediation, and public outreach. In coordination with Rent Program staff, the Prosecution Unit responds to direct contact it receives related to housing matters. In most cases, issues can be resolved with phone calls and referrals. When appropriate, the Unit enforces these laws to protect the public from unlawful practices.

Total Inquiries from Public

- Phone: 502
- Email: 320
- Walk-ins: 17

Formal written complaints recieved

- Housing: 66
- Consumer: 37

Case Resolutions

- Housing: 66 (100%)
- Consumer: 35 (95%)

CASE HIGHLIGHTS

Wrongful Eviction: A landlord sought eviction after one tenant declined a buyout agreement offer, citing the exclusion of both leaseholders. Upon confirming both occupants as legal tenants and asserting Just Cause for Eviction laws, the Prosecution and Public Rights Unit not only prevented the wrongful eviction but also led to a \$5,000 buyout offer from the landlord to the tenants.

Tenant Harassment & Disability Discrimination: A landlord persistently pressured a tenant to vacate, denying the tenant's adult son, also a live-in caretaker, the right to stay. The landlord exploited this situation as pretext to increase rent and coerce eviction. The Prosecution and Public Rights unit intervened, halting a potential wrongful eviction, and using the opportunity to educate the landlord about fair housing responsibilities, particularly regarding reasonable accommodations for disabled tenants.

Temporary Relocation: A tenant filed a complaint against their landlord when they, along with three neighboring units, experienced an extended power and heating outage. During this period, the landlord neglected to offer temporary relocation payments or alternative housing. The Prosecution and Public Rights unit's prompt investigation led to securing temporary relocation assistance for the affected tenant, ensuring they had alternative housing until the power and heat was restored.

LOOKING FORWARD

Rent Program priorities and goals for 2024:

- Continue to register residential rental units covered by the Rent Ordinance that have not yet been registered, including tenancies at Floating Home Marinas
- Develop new registration forms regarding annual registration requirements for landlord/property managers beginning with FY24-25 cycle.
- Implement an investigator position, in collaboration with the Prosecution and Public Rights Unit, to enhance enforcement and assist Code Enforcement.
- Conduct the Annual Fair Housing Conference in April 2024.
- Increase attendance at information workshops, explore more opportunities to provide foreign language workshops, and introduce a series of “focus” workshops concentrating on the Rent Registry, Banked Rent Increases, Capital Improvement Plans, and Landlord/Tenant Petition procedures.
- Add a Banked Rent Increase Calculator to Program Website.
- Continue outreach efforts to provide landlords and tenants with accurate information regarding their rights and responsibilities, including more direct outreach at public events and in coordination with social service providers.



WHERE TO FIND MORE INFO

Online Resources:

www.alamedarentprogram.org



Informational Workshops:

To register for an upcoming workshop or view video of a previously recorded workshop, visit www.alamedarentprogram.org/Workshops-Clinics.



Contact Information:

Office hours are
Monday through
Friday from 9 am
to 5 pm



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