

ALAMEDA RENT PROGRAM

AUGUST 2022 REPORT

FY 2022 -2023

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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	UNIQUE USERS	TOTAL SESSIONS
JUL 2022	395	843	10	3,338	4,811
AUG 2022	315	628	9	1,941	2,817
SEPT 2022					
OCT 2022					
NOV 2022					
DEC 2022					
JAN 2023					
FEB 2023					
MAR 2023					
APR 2023					
MAY 2023					
JUN 2023					
TOTAL	710	1,471	19	5,279	7,628

Activities

<p>Fee payment period began on June 1, 2022. 569 Landlords submitted payment during the month of August, bringing the fiscal year total to 3,188 so far.</p>	<p>Rent Increases for fully regulated properties resumed June 1st for the first time since the Covid-19 Urgency Ordinance in April 2020. The registry received current rent updates for 159 units during the month of August, bringing the total number of rent increases reported this year to 1,213.</p>
<p>Program staff continues to process Rent Registry submissions, including late registration, fee exemption requests, and reports of new ownership.</p>	

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 2022	0	0	0	0	4	4
AUG 2022	0	0	0	0	11	11
SEP 2022						
OCT 2022						
NOV 2022						
DEC 2022						
JAN 2023						
FEB 2023						
MAR 2023						
APR 2023						
MAY 2023						
JUN 2023						
TOTAL	0	0	0	0	15	15

HEARING OUTCOMES

MONTH	UPWARD RENT ADJUSTMENT	DOWNWARD RENT ADJUSTMENT	PETITION DENIED	PETITION WITHDRAWN	PENDING	TOTAL
JUL 2022	0	0	0	0	0	0
AUG 2022	0	0	0	0	0	0
SEP 2022						
OCT 2022						
NOV 2022						
DEC 2022						
JAN 2023						
FEB 2023						
MAR 2023						
APR 2023						
MAY 2023						
JUN 2023						
TOTAL	0	0	0	0	0	0

STAFF REVIEW OUTCOMES

MONTH	NO VIOLATION	REGISTRY ERROR CORRECTED	RENT RESET & TENANT REFUNDED	INVALID NOTICE RESCINDED	REQUEST WITHDRAWN	PENDING	TOTAL
JUL 2022	2	0	0	1	0	1	4
AUG 2022	4	0	5	0	0	2	11
SEP 2022							
OCT 2022							
NOV 2022							
DEC 2022							
JAN 2023							
FEB 2023							
MAR 2023							
APR 2023							
MAY 2023							
JUN 2023							
TOTAL	6	0	5	1	0	3	15

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		TOTAL
	OWNER MOVE-IN*	WITHDRAWAL FROM RENTAL MARKET	OTHER	FOR DEFICIENCY IN THE NOTICE	LANDLORD CHOSE TO RESCIND	
JUL 2022	0	1	0	0	0	1
AUG 2022	1	5	0	0	1	7
SEP 2022						
OCT 2022						
NOV 2022						
DEC 2022						
JAN 2023						
FEB 2023						
MAR 2023						
APR 2023						
MAY 2023						
JUN 2023						
TOTAL	1	6	0	0	1	8

*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			
<u>AVERAGE AMOUNT</u>	<u>TIME IN THE UNIT</u>		
	0 to 5 years	5+ to 10 years	10+ years
\$11,110.00	2	1	3

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 2022	4	1	0	5
AUG 2022	2	1	0	3
SEP 2022				
OCT 2022				
NOV 2022				
DEC 2022				
JAN 2023				
FEB 2023				
MAR 2023				
APR 2023				
MAY 2023				
JUN 2023				
TOTAL	6	2	0	8

BUYOUT AGREEMENT SUMMARY FOR ACTIVE CASES			
<u>AVERAGE AMOUNT</u>	<u>TIME IN THE UNIT</u>		
	0 to 5 years	5+ to 10 years	10+ years
\$19,413.00	1	0	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 2022	5	0	0	8	13
AUG 2022	0	1	2	1	4
SEP 2022					
OCT 2022					
NOV 2022					
DEC 2022					
JAN 2023					
FEB 2023					
MAR 2023					
APR 2023					
MAY 2023					
JUN 2023					
TOTAL	5	1	2	9	17

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 August 2022.

Rent Registry

Open registration using the online Rent Registry has concluded. To date, 89.3% of properties have completed registration, representing 93.4% 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 THAT PROPERTY IS EXEMPT FROM REGULATION	CHANGE IN OWNERSHIP	TOTAL
JUL 2022	12	173	73	6	6	270
AUG 2022	0	43	23	7	15	88
SEP 2022						
OCT 2022						
NOV 2022						
DEC 2022						
JAN 2023						
FEB 2023						
MAR 2023						
APR 2023						
MAY 2023						
JUN 2023						
TOTAL	12	216	96	13	21	358

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.

No appeals were submitted in August 2022.