

# ALAMEDA RENT PROGRAM

MAY 2021 REPORT

FY 2020 -2021

## TABLE OF CONTENTS

**Outreach**

Page 1

**Rent Increase Submissions & Petitions**

Pages 2-3

**Termination of Tenancy Submissions**

Page 4

**Buyout Agreement Submissions**

Page 5

**Monitoring Unit Restrictions & Capital Improvement Plans**

Page 6

**Rent Registry & Other Appeals**

Page 7






[www.alamedarentprogram.org](http://www.alamedarentprogram.org)

Email: [rentprogram@alamedahsg.org](mailto:rentprogram@alamedahsg.org) • Phone: 510-747-4346 • Fax: 510-764-7555

# Outreach

In-person appointments and events are not being scheduled while COVID-19 emergency orders remain in effect, but staff continued to answer the public’s questions and provide registration assistance by phone and email. As of April 2021, community workshops are offered online.

## Contacts

	PERSONALIZED SERVICE 		COMMUNITY WORKSHOPS 	WEBSITE USERS 
	Unduplicated	Duplicated	Total Attendees	Total Users
JUL 2020	849	1282	0	2,841
AUG 2020	369	494	0	2,173
SEPT 2020	466	677	0	2,357
OCT 2020	228	360	0	1,614
NOV 2020	368	629	0	1,517
DEC 2020	785	1242	0	2,643
JAN 2021	365	532	0	2,012
FEB 2021	483	757	0	3,752
MAR 2021	392	723	0	2,377
APR 2021	259	419	24	1,688
<b>MAY 2021</b>	<b>382</b>	<b>656</b>	<b>32</b>	<b>2,288</b>
JUN 2021				
<b>TOTAL</b>	<b>4,946</b>	<b>7,771</b>	<b>56</b>	<b>25,262</b>

## Activities

Sent two email newsletters to more than 2,980 recipients, announcing the annual Rent Program fee for the upcoming fiscal year and the new Annual General Adjustment to take effect on September 1, 2021.		In-person events and one-on-one appointments have been canceled until further notice due to the COVID-19 pandemic. Rent Program staff continue to provide landlords with assistance via phone and email.
Informational workshops are now offered online twice a month.	Continue to process Rent Registry submissions, including late registration, fee exemption requests, and reports of new ownership.	

## Rent Increase Submissions & Petitions

Multi-family units built prior to February 1, 1995, are subject to a cap on the annual amount of a rent increase, known as the Annual General Adjustment (AGA). Landlords may petition for an upward adjustment in the rent, and tenants may petition for a downward adjustment. Petitions are heard by hearing officers who issue binding decisions.

In addition, tenants and landlords may request that program staff conduct a review of a) the calculation of the maximum allowable rent allowed by the AGA, b) the base rent and/or housing services included with the base rent that the landlord reported when registering the rental unit, or c) previous or pending rent increase notices to determine if they complied with all rent ordinances and regulations. Staff will work with the landlord to correct any registration errors. If the review shows the tenant has been paying more than the maximum allowed by the AGA, staff will direct the landlord to reset the rent and refund the overpayment. If the tenant received an invalid notice that is not yet effective, staff will direct the landlord to rescind the notice. Annually, the Rent Program sends letters to the landlord and tenant informing them of the maximum allowable rent and providing a deadline by which to file a request for review.

When a landlord issues a rent increase of more than 10 percent (typically for those units not subject to the AGA), the notice must be filed with the Rent Program. If the tenant chooses to vacate within 90 days, the tenant is entitled to a relocation payment.

*(Note: Landlords currently are not permitted to increase the rent for units subject to the AGA due to an urgency ordinance passed by the City Council in response to the COVID-19 pandemic.)*

SUBMISSIONS BY TYPE						
MONTH	LANDLORD INITIATED			TENANT INITIATED		TOTAL
	PETITION FOR UPWARD ADJUSTMENT	REQUEST FOR STAFF REVIEW	RENT INCREASE > 10%	PETITION FOR DOWNWARD ADJUSTMENT	REQUEST FOR STAFF REVIEW	
JUL 2020	0	0	0	1	1	2
AUG 2020	0	0	0	0	0	0
SEP 2020	0	0	0	0	0	0
OCT 2020	0	0	0	0	0	0
NOV 2020	0	0	0	0	1	1
DEC 2020	1	23	0	8	85	117
JAN 2021	0	0	0	1	2	3
FEB 2021	0	2	0	8	11	21
MAR 2021	2	2	0	10	15	29
APR 2021	0	1	0	2	1	4
<b>MAY 2021</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>1</b>	<b>6</b>
JUN 2021						
<b>TOTAL</b>	<b>5</b>	<b>28</b>	<b>0</b>	<b>33</b>	<b>117</b>	<b>183</b>

**PETITION OUTCOMES**

MONTH	UPWARD RENT ADJUSTMENT	DOWNWARD RENT ADJUSTMENT	PETITION DENIED	PETITION WITHDRAWN	PENDING	TOTAL
JUL 2020	0	1	0	0	0	1
AUG 2020	0	0	0	0	0	0
SEP 2020	0	0	0	0	0	0
OCT 2020	0	0	0	0	0	0
NOV 2020	0	0	0	0	0	0
DEC 2020	0	4	1	1	3	9
JAN 2021	0	0	0	0	1	1
FEB 2021	0	0	0	0	8	8
MAR 2021	0	0	1	1	10	12
APR 2021	0	0	0	0	2	2
<b>MAY 2021</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>3</b>	<b>5</b>
JUN 2021						
<b>TOTAL</b>	<b>0</b>	<b>5</b>	<b>3</b>	<b>3</b>	<b>27</b>	<b>38</b>

**STAFF REVIEW OUTCOMES**

MONTH	NO VIOLATION	REGISTRY ERROR CORRECTED	RENT RESET & TENANT REFUNDED	INVALID NOTICE RESCINDED	REQUEST WITHDRAWN	PENDING	TOTAL
JUL 2020	0	0	0	1	0	0	1
AUG 2020	0	0	0	0	0	0	0
SEP 2020	0	0	0	0	0	0	0
OCT 2020	0	0	0	0	0	0	0
NOV 2020	0	0	1	0	0	0	1
DEC 2020	8	64	3	1	7	25	108
JAN 2021	0	2	0	0	0	0	2
FEB 2021	0	6	1	1	2	3	13
MAR 2021	3	6	0	0	0	8	17
APR 2021	0	0	0	0	1	1	2
<b>MAY 2021</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>1</b>
JUN 2021							
<b>TOTAL</b>	<b>11</b>	<b>78</b>	<b>5</b>	<b>3</b>	<b>10</b>	<b>38</b>	<b>145</b>

## Termination of Tenancy Submissions

Terminations for “no fault” must be filed with the Rent Program. There are no filing requirements for terminations initiated for a fault of the tenant. The termination of tenancy review process includes examination of any rent increase imposed over the previous 12 months.

	ACTIVE			WITHDRAWN		TOTAL
	OWNER MOVE-IN*	WITHDRAWAL FROM RENTAL MARKET	OTHER	FOR DEFICIENCY IN THE NOTICE	LANDLORD CHOSE TO RESCIND	
JUL 2020	0	0	0	1	0	1
AUG 2020	0	0	0	0	0	0
SEP 2020	0	1	0	0	0	1
OCT 2020	0	1	0	0	0	1
NOV 2020	0	0	0	0	0	0
DEC 2020	0	0	1	0	0	1
JAN 2021	0	1	0	0	0	1
FEB 2021	0	0	0	0	0	0
MAR 2021	0	0	0	1	0	1
APR 2021	0	0	0	0	0	0
<b>MAY 2021</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>2</b>
JUN 2021						
<b>TOTAL</b>	<b>0</b>	<b>3</b>	<b>1</b>	<b>4</b>	<b>0</b>	<b>8</b>

\*The City Council adopted an urgency ordinance on April 21, 2020, that prohibits landlords from taking action to terminate a tenancy based on Owner Move-In until 30 days after the end of the Declaration of Local Emergency for the COVID-19 pandemic.

RELOCATION PAYMENT SUMMARY FOR ACTIVE CASES			
AVERAGE AMOUNT	TIME IN THE UNIT		
	0 to 5 years	5+ to 10 years	10+ years
n/a	n/a	n/a	n/a

## Buyout Agreement Submissions

A buyout agreement is a written agreement between a landlord and a tenant, by which a tenant agrees to vacate, usually in return for money. Rent Ordinance 3250 affords protection to tenants who are offered buyout agreements. Buyout agreements must be filed with the Rent Program. Staff review 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 effective, and the tenant may rescind the deficient agreement at any time.

	ACTIVE	DEFICIENT	TENANT CHOSE TO RESCIND	TOTAL
JUL 2020	2	0	0	2
AUG 2020	1	0	0	1
SEP 2020	3	0	0	3
OCT 2020	0	0	0	0
NOV 2020	0	0	0	0
DEC 2020	0	0	0	0
JAN 2021	0	0	0	0
FEB 2021	2	0	0	2
MAR 2021	3	0	0	3
APR 2021	3	0	0	3
<b>MAY 2021</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>2</b>
JUN 2021				
<b>TOTAL</b>	<b>16</b>	<b>0</b>	<b>0</b>	<b>16</b>

BUYOUT AGREEMENT SUMMARY FOR ACTIVE CASES			
AVERAGE AMOUNT	TIME IN THE UNIT		
	0 to 5 years	5+ to 10 years	10+ years
\$48,179.00	1	n/a	1

## Monitoring of Unit Restrictions

Certain restrictions are imposed on rental units following a terminations of tenancy for “no cause”\* and “no fault.” These restrictions apply regardless of a change in ownership. Quarterly, staff initiates monitoring on the units subject to restrictions. The monitoring cases remain “ongoing” until staff receives sufficient documentation from property owners to verify compliance with the restrictions.

	CASES INITIATED			ONGOING CASES			TOTAL UNITS MONITORED
	NO CAUSE*	OWNER MOVE-IN	WITH-DRAWAL FROM RENTAL MARKET	NO CAUSE*	OWNER MOVE-IN	WITH-DRAWAL FROM RENTAL MARKET	
JUL 2020	0	0	5	6	0	0	11
AUG 2020	0	0	0	0	0	4	4
SEP 2020	0	0	0	6	0	0	6
OCT 2020	0	5	0	0	2	0	7
NOV 2020	0	7	0	0	8	0	15
DEC 2020	5	0	0	0	5	0	10
JAN 2021	1	0	3	3	6	0	13
FEB 2021	0	6	0	1	2	2	11
MAR 2021	0	0	0	1	8	2	11
APR 2021	0	0	4	2	1	0	7
<b>MAY 2021</b>	<b>0</b>	<b>4</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>11</b>
JUN 2021							

\*Effective July 5, 2019, the City Council removed “no cause” as an allowable ground for termination. Staff continues to monitor units where no cause terminations were imposed before this date to ensure compliance with the unit restrictions following valid no cause terminations.

## Capital Improvement Plans

To encourage landlords to improve the quality of the City’s rental housing stock, Resolution 15138 allows landlords to recover from tenants the cost of certain substantial improvements, amortized over time. In addition, landlords are required to file a Capital Improvement Plan whenever a tenant must be temporarily relocated or a tenancy terminated because of the work associated with capital improvements; however, landlords are currently prohibited from doing so by an urgency ordinance passed by the City Council in response to the COVID-19 pandemic.

No Capital Improvement Plans were submitted in May 2021.

## Rent Registry

Open registration using the online Rent Registry concluded on May 25, 2020. To date, 83% of properties have completed registration, representing 88% of rental units in Alameda. Staff continues to work with landlords to update information in the registry and process submissions.

RENT REGISTRY SUBMISSIONS PROCESSED						
MONTH	REGISTRATION SHOWING RENT INCREASE ERROR	UNIT EXEMPTION REQUEST	PROPERTY EXEMPTION REQUEST	NEW OWNER	NEW TENANT	TOTAL
JUL 2020	53	100	65	44	172	434
AUG 2020	20	119	102	21	164	426
SEP 2020	39	81	81	6	140	347
OCT 2020	43	45	14	17	124	243
NOV 2020	86	25	18	5	251	385
DEC 2020	151	24	16	11	318	520
JAN 2021	99	10	8	3	123	243
FEB 2021	132	10	6	3	136	287
MAR 2021	108	17	9	7	176	317
APR 2021	226	10	5	5	115	361
<b>MAY 2021</b>	<b>115</b>	<b>9</b>	<b>7</b>	<b>13</b>	<b>144</b>	<b>288</b>
JUN 2021						
<b>TOTAL</b>	<b>1,072</b>	<b>450</b>	<b>331</b>	<b>135</b>	<b>1,863</b>	<b>3,851</b>

## Other Appeals

A landlord or tenant may appeal a determination by the Rent Program Administrator concerning other matters under the Rent Ordinance, such as whether the ordinance applies to a particular dwelling unit or whether a tenant who has been displaced is entitled to relocation payments. Appeals are heard by hearing officers who issue binding decisions, subject to judicial review.

In May 2021, a single hearing was held to consider three appeals filed by a landlord concerning temporary relocation payments for tenants displaced from a single property. The hearing officer decided against the landlord and ordered payments made to all three tenants.