



# ALAMEDA RENT PROGRAM

## DECEMBER 2022 REPORT FY 2022 -2023

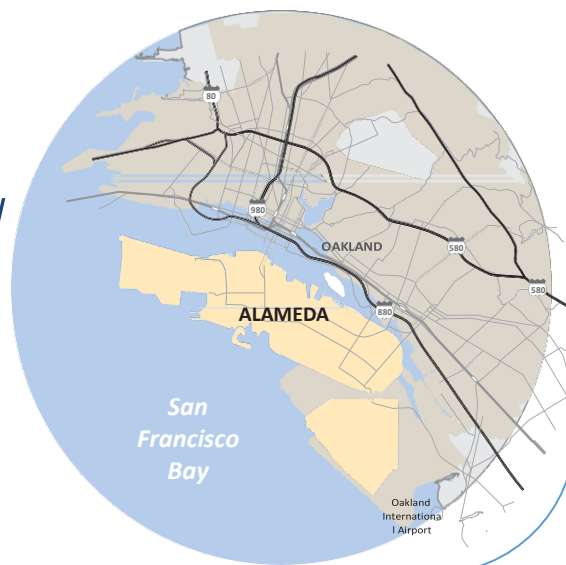
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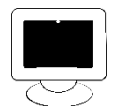
Email: [rentprogram@alamedaca.gov](mailto:rentprogram@alamedaca.gov) • Phone: 510-747-7520 • Fax: 510-865-4028

## Updates & Activities

- The Rent Program launched a weekly series of workshops with a special focus on the Termination of the Declaration of Local Emergency, highlighting the impacts on no-fault terminations and the resumption of banked rent increases.
- The program sent 10,620 notices of Determination of Maximum Allowable Rent (MAR) to landlords and tenants of fully-regulated units in the City of Alameda. These notices provided a calculation of MAR, an overview of rent increase regulations, updates on the termination of local emergency, and methods to contest the determination of MAR.

## Outreach

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

	<b>PERSONALIZED SERVICE</b> 		<b>INFORMATIONAL WORKSHOPS</b> 	<b>WEBSITE</b> 	
	INDIVIDUALS CONTACTED	TOTAL INQUIRIES	ATTENDEES	UNIQUE USERS	TOTAL SESSIONS
DEC 2022	282	489	13	1,947	2,716
<b>YTD</b>	<b>1,840</b>	<b>3,419</b>	<b>46</b>	<b>12,977</b>	<b>18,529</b>

## Rent Registry

Open registration using the online Rent Registry has concluded. To date, 90% of properties have completed registration, representing 94% 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
DEC 2022	9	17	25	5	6	62
<b>YTD</b>	<b>40</b>	<b>436</b>	<b>153</b>	<b>31</b>	<b>49</b>	<b>709</b>

*Note: Year-to-date totals for all charts reference the fiscal year that began in July 2022.*

## 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, rescind invalid notices, and/or refund tenants for any overpayment.

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	
DEC 2022	1	1	0	2	7	11
<b>YTD</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>8</b>	<b>26</b>	<b>36</b>

### HEARING OUTCOMES

MONTH	UPWARD RENT ADJUSTMENT	DOWNWARD RENT ADJUSTMENT	PETITION DENIED	PETITION WITHDRAWN	PENDING	TOTAL
DEC 2022	0	0	0	1	2	3
<b>YTD</b>	<b>0</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>3</b>	<b>9</b>

### STAFF REVIEW OUTCOMES

MONTH	NO VIOLATION	REGISTRY ERROR CORRECTED	RENT RESET & TENANT REFUNDED	INVALID NOTICE RESCINDED	REQUEST WITHDRAWN	PENDING	TOTAL
DEC 2022	3	0	0	0	1	4	8
<b>YTD</b>	<b>11</b>	<b>0</b>	<b>7</b>	<b>1</b>	<b>1</b>	<b>7</b>	<b>27</b>

*Note: Year-to-date totals for all charts reference the fiscal year that began in July 2022.*

## 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	
DEC 2022	0	0	0	1	0	1
YTD	0	8	1	4	1	14

\*Limitations on evictions passed in response to the COVID-19 pandemic effectively prohibit landlords from taking action to terminate a tenancy based on Owner Move-In until on or after November 18, 2022.

## 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
DEC 2022	2	3	0	5
YTD	18	7	0	25

The average amount for active buyout agreements in December 2022 was \$20,000.00

*Note: Year-to-date totals for all charts reference the fiscal year that began in July 2022.*

## 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	
DEC 2022	0	0	2	4	6
YTD	5	6	4	16	31

## 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.

- No new applications for a Capital Improvement Plan were submitted in December 2022.

## 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 December 2022.

*Note: Year-to-date totals for all charts reference the fiscal year that began in July 2022.*