

ALAMEDA RENT PROGRAM

MAY 2022 REPORT

FY 2021 -2022

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Outreach

Staff serves individuals in the community via telephone, email, and in-person appointments. Informational workshops are currently offered online.

Contacts

	PERSONALIZED SERVICE 		INFORMATIONAL WORKSHOPS 	WEBSITE 	
	INDIVIDUALS CONTACTED	TOTAL INQUIRIES	ATTENDEES	USERS	TOTAL SESSIONS
JUL 2021	334	608	4	1,953	2,622
AUG 2021	278	495	2	1,817	2,493
SEP 2021	502	816	4	2,247	3,025
OCT 2021	296	445	3	1,842	2,665
NOV 2021	542	962	3	1,597	2,231
DEC 2021	470	854	7	1,559	2,210
JAN 2022	470	853	5	1,951	2,697
FEB 2022	403	810	4	1,763	2,536
MAR 2022	442	824	3	2,818	3,897
APR 2022	479	904	6	4,780	5,898
MAY 2022	436	770	6	3,571	4,524
JUN 2022					
TOTAL	4,652	8,341	47	25,898	34,798

Activities

Mailed 4,181 postcards and letters to property owners, notifying them of the upcoming start of the annual program cycle and fee payment period and asking them to verify registration information.	Sent email newsletter to 3,303 recipients announcing the new Annual General Adjustment of 3.5% going into effect on September 1, 2022, and updated relocation payment amounts going into effect on July 1, 2022.	Sent email to 5,514 addresses associated with properties in the Rent Registry, informing them that annual program fee payments are now being accepted and announcing the 2022-2023 fee amounts.
Prepared 3,948 annual fee invoices to be mailed by the City of Alameda Finance Department.		

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.

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 2021	0	0	0	2	1	3
AUG 2021	0	0	0	1	1	2
SEP 2021	1	0	0	2	3	6
OCT 2021	0	0	0	0	0	0
NOV 2021	1	0	0	1	1	3
DEC 2021	0	0	0	1	11	12
JAN 2022	0	2	0	6	12	20
FEB 2022	0	1	0	1	4	6
MAR 2022	0	2	0	0	4	6
APR 2022	1	2	0	4	22	29
MAY 2022	0	0	0	1	4	5
JUN 2022						
TOTAL	3	7	0	19	63	92

PETITION OUTCOMES

MONTH	UPWARD RENT ADJUSTMENT	DOWNWARD RENT ADJUSTMENT	PETITION DENIED	PETITION WITHDRAWN	PENDING	TOTAL
JUL 2021	0	1	0	1	0	2
AUG 2021	0	0	0	0	1	1
SEP 2021	0	0	1	1	1	3
OCT 2021	0	0	0	0	0	0
NOV 2021	1	0	0	1	0	2
DEC 2021	0	0	0	1	0	1
JAN 2022	0	3	0	1	2	6
FEB 2022	0	0	1	0	0	1
MAR 2022	0	0	0	0	0	0
APR 2022	0	0	0	1	4	5
MAY 2022	0	0	0	0	1	1
JUN 2022						
TOTAL	1	4	2	6	9	22

STAFF REVIEW OUTCOMES

MONTH	NO VIOLATION	REGISTRATION ERROR CORRECTED	RENT RESET & TENANT REFUNDED	INVALID NOTICE RESCINDED	REQUEST WITHDRAWN	PENDING	TOTAL
JUL 2021	0	0	0	1	0	0	1
AUG 2021	0	0	0	1	0	0	1
SEP 2021	2	0	0	1	0	0	3
OCT 2021	0	0	0	0	0	0	0
NOV 2021	1	0	0	0	0	0	1
DEC 2021	1	1	2	1	0	6	11
JAN 2022	2	4	0	0	3	5	14
FEB 2022	0	2	1	0	0	2	5
MAR 2022	0	3	0	0	2	1	6
APR 2022	1	9	2	0	5	7	24
MAY 2022	1	1	0	0	0	2	4
JUN 2022							
TOTAL	8	20	5	4	10	23	70

Termination of Tenancy Submissions

Rent Ordinance 3250 prevents landlords from terminating a tenancy except for certain allowable grounds and requires a relocation payment in cases where the termination is not the fault of the tenant. Terminations based on these “no fault” grounds must be filed with the Rent Program. There are no filing requirements for terminations based on “for cause” grounds.

	ACTIVE			WITHDRAWN		PENDING	TOTAL
	OWNER MOVE-IN*	WITHDRAWAL FROM RENTAL MARKET	OTHER	FOR DEFICIENCY IN THE NOTICE	LANDLORD CHOSE TO RESCIND		
JUL 2021	0	1	0	2	0	0	3
AUG 2021	0	1	0	2	2	0	5
SEP 2021	0	1	0	0	0	0	1
OCT 2021	0	2	0	1	0	0	3
NOV 2021	0	2	0	0	0	0	2
DEC 2021	0	2	0	1	0	0	3
JAN 2022	0	1	0	3	0	0	4
FEB 2022	0	1	0	2	0	0	3
MAR2022	0	0	0	2	0	0	2
APR2022	0	0	0	2	0	1	3
MAY2022	0	3	0	1	0	0	4
JUN 2022							
TOTAL	0	14	0	16	2	1	33

*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
\$9,903.67	2	1	0

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 2021	3	0	0	3
AUG 2021	2	0	0	2
SEP 2021	1	1	0	2
OCT 2021	0	0	0	0
NOV 2021	1	0	0	1
DEC 2021	0	0	0	0
JAN 2022	2	0	0	2
FEB 2022	1	0	0	1
MAR 2022	2	1	0	3
APR 2022	2	0	0	2
MAY 2022	4	0	0	4
JUN 2022				
TOTAL	18	2	0	20

BUYOUT AGREEMENT SUMMARY FOR ACTIVE CASES			
AVERAGE AMOUNT	TIME IN THE UNIT		
	0 to 5 years	5+ to 10 years	10+ years
\$11,449.60	2	1	1

Monitoring of Unit Restrictions

Certain restrictions are imposed on rental units after a tenancy is terminated based on grounds for which the tenant is not at fault. These restrictions apply regardless of a change in ownership. On an annual basis, program staff initiates monitoring of the unit to verify compliance with the restrictions while they remain in effect. These annual monitoring cases remain “ongoing” until staff receives sufficient documentation from the property owner.

	CASES INITIATED		ONGOING CASES		TOTAL UNITS MONITORED
	OWNER MOVE-IN	WITHDRAWAL FROM RENTAL MARKET	OWNER MOVE-IN	WITHDRAWAL FROM RENTAL MARKET	
JUL 2021	0	2	2	2	6
AUG 2021	0	6	0	1	7
SEP 2021	0	3	0	4	7
OCT 2021	2	4	0	1	7
NOV 2021	0	1	2	2	5
DEC 2021	1	0	0	0	1
JAN 2022	0	4	2	2	8
FEB 2022	0	0	1	3	4
MAR 2022	0	1	1	2	4
APR 2022	2	3	0	1	6
MAY 2022	0	3	0	8	11
JUN 2022					

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 new applications for a Capital Improvement Plan were submitted in May 2022.

Rent Registry

Open registration using the online Rent Registry has concluded. To date, 89% of properties have completed registration, representing 93% 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	LATE REGISTRATION	UPDATED UNIT INFORMATION SHOWING AN INVALID RENT INCREASE	REQUEST TO EXEMPT UNIT FROM ANNUAL FEE	DOCUMENTATION SHOWING PROPERTY IS EXEMPT FROM REGULATION	CHANGE IN OWNERSHIP	TOTAL
JUL 2021	98	28	36	11	13	186
AUG 2021	8	2	21	5	20	56
SEP 2021	8	3	40	60	21	132
OCT 2021	19	4	11	11	14	59
NOV 2021	72	30	37	34	28	201
DEC 2021	72	17	13	6	35	143
JAN 2022	25	159	17	18	7	226
FEB 2022	36	153	17	10	12	228
MAR 2022	15	90	17	17	24	163
APR 2022	21	97	19	6	11	154
MAY 2022	4	47	25	6	8	90
JUN 2022						
TOTAL	378	630	253	184	193	1,638

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 2022, a hearing officer issued a decision in a landlord's appeal of a determination that temporary relocation payments were owed to a tenant. The hearing officer found that the landlord had provided the tenant with a comparable unit and owed no additional payments, and ordered the tenant to reimburse the landlord for payments already made.