



RENT PROGRAM ANNUAL REPORT

APRIL 1, 2016 – MARCH 15, 2017



www.alamedarentprogram.org

INTRODUCTION



2017 Annual Report for the Rent Review, Rent Stabilization and Limitations on Evictions Ordinance (Ordinance No. 3148)

There are **14,899** rental units in Alameda subject to Ordinance 3148

Units not subject to the Ordinance

Government regulated

Institutions
(Institutions, dorms, etc.)

Occupancies less than 30 days

Accommodations
(Hotels, inns, etc.)

Mobile homes

Commercial units

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EXECUTIVE SUMMARY

On behalf of the Community Development Director, the Housing Authority of the City of Alameda is pleased to submit the first annual report for the Rent Program.

This report summarizes the Program's accomplishments and data outcomes for activities under the Ordinance from April 1, 2016 through March 15, 2017.

Key activities undertaken since April 1, 2016 include:

- **Staffing the daily information lines (phone, email, mail)** to respond to all general inquiries within three business days and typically within 24 hours.
- **Meeting in person with landlords and tenants** to discuss process and options.
- **Managing termination of tenancy notice submissions**, including reviewing required forms and documents; communicating with both parties; verifying information from both parties, including the amount of relocation benefits when applicable; and requiring rescission of termination notices require when documents are invalid.
- **Managing requests for rent increases** to be heard before the Rent Review Advisory Committee (RRAC) including: coordinating required forms and documents from both parties, phone case management, in-person pre-mediation meetings, and obtaining a mediator to assist with difficult conversations between the landlord and tenant.
- **Staffing monthly RRAC meetings** and preparing agendas and minutes.



- **Expanding and maintaining the Rent Program website (www.alamedarentprogram.org)** to ensure access to current information about resources and program guidelines.
- **Reviewing Capital Improvement Plan (CIP) submissions**, reviewing notices and analyzing cost submissions for CIP rent increases.
- **Providing training to RRAC members** to ensure compliance with City ordinances and State laws, including the Sunshine Ordinance and the Brown Act, and to facilitate mediation/conflict resolution.
- **Revising the rules and procedures for the RRAC** to be consistent with the Committee's scope of duties as approved by City Council in 2015 and 2016.
- **Creating and updating landlord and tenant submission forms.**
- **Developing an information packet for landlords and tenants**, Frequently Asked Questions (FAQs), and a program information brochure (translated into various languages including Tagalog, Vietnamese, Cantonese and Spanish).
- **Creating and implementing outreach strategies**, including mass mailings, presentations to community groups, site visits to large rental complexes, and advertising in local newspapers (in multiple languages).
- **Providing educational workshops/clinics** for specific topics related to the Ordinance during business and evening hours.
- **Producing monthly reports for City Council and staff.** Detailed monthly reports on the volume of work carried out since April 2016, can be found at www.alamedarentprogram.org.
- **Responding to requests for public records.**

PROGRAM RECOMMENDATIONS

As the City begins its second year of **implementing the Ordinance**, the Program Administrator is recommending the following improvements to the program administration. (All other services would remain as they are, unless significant changes are made to the Ordinance No. 3148):

- **Implement a client management database** to manage data regarding unit information, inquiries, submissions and status of cases
- **Staffing all positions** with permanent staff
- **Establish an office space** outside of the Housing Authority administration building
- **Provide additional training for RRAC** regarding mediation/conflict resolution and guidance on how best to carry out its duties
- **Expand and formalize the pre-mediation option** for landlords and tenants
- **Implement online forms submission**
- **Establish a social media presence** to provide ongoing updates and important information
- **Expand range of translated program materials**

Key Legislation

November 1979

City Council creates Rent Review Advisory Committee (RRAC)

October 1, 2015

Ordinance No. 3131
RRAC formally created; required tenants to be noticed when receiving rent increase

November 5, 2015

Ordinance No. 3140
Temporary moratorium on rent increases of 8% or more, and no cause and no fault evictions

December 1, 2015

Ordinance No. 3143
Amended Ordinance 3140, removed certain grounds for no fault evictions

January 5, 2016

Ordinance No. 3144
60-day moratorium extension

March 1, 2016

Ordinance No. 3149
22-day moratorium extension

March 1, 2016

Ordinance No. 3148
Rent Review, Rent Stabilization and Limitations on Evictions Ordinance adopted; **effective March 31, 2016**



PROGRAM ACCOMPLISHMENTS

Administration Partnerships

- City Staff (Community Development Department and City Attorney’s Office)
- AUUSD
- AMP
- ECHO
- Boys & Girls Club
- Alameda Recreation and Parks
- Mastick Senior Center
- Legal Assistance for Seniors
- Alameda Family Services
- Alameda Libraries
- Community partners: Tenants, Landlords, Realtors, local businesses

Developed and implemented a program website which has generated 28,450+ visits

www.alamedarentprogram.org



Home Tenants Landlords Resources Workshops & Clinics Rent Ordinances & Policies Forms RRAC

Notices, Reports & Updates

Rent Review, Rent Stabilization & Limitations on Evictions Ordinance 3148

Upcoming Rent Review Advisory Committee Meetings

Rent Review Advisory Committee: Special Meeting

Mar 20, 2017 · 6:30pm – 9:30pm

Roles under the Ordinance 3148

POLICY MAKERS

City Council

LEGAL ADVISOR

City Attorney

PROGRAM ADMINISTRATOR

Housing Authority of the City of Alameda

REVIEW OF RENT INCREASES

Rent Review Advisory Committee

Outreach

Contacts

The Program Administrator’s staff has provided services to nearly 2,000 individuals, and often there are numerous interactions between staff and the individual.

For example, an individual may contact the Program Administrator’s office by phone, email or an in-person appointment. Sometimes the individual’s issue can be resolved through that one contact. More often, however, it will be necessary to have multiple contacts with an individual, over a period of days or weeks, in order to address the individual’s issue.

Number of individuals contacting/interacting with staff for program services

Unduplicated contacts **1,978**

Duplicated contacts **5,184**



The City Council

- Three large mailers to 14,000+ Alameda tenants and property owners providing information about the Ordinance 3148.
- Three newsletters sent to Rent Program email information list of 1,253 contacts.
- January 18, 2017 Consumer Price Index (CPI) adjustment email blast concerning the amount of the relocation benefits.
- 29 Public Notices/Advertisements in the local newspapers (Alameda Sun/Alameda Journal/Vision Hispana/Sing Tao Journal/Asian Journal/Bao Mo San Francisco).
- Program information inserts (1,105 for Alameda Unified School District, 30,000 for Alameda Municipal Power).
- Provided materials and answered questions at the East Bay Rental Housing Association Expo, Webster Street Fair and Local Farmer's Market.
- Program information distribution to rental properties with 30+ units.
- Fair Housing Training and Information brochure mailed to 14,000+ units and 800+ email contacts.
- Flyer distribution to local businesses, community-based organizations, local sports leagues.



Community Education*

- 48 Information Workshops: Overview of the Ordinance's requirements (340 total attendees)
- Four Fair Housing Trainings: Facilitated by ECHO Housing (99 total attendees)
- Eight Clinics: Overview of noticing requirements (City & State) and opportunity for Q&A with staff on individual cases. (59 total attendees)
- Four Capital Improvement Plan Workshop: specific to Resolution 15138 (55 total attendees).

*Note: Evening options for public accessibility were offered.

Program process, improvements and materials developed

- Information Packet
- Frequently Asked Questions (FAQs)
- Program Brochure
- RRAC Information Guide
- 17 Submission forms
- Established program policies, procedures and workflow processes within six months
- Provided program and workshop advertisements in five languages (English, Spanish, Chinese, Tagalog and Vietnamese)
- Developed a reasonable accommodation process to make program accessible for those with disabilities
- Access to RRAC agendas on Legistar
- RRAC Rules and Procedures amended September 7, 2016
- New layout for RRAC meetings, Feedback from tenants and landlords indicated this new layout improved sense of collaboration rather than establishing a courtroom dynamic.

Established process for rent increases that provides...

- 1. Intensive case management:**
Staff contacts parties individually to verify documentation, and provide information on the Ordinance regulations and explain options.

parties to gather more information and, in cases where an agreement is not reached, both parties may come better prepared for the RRAC meeting.
- 2. Pre-Mediation:**
Staff provides both parties the option to have a meeting face-to-face with the goal of coming to an agreement on the rent increase. This option provides privacy, an opportunity to share additional information that might not otherwise be shared in a public setting, and to understand the hardship of either party. In addition, such a meeting allows both
- 3. RRAC Hearing:**
A public meeting where the RRAC listens to each case and facilitates a conversation with the intent of the parties coming to an agreement as to the rent increase that is satisfactory to the parties. If an agreement between both parties is not reached, the RRAC moves forward with a decision based on the discussion and materials provided.



RENT INCREASE REQUIREMENTS

- There is no fixed cap on annual rent increases
- If rent increase is equal to or under 5%, a Tenant may initiate the RRAC review process.
- If rent increase is above 5%, a Landlord must initiate RRAC review process.
- Only one rent increase within a 12-month period

Exempt and Non-Exempt Units

Certain units are “exempt” from the rent control provisions of the Ordinance (non-exempt units are subject to a binding decision regarding rent increases) but all rental units are subject to the Ordinance’s eviction/relocation benefits provisions.



UNITS EXEMPT FROM A BINDING DECISION

Single-family homes
Condominiums
Multi-family units built after February 1, 1995



NON-EXEMPT UNITS

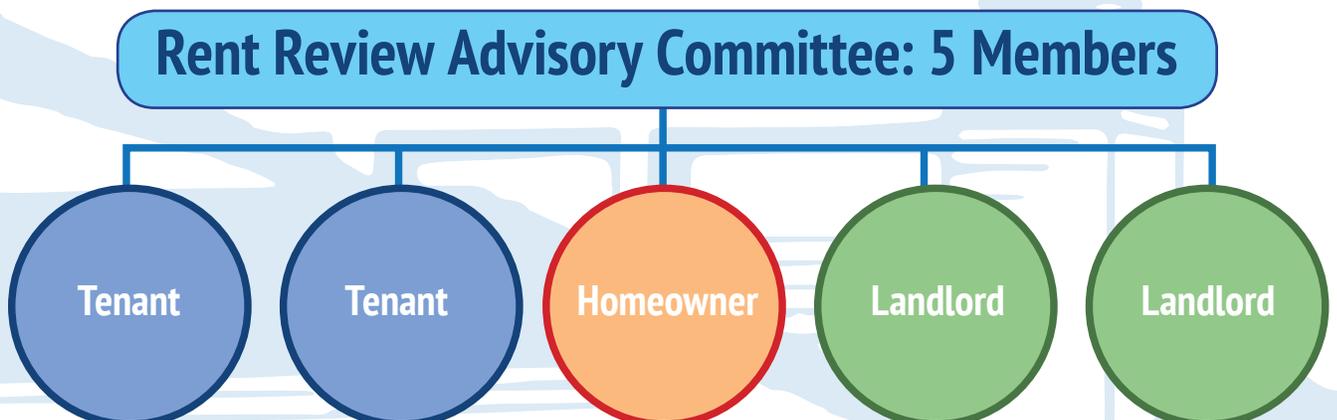
Multi-Family units built before February 1, 1995

RENT REVIEW ADVISORY COMMITTEE (RRAC)



Under the Ordinance, the RRAC reviews requests concerning rent increases and, if parties are unable to reach an agreement, makes a decision concerning the amount of rent increase.

- Committee composition:
 - Two tenants, two landlords, one homeowner who is neither a landlord nor a tenant
- Volunteer Alameda residents
- Nominated by the Mayor; confirmed by the City Council
- RRAC meetings are held on the first Monday of each month at 6:30 pm



RRAC BY THE NUMBERS

Rent Increase Submissions

Rent Increase Notices:

	TYPE OF UNIT		
	Multi-family units built before 1995	All other rental units	Total
TENANT INITIATED SUBMISSION Rent increase at or below 5% <small>All rent increases subject to non-binding RRAC decision</small>	20	2	22
LANDLORD INITIATED SUBMISSION Rent increase at 5.1 to 10%	53	18	71
Rent increase above 10%	58	20	78
Dual Option: One year lease offer significantly less than for a month-to-month tenancy offer	285	0	285
TOTAL	416	40	456

Rent Increase Resolution (Prior to RRAC meeting)

Landlord and tenant reached an agreement on 248 rent increases prior to a RRAC meeting

RRAC did not review a rent increase due to the following:	TYPE OF UNIT		
	Multi-family units built before 1995	All other rental units	Total
AGREEMENT REACHED At or below 5% <small>All rent increases subject to non-binding RRAC decision</small>	129	1	130
5.1% -10%	66	16	82
Above 10%	27	9	36
WITHDRAWN BY LANDLORD	38	6	44
Tenant decided to move out	58	4	62
TOTAL	318	36	354



Rent Increase Reviews

A total of 63 rent increases requests were reviewed by the RRAC, which is less than 0.5% of all the rental units in Alameda.

OUTCOMES	Subject to binding decision (above 5%)	Subject to non-binding decision (5% or less)	Not subject to binding RACC decision (above 5%)	Total
AGREEMENT REACHED				
At or below 5%	0	2	0	2
5.1% -10%	7	0	0	7
Above 10%	2	0	0	2
NO AGREEMENT: RRAC RECOMMENDATION				
At or below 5%	3	2	0	5
5.1% -10%	5	0	0	5
Above 10%	1	0	1	2
Tenant did not attend the RRAC meeting	40	0	0	40
Pending review on March 20 & April 3	34	3	2	39
TOTAL	92	7	3	102

None of the rent increase cases receiving a RRAC decision have been appealed to the City Council and no party has initiated the hearing officer process.

TERMINATION OF TENANCY NOTICE REQUIREMENTS

The landlord must:

1. State in the notice the cause for the termination.
2. If applicable, must state in the notice what the relocation benefits are.
3. When applicable, file a copy of the notice of termination of tenancy with the Program Administrator.

GROUNDINGS FOR TERMINATION OF TENANCY

NO CAUSE

- A. Notice to Vacate (No cause)

FOR CAUSE*

- B. Failure to pay rent
- C. Breach of lease
- D. Nuisance
- E. Failure to give access

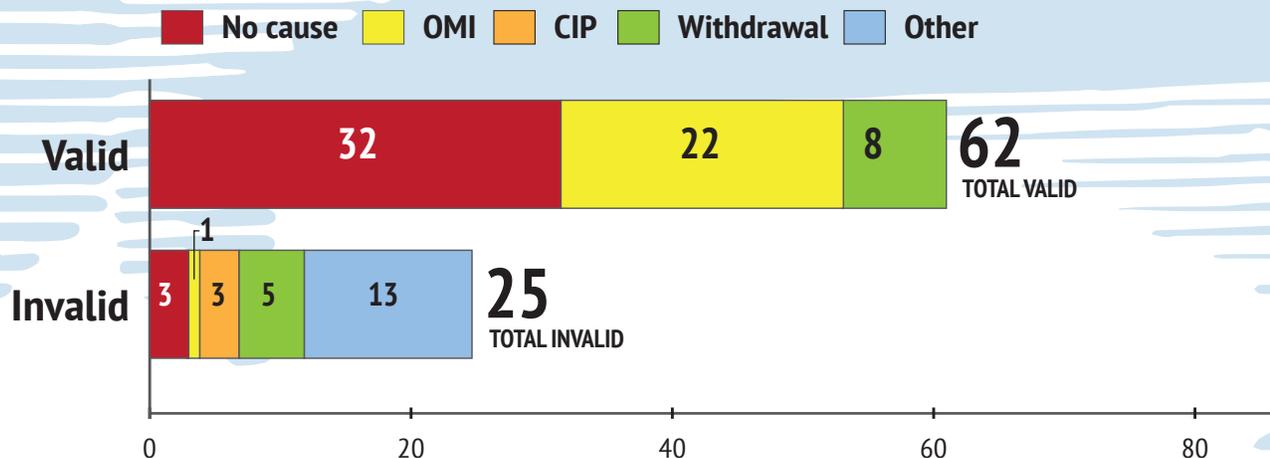
NO FAULT

- F. Owner move-in
- G. Demolition
- H. Capital Improvement Plan
- I. Withdrawal from the rental market permanently
- J. Compliance with a governmental order

* Terminations for cause are not required to be submitted to the Program Administrator

Termination of Tenancy Submissions

There were a total of **87** termination of tenancy submissions filed with Program Administrator, which is less than 0.5% of all the rentals in Alameda.



RELOCATION BENEFIT REQUIREMENTS

FEE IS REQUIRED FOR:

- Notice to Vacate (No cause)
- Owner move-in
- Demolition
- Capital Improvement Plan
- Withdrawal from the rental market permanently
- Compliance with a government order

FEE IS NOT REQUIRED FOR:

- Failure to pay rent
- Breach of lease
- Nuisance
- Failure to give access

The fee is based on the monthly rent x years in unit (not to exceed four months) +\$1553

Capital Improvement Plan (CIP) adopted by Resolution 15138

CIP Submittals & Status

Approved: 0	Denied: 3
Pending: 0	Total: 3

Sunset Clause

The Ordinance will terminate on December 31, 2019, unless action is taken by City Council.



WHERE TO GET INFORMATION

Online resources

www.alamedarentprogram.org



ORDINANCE 3148

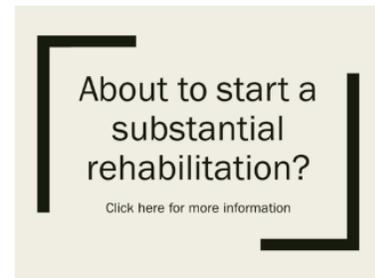
There are new requirements concerning the following:

- Noticing rent increases



INFORMATIONAL WORKSHOPS

The Housing Authority of the City of Alameda (Program Administrator) conducts Informational Workshops about the Rent Review, Rent



CAPITAL IMPROVEMENT PLAN

On April 6, 2016, City Council passed Resolution 15138 which requires a Capital Improvement Plans under certain circumstances.

SERVICES

Program Administrator Hours:

**Monday through Thursday
8.30am-4.30pm:**

Appointments available

Phone:

510-747-4346

Email:

rrac@alamedahsg.org

Informational Workshops available for Landlords and Tenants

Register at www.alamedarentprogram.org

Where to file documents

Email:

rrac@alamedahsg.org

Fax: 510-522-7848

Mail: 701 Atlantic Avenue
Alameda, CA 94501