

CITY OF ALAMEDA RESOLUTION NO. 15602

ESTABLISHING REVISED RELOCATION PAYMENTS IN
ACCORDANCE WITH THE CITY OF ALAMEDA'S RENT CONTROL
ORDINANCE

Whereas, the City Council of the City of Alameda has adopted an Ordinance concerning Rent Control, Limitations on Evictions and Relocation Payments for certain displaced tenants; and

Whereas, the Ordinance requires landlords to make relocation payments to "Eligible Tenants" in amounts to be determined by the City Council through resolution when landlords (i) seek to recover possession of rental units under certain subsections of Section 6-58.80 of the Ordinance, (ii) have served a tenant with a Relocation Rent Increase and thereafter the tenant vacates the rental unit, (iii) fail to correct timely deficient Housing Quality Standards in Housing Choice Voucher Section 8 rental units resulting in a tenant's vacating the rental unit, or (iv) fail to correct timely "Health or Safety Conditions" in a rental unit resulting in a tenant's vacating the rental unit; and

Whereas, Government Code Section 7060.1 (c) authorizes local governments to mitigate any adverse impacts resulting from tenants being permanently displaced from their homes through no fault of their own; and

Whereas, judicial decisions interpreting section 7060.1 (c) consistently authorize monetary payments as a form of mitigation for displaced tenants; and

Whereas, the temporary and permanent relocation benefits are vital to Alameda tenants, especially to those who must vacate their homes through no fault of their own, and such benefits are consistent with section 7060.1 and decisional precedent; and

Whereas, certain households, such as households with a Senior Adult, a person who has a disability and/or a household with one or more minor child, have a need for an increased relocation payment because finding alternative, permanent housing is more limited and is likely to take more time; and

Whereas, tenants who are temporarily displaced due to a governmental order to vacate their rental units or other justifiable reasons as provided in the Ordinance have an immediate need for financial assistance in order to provide for housing, meals and the like; and

Whereas, requiring landlords to provide such relocation payments will help mitigate the challenges faced by tenants who must vacate a rental unit through no fault of their own; and

Whereas, on September 3, 2019, Council adopted Resolution 15583 setting forth a Schedule of Relocation Payments but directed staff to research further certain of the relocation payments; and

Whereas, on October 15, 2019, staff recommended that the Schedule of Relocation Payments be revised in certain respects; and

Whereas, the City Council finds and determines that the revised relocation payments set forth in the attached Schedule of Relocation Payments reflects fair market rates associated with permanent and temporary relocation in Alameda; and

Whereas, these permanent and temporary relocation payments are reasonably necessary and do not impose a prohibitive price on landlords to exit the rental housing business.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of the City of Alameda as follows:

Section 1: The City Council adopts and approves the attached Relocation Payment Schedule (Exhibit A).

Section 2. All permanent and temporary relocation payments, including the Rent Differential Payments, shall be adjusted annually for inflation by the percentage change in the rent of the primary residence component of the CPI-W Index for the San Francisco-Oakland-Hayward area published by the United States Department of Labor, Bureau of Labor Statistics, commencing July 1, 2020 and on July 1 of each year thereafter.

Section 3. Resolution 15583 is hereby rescinded.

Section 4. The City Clerk shall certify to the adoption of this Resolution, and thereafter the same shall be in full force and effect.

EXHIBIT A
RELOCATION PAYMENT SCHEDULE

Permanent Relocation Payment

	Base Amount	Qualified Tenant Household Amount
Studio	\$5,782	\$7,472
1 bedroom	\$6,494	\$8,542
2 bedrooms	\$7,502	\$10,024
3 bedrooms	\$9,420	\$12,930
4+ bedrooms	\$11,008	\$15,313

A Qualified Tenant Household is defined in Section 6-58.15 FF of the Alameda Municipal Code or its successor legislation.

The Relocation Payment will be distributed on a pro-rata basis to each Eligible Tenant.

Temporary Relocation Payment

Per Diem Description	Amount	Term(s)
Hotel or Motel	\$220	Per day per household
Meal Expenses	\$64	Per day per person
Laundry	\$1	Per day per household
Pets	\$65/Dog	Per day/per animal
	\$35/Cat	Per day/per animal

For all other pets, the rate will be the actual daily or weekly boarding cost.

The Pets per diem rate is for a pet that the landlord allowed at the rental unit if the temporary accommodation does not allow or imposes an additional cost for the pet.

Applicable temporary relocation amounts shall be calculated on a daily basis and paid at least on a weekly basis. A tenant continues to pay rent to the landlord while receiving temporary relocation payments.

The hotel/motel portion shall be distributed on a pro-rata basis to each Eligible Tenant. The meal portion shall be distributed to each person in the displaced household.

Rent Differential Payment

The Rent Differential Payment is calculated by subtracting the lawful rent the tenant is paying at the time the tenant vacated the rental unit due from the Fair Market Rent, as set forth below, based on the number of bedrooms in the rental unit from which the tenant has been displaced.

Studio	\$1,409
1 bedroom	\$1,706
2 bedrooms	\$2,126
3 bedrooms	\$2,925
4+ bedrooms	\$3,587

The Rent Differential Payment will be distributed on a pro-rata basis to each Eligible Tenant.

An Eligible Tenant receiving a Rent Differential Payment need not pay rent to the landlord.

I, the undersigned, hereby certify that the foregoing resolution was duly and regularly adopted and passed by the Council of the City of Alameda in a regular meeting assembled on the 15th day of October 2019 by the following vote:

AYES: Councilmembers Knox White, Vella and Mayor Ezzy Ashcraft
– 3.

NOES: Councilmember Daysog – 1.

ABSENT: None.

ABSTENTIONS: Councilmember Oddie – 1.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said City this 16th day of October 2019.



Lara Weisiger, City Clerk
City of Alameda

Approved as to form:



Yibin Shen, City Attorney
City of Alameda