

City of Alameda Rent Stabilization Program July 2018 Newsletter



Reminder: Pass-through fees

Payment of the annual program fee is the responsibility of the rental property owner. [Click here to read more about the fee.](#)

Passing on the program fee (or any other fee that has not previously been charged) is considered a rent increase and is not legal unless it follows the rent increase procedures. [Click here for more information on the rent increase process.](#)

Mediation services at the Rent Stabilization Program

Mediation is a process in which a neutral third party facilitates a conversation between two parties so that individuals are able to express their perspectives and increase their understanding of each other's situation. Often, mediation allows the parties to create their own solution to a disagreement. The facilitator does not make decisions or dictate solutions. Mediation provided by the Rent Stabilization Program does not involve an attorney or the court process.

Who qualifies for Rent Stabilization Program mediation?

The Rent Stabilization Program offers mediation services to parties who are scheduled to be heard before the Rent Review Advisory Committee (RRAC).

What is the process to set up a mediation?

1. Forms to request rent increase review ask if the individual is interested in mediation.
2. Staff will inform the other party when mediation is requested.
3. If both parties are agree to mediation, staff will coordinate a date and time that is convenient for all. All mediations take place at the Housing Authority, 701 Atlantic Ave., Alameda, CA.

Is mediation right for you?

Consider these advantages:

- Mediation is *free* to both parties.

- Talking about money can be difficult. This may be especially true in the landlord-tenant relationship. A mediator will help you explore and express your concerns.
- While a RRAC hearing is typically limited to about 40 minutes, a mediation does not have this time constraint. With more time available, parties are able to discuss and share more of their perspectives.
- Mediation is *private and confidential*, unlike the public RRAC hearings. The conversations during mediation and the documents presented in mediation remain confidential regardless of the outcome of the process, providing a safe space to explore different possibilities that may allow parties to come to a resolution.
- Oftentimes parties reach an agreement through the mediation process.
- Even when parties do not reach an agreement, the discussions had during mediation often help participants better understand each other, making them better prepared for a RRAC hearing, as well as future communication with each other.

How do I prepare for mediation?

Consider the topics you would like to discuss and create priorities. Use these questions to help you prepare:

- What are the most important points for me to have in an agreement?
- Why are they important to me?
- What is the best result I could hope for?
- What is the worst result that could happen?
- What would be a sensible, realistic, and fair solution?

What topics can be discussed during mediation?

Parties may discuss any areas of concern relating to the tenancy and rent increase during the mediation. For example, if the tenant has maintenance concerns, and would like those issues to be addressed before agreeing to a rent increase, coming to an agreement that takes into account those concerns would be a possibility.

In contrast, a RRAC hearing can only result in a decision regarding the amount of the rent increase.

Who will mediate?

The mediation will be facilitated by a Rent Stabilization Program staff member who is trained in providing mediation services.

What happens during the mediation?

Prior to the mediation, parties are asked to read and sign the *Agreement to Mediate* statement, which ensures the parties know what to expect from the process.

The mediation begins with an explanation by the facilitator of the ground rules and phases of the discussion. Each party is provided the opportunity to express their perspective on the issues and share their suggestions on how they would like the issues to be resolved. The mediator will facilitate the conversation to understand

the priorities of each individual and encourage an agreement that is suitable and reasonable for both parties.

Can mediated agreements be enforced?

Mediated agreements have a high rate of compliance because the parties have worked out their own solution. The Rent Stabilization Program does not have authority to enforce areas of an agreement beyond the amount of the rent increase. Parties must seek legal services to enforce areas of the agreement beyond the rent increase amount.

Outside resources

There are more mediation options for tenants and landlords when the parties are not facing a rent increase or would like to discuss topics outside of the issues identified above. For a list of external organizations, please visit our website at www.alamedarentprogram.org/community-resources

[Click here for a PDF version](#)

Upcoming free workshops

Learn about your rights and responsibilities for rent increases and terminations of tenancy under the Rent Stabilization Ordinance no. 3148.

[Click here to watch the online workshop](#)

or

Attend in person. All workshops are hosted at Independence Plaza Community Room, 703 Atlantic Ave., Alameda, CA, 94501.

Rent Increase Workshop

Tuesday, July 10, 2018
10am - 11am

Termination of Tenancy Workshop

Tuesday, July 10, 2018
11am - 12pm

Rent Increase Workshop

Tuesday, July 24, 2018
6pm - 7pm

Termination of Tenancy Workshop

Tuesday, July 24, 2018
7pm - 8pm

[Click here to see more upcoming dates](#)

QUESTIONS? CONTACT US.

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