

AGENDA ITEM REQUEST FORM

Department: Rent Program

Department Head: Nicolas Traylor

Phone: 620-6564

Meeting Date: April 17, 2024

Final Decision Date Deadline: April 17, 2024

STATEMENT OF THE ISSUE: Members of the community have sent letters to the Rent Board and Rent Program staff members. Staff members recommend letters that do not pertain to a specific item on the Rent Board agenda be included as consent items for consideration by the Rent Board.

INDICATE APPROPRIATE BODY

- | | | | | |
|---|---|--|--|---|
| <input type="checkbox"/> City Council | <input type="checkbox"/> Redevelopment Agency | <input type="checkbox"/> Housing Authority | <input type="checkbox"/> Surplus Property Authority | <input type="checkbox"/> Joint Powers Financing Authority |
| <input type="checkbox"/> Finance Standing Committee | <input type="checkbox"/> Public Safety Public Services Standing Committee | <input type="checkbox"/> Local Reuse Authority | <input checked="" type="checkbox"/> Other: <u>Rent Board</u> | |

ITEM

- | | | |
|---|--|--|
| <input type="checkbox"/> Presentation/Proclamation/Commendation (3-Minute Time Limit) | | |
| <input type="checkbox"/> Public Hearing | <input type="checkbox"/> Regulation | <input checked="" type="checkbox"/> Other: <u>CONSENT CALENDAR</u> |
| <input type="checkbox"/> Contract/Agreement | <input type="checkbox"/> Rent Board As Whole | |
| <input type="checkbox"/> Grant Application/Acceptance | <input type="checkbox"/> Claims Filed Against City of Richmond | |
| <input type="checkbox"/> Resolution | <input type="checkbox"/> Video/PowerPoint Presentation (contact KCRT @ 620.6759) | |

RECOMMENDED ACTION: RECEIVE letters from community members regarding the Fair Rent, Just Cause for Eviction, and Homeowner Protection Ordinance, RMC 11.100 – Rent Program (Cynthia Shaw 620-5552).

AGENDA ITEM NO:

G-2.

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From: Dru Solari <Dru@movela.org>
Sent: Thursday, April 4, 2024 12:07 PM
To: Rent Control <rent@ci.richmond.ca.us>
Subject: The Justice for Renters Act on California's November Ballot

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Subject: The Justice for Renters Act on California's November Ballot



To the Richmond Rent Board, attn: Sara Cantor, Elaine Dockens,
Tomaso Espinoza, Karina Guadalupe, Jim Hite

City of Richmond

Dear Friends,

My name is Dru Solari and I would like to speak with you about your endorsement of a measure on the California ballot this coming November, **the Justice for Renters Act**.

I am working with Denny Zane, former Councilmember and Mayor in Santa Monica and founder of Move CA. Back in 1978, he co-founded Santa Monicans for Renters' Rights and became campaign manager for the Santa Monica rent control ordinance.

We understand that you may have been a supporter of your community's local rent control ordinance and thus, perhaps you are ready to endorse **the Justice for Renters Act** for all of California. It was drafted by people who care about renters and affordable housing and ending homelessness. The measure will help local

cities have greater control over their own local rent control laws to ensure they can be as effective as possible.

We want to win a YES vote this November and your endorsement of the ballot measure would be very helpful. Indeed, if you're ready to endorse now and would prefer forgoing a conversation, we thank you in advance and you can simply respond to dru@movela.org that you endorse **the Justice for Renters Act** and again, thank you!

Otherwise, can you suggest a time when we might talk?

In the two attachments above, please find the flyer about **the Justice for Renters Act** as well as the ballot measure as submitted. (Please note, the parts crossed out in the measure as submitted represent the repeal of the Costa-Hawkins Act. The section 1954.40 would represent the new law if it's approved.)

Thank you again and kind regards,

Dru Solari

Move LA

Dru@movela.org

(818) 261-6677 (Cell)

Paid for by Justice for Renters Sponsored by AIDS
Healthcare Foundation.

Committee's Top Funders AIDS Healthcare
Foundation and Unite HERE Local 11



STOP the Hemorrhage of Affordable Housing Endorse the **Justice for Renters Act!**

Sponsored by the Aids Healthcare Foundation (AHF) on the California ballot November 5, 2024



To end homelessness, we must build new affordable housing and stop the hemorrhage of existing affordable housing by **Repealing the Costa-Hawkins Act!**

The 2021-2029 City of Los Angeles Housing Element

*"Since 2010, the City has continued to lose thousands of lower cost rental units
a net reduction of more than 111,000 units with rents [below] \$1,035 . . .
lower priced rental units that have been reset to market rate upon a new occupancy."*

Reset to Market Rate = Vacancy Decontrol, as Mandated in the Costa-Hawkins Act

Email your endorsement to monica@movela.org

What Does the Justice for Renters Act do?

First, it repeals the Costa-Hawkins Act of 1995.

Second, it places the following language into the state code:

"The state may not limit the right of any city, county, or city and county to maintain, enact or expand residential rent control."

What does the Costa-Hawkins Act do that costs us so much affordable housing and contributes to homelessness?

Costa-Hawkins requires all local rent control laws to include vacancy decontrol, to allow rent controlled units that become vacant to rent at LA's and other cities super high market rents to the next tenant. As a result, the city's existing supply of apartments affordable to low and moderate income tenants is evaporating, as property owners increase rents on vacancy to make more profits. Property owners deserve a fair return, but market rents are more than that needed for a fair return.

Why is the City of Los Angeles losing so many affordable housing units?

The census data showed that there were over 320,000 units renting for under \$1,035 in the City of Los Angeles in 2010, a rent level affordable to most low-income households in Los Angeles, but...

The 2021-2029 City of Los Angeles Housing Element said...

"Since 2010, the City has continued to lose thousands of lower cost rental units a net reduction of more than 111,000 units with rents [below] \$1,035. During the same period, almost the same number of units were added in the category of renting above \$2,360... The City has experienced a loss of a number of lower priced rental units that have been reset to market rate upon a new occupancy."

Reset to Market Rate = Vacancy Decontrol

From 2010 to 2019 about 13,000 new units of affordable to low-income households were built in LA. But 111,000 formerly affordable units were no longer affordable. So in the same time frame the City of Los Angeles has experienced a net loss of 98,000 rental units affordable to low-income households.

***NO WONDER WE HAVE A HOMELESSNESS CRISIS!
Because of the Costa-Hawkins Act of 1995, the City of LA
has been hemorrhaging affordable housing!***

Stop the Hemorrhage of Affordable Housing . . . Repeal Costa-Hawkins . . .

Endorse The Justice for Renters Act !

Email your endorsement to monica@movela.org

22 - 0008

ITEM G-2

RECEIVED

DEC 22 2022

December 21, 2022

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

Anabel Renteria, Initiative Coordinator
Office of the Attorney General
1300 I Street, 17th Floor
Sacramento, CA 95814

Re: Request for Preparation of Title and Summary

Dear Ms. Renteria:

I am the proponent of the enclosed initiative measure, which is entitled "Justice for Renters Act." Pursuant to article II, section 10(d), of the California Constitution and section 9001 of the California Elections Code, we hereby request the preparation of a circulating title and summary of the chief purposes and points of the proposed measure.

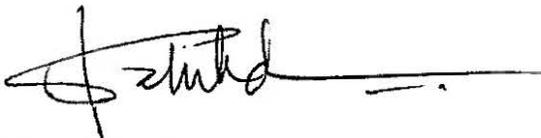
Enclosed is a check for \$2,000 made payable to the State of California. Also enclosed are the signed statements required by Elections Code section 9001(b) and 9608.

I request that my residence address be kept confidential following verification of my status as registered voters.

You are hereby authorized and requested to direct all further inquiries and correspondence regarding this proposed measure to the following persons:

Fredric D. Woocher, Esq.
Beverly Grossman Palmer, Esq.
Strumwasser & Woocher LLP
1250 6th Street, Suite 205
Santa Monica, CA 90405
fwoocher@strumwooch.com
bpalmer@strumwooch.com
(310) 576-1233

Sincerely,



Ashoke Talukdar

Justice for Renters Act

Section 1.

This Act shall be known and may be cited as "Justice for Renters Act."

Section 2.

The following provision is added to Chapter 2.7 of Title 5 of Part 4 of Division 3 of the Civil Code:

1954.40. The state may not limit the right of any city, county, or city and county to maintain, enact or expand residential rent control.

Section 3.

The following provisions of Chapter 2.7 of Title 5 of Part 4 of Division 3 of the Civil Code are repealed, as illustrated by strikeout text below.

~~1954.50. This chapter shall be known and may be cited as the Costa Hawkins Rental Housing Act.~~

~~1954.51. As used in this chapter, the following terms have the following meanings:~~

~~(a) "Comparable units" means rental units that have approximately the same living space, have the same number of bedrooms, are located in the same or similar neighborhoods, and feature the same, similar, or equal amenities and housing services.~~

~~(b) "Owner" includes any person, acting as principal or through an agent, having the right to offer residential real property for rent, and includes a predecessor in interest to the owner, except that this term does not include the owner or operator of a mobilehome park, or the owner of a mobilehome or his or her agent.~~

~~(c) "Prevailing market rent" means the rental rate that would be authorized pursuant to 42 U.S.C.A. 1437 (f), as calculated by the United States Department of Housing and Urban Development pursuant to Part 888 of Title 24 of the Code of Federal Regulations.~~

~~(d) "Public entity" has the same meaning as set forth in Section 811.2 of the Government Code.~~

~~(e) "Residential real property" includes any dwelling or unit that is intended for human habitation.~~

~~(f) "Tenancy" includes the lawful occupation of property and includes a lease or sublease.~~

~~1954.52. (a) Notwithstanding any other provision of law, an owner of residential real property may establish the initial and all subsequent rental rates for a dwelling or a unit about which any of the following is true:~~

~~(1) It has a certificate of occupancy issued after February 1, 1995.~~

~~(2) It has already been exempt from the residential rent control ordinance of a public entity on or before February 1, 1995, pursuant to a local exemption for newly constructed units.~~

~~(3) (A) It is alienable separate from the title to any other dwelling unit or is a subdivided interest in a subdivision, as specified in subdivision (b), (d), or (f) of Section 11004.5 of the Business and Professions Code.~~

~~(B) This paragraph does not apply to either of the following:~~

- ~~(i) A dwelling or unit where the preceding tenancy has been terminated by the owner by notice pursuant to Section 1946.1 or has been terminated upon a change in the terms of the tenancy noticed pursuant to Section 827.~~
- ~~(ii) A condominium dwelling or unit that has not been sold separately by the subdivider to a bona fide purchaser for value. The initial rent amount of the unit for purposes of this chapter shall be the lawful rent in effect on May 7, 2001, unless the rent amount is governed by a different provision of this chapter. However, if a condominium dwelling or unit meets the criteria of paragraph (1) or (2) of subdivision (a), or if all the dwellings or units except one have been sold separately by the subdivider to bona fide purchasers for value, and the subdivider has occupied that remaining unsold condominium dwelling or unit as his or her principal residence for at least one year after the subdivision occurred, then subparagraph (A) of paragraph (3) shall apply to that unsold condominium dwelling or unit.~~
- ~~(C) Where a dwelling or unit in which the initial or subsequent rental rates are controlled by an ordinance or charter provision in effect on January 1, 1995, the following shall apply:~~
- ~~(i) An owner of real property as described in this paragraph may establish the initial and all subsequent rental rates for all existing and new tenancies in effect on or after January 1, 1999, if the tenancy in effect on or after January 1, 1999, was created between January 1, 1996, and December 31, 1998.~~
- ~~(ii) Commencing on January 1, 1999, an owner of real property as described in this paragraph may establish the initial and all subsequent rental rates for all new tenancies if the previous tenancy was in effect on December 31, 1995.~~
- ~~(iii) The initial rental rate for a dwelling or unit as described in this paragraph in which the initial rental rate is controlled by an ordinance or charter provision in effect on January 1, 1995, may not, until January 1, 1999, exceed the amount calculated pursuant to subdivision (c) of Section 1954.53. An owner of residential real property as described in this paragraph may, until January 1, 1999, establish the initial rental rate for a dwelling or unit only where the tenant has voluntarily vacated, abandoned, or been evicted pursuant to paragraph (2) of Section 1161 of the Code of Civil Procedure.~~
- ~~(b) Subdivision (a) does not apply where the owner has otherwise agreed by contract with a public entity in consideration for a direct financial contribution or any other forms of assistance specified in Chapter 4.3 (commencing with Section 65915) of Division 1 of Title 7 of the Government Code.~~
- ~~(c) Nothing in this section shall be construed to affect the authority of a public entity that may otherwise exist to regulate or monitor the basis for eviction.~~
- ~~(d) This section does not apply to any dwelling or unit that contains serious health, safety, fire, or building code violations, excluding those caused by disasters for which a citation has been issued by the appropriate governmental agency and which has remained unabated for six months or longer preceding the vacancy.~~
- ~~1954.53. (a) Notwithstanding any other provision of law, an owner of residential real property may establish the initial rental rate for a dwelling or unit, except where any of the following applies:~~

~~(1) The previous tenancy has been terminated by the owner by notice pursuant to Section 1946.1 or has been terminated upon a change in the terms of the tenancy noticed pursuant to Section 827, except a change permitted by law in the amount of rent or fees. For the purpose of this paragraph, the owner's termination or nonrenewal of a contract or recorded agreement with a governmental agency that provides for a rent limitation to a qualified tenant, shall be construed as a change in the terms of the tenancy pursuant to Section 827.~~

~~(A) In a jurisdiction that controls by ordinance or charter provision the rental rate for a dwelling or unit, an owner who terminates or fails to renew a contract or recorded agreement with a governmental agency that provides for a rent limitation to a qualified tenant may not set an initial rent for three years following the date of the termination or nonrenewal of the contract or agreement. For any new tenancy established during the three year period, the rental rate for a new tenancy established in that vacated dwelling or unit shall be at the same rate as the rent under the terminated or nonrenewed contract or recorded agreement with a governmental agency that provided for a rent limitation to a qualified tenant, plus any increases authorized after the termination or cancellation of the contract or recorded agreement.~~

~~(B) Subparagraph (A) does not apply to any new tenancy of 12 months or more duration established after January 1, 2000, pursuant to the owner's contract or recorded agreement with a governmental agency that provides for a rent limitation to a qualified tenant, unless the prior vacancy in that dwelling or unit was pursuant to a nonrenewed or canceled contract or recorded agreement with a governmental agency that provides for a rent limitation to a qualified tenant as set forth in that subparagraph.~~

~~(2) The owner has otherwise agreed by contract with a public entity in consideration for a direct financial contribution or any other forms of assistance specified in Chapter 4.3 (commencing with Section 65915) of Division 1 of Title 7 of the Government Code.~~

~~(3) The initial rental rate for a dwelling or unit whose initial rental rate is controlled by an ordinance or charter provision in effect on January 1, 1995, may not until January 1, 1999, exceed the amount calculated pursuant to subdivision (c).~~

~~(b) Subdivision (a) applies to, and includes, renewal of the initial hiring by the same tenant, lessee, authorized subtenant, or authorized sublessee for the entire period of his or her occupancy at the rental rate established for the initial hiring.~~

~~(c) The rental rate of a dwelling or unit whose initial rental rate is controlled by ordinance or charter provision in effect on January 1, 1995, shall, until January 1, 1999, be established in accordance with this subdivision. Where the previous tenant has voluntarily vacated, abandoned, or been evicted pursuant to paragraph (2) of Section 1161 of Code of Civil Procedure, an owner of residential real property may, no more than twice, establish the initial rental rate for a dwelling or unit in an amount that is no greater than 15 percent more than the rental rate in effect for the immediately preceding tenancy or in an amount that is 70 percent of the prevailing market rent for comparable units, whichever amount is greater.~~

~~The initial rental rate established pursuant to this subdivision may not substitute for or replace increases in rental rates otherwise authorized pursuant to law.~~

~~(d) (1) Nothing in this section or any other provision of law shall be construed to preclude express establishment in a lease or rental agreement of the rental rates to be applicable in the event the rental unit subject thereto is sublet. Nothing in this section shall be construed to impair the obligations of contracts entered into prior to January 1, 1996.~~

~~(2) If the original occupant or occupants who took possession of the dwelling or unit pursuant to the rental agreement with the owner no longer permanently reside there, an owner may increase the rent by any amount allowed by this section to a lawful sublessee or assignee who did not reside at the dwelling or unit prior to January 1, 1996.~~

~~(3) This subdivision does not apply to partial changes in occupancy of a dwelling or unit where one or more of the occupants of the premises, pursuant to the agreement with the owner provided for above, remains an occupant in lawful possession of the dwelling or unit, or where a lawful sublessee or assignee who resided at the dwelling or unit prior to January 1, 1996, remains in possession of the dwelling or unit. Nothing contained in this section shall be construed to enlarge or diminish an owner's right to withhold consent to a sublease or assignment.~~

~~(4) Acceptance of rent by the owner does not operate as a waiver or otherwise prevent enforcement of a covenant prohibiting sublease or assignment or as a waiver of an owner's rights to establish the initial rental rate, unless the owner has received written notice from the tenant that is party to the agreement and thereafter accepted rent.~~

~~(e) Nothing in this section shall be construed to affect any authority of a public entity that may otherwise exist to regulate or monitor the grounds for eviction.~~

~~(f) This section does not apply to any dwelling or unit if all the following conditions are met:~~

~~(1) The dwelling or unit has been cited in an inspection report by the appropriate governmental agency as containing serious health, safety, fire, or building code violations, as defined by Section 17920.3 of the Health and Safety Code, excluding any violation caused by a disaster.~~

~~(2) The citation was issued at least 60 days prior to the date of the vacancy.~~

~~(3) The cited violation had not been abated when the prior tenant vacated and had remained unabated for 60 days or for a longer period of time. However, the 60-day time period may be extended by the appropriate governmental agency that issued the citation.~~

Section 4.

If any provision of this Act or the application thereof to any person or circumstances is held invalid, that invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.

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