

**CITY COUNCIL MEETING
TUESDAY, MARCH 27, 2018**

PRESENTATIONS

ITEM 7 – WS 18-011

FOLLOW-UP DISCUSSION OF RENTAL HOUSING AFFORDABILITY STRATEGIES AND COMMUNITY PROPOSED TENANT PROTECTIONS

RENTAL AFFORDABILITY STRATEGIES

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March 27, 2018

PRESENTATION FOCUS

Council
supported
housing
affordability
strategies

- Mandatory mediation
- Longer noticing periods
- Reducing barriers to development
- Improving access to information

Community-
proposed
emergency
tenant
protections

- Removal of decontrol language
- Rent Increase moratorium
- Moratorium on no cause evictions or amendment of eviction for cause language

BACKGROUND

- **Jan 31, 2017:** Council Work Session to review housing affordability strategies and resources
- **Jan 10, 2018:** Hosted tenant stakeholder's meeting
- **Jan 17, 2018:** Hosted landlord stakeholder's meeting
- **Feb 6, 2018:** Council Work Session to review policy options identified through stakeholder feedback. Council identified four policy options.
- **Feb 26, 2018:** Hosted a stakeholder's meeting to seek additional feedback regarding the four policy options.

COUNCIL SUPPORTED HOUSING AFFORDABILITY STRATEGIES: **MANDATORY MEDIATION**

Mediation

- Neutral third party finds points of agreement to arrange an agreeable solution
- Typically non-binding

Arbitration

- Neutral third party reviews evidence and testimony to make a decision
- Typically binding

COUNCIL SUPPORTED HOUSING AFFORDABILITY STRATEGIES: **MANDATORY MEDIATION**

SCOPE

Units covered

Rent increase threshold

Issues heard

PROCESS

Mediation with service provider

Arbitration with rent review board

DECISIONS

Binding

Not binding

MANDATORY

How is it mandatory?

What are the consequences

RETALIATION PROTECTION

State law

More than state law

SUSPENSION OF RENT INCREASE

Yes

No

Split between parties

COUNCIL SUPPORTED HOUSING AFFORDABILITY STRATEGIES: **LONGER NOTICING PERIODS**

- **Notice required for rent increases under state law**
 - 30 days for rent increases 10% or less
 - 60 Days for rent increases above 10%
- **Community feedback varied greatly**
 - Extending noticing period from 15 days to 1 year
 - Add special allowances for households with small children, fixed incomes or hardships in addition to extension
 - Consider extending noticing periods for no cause evictions
- **NOT AVAILABLE AS AN OPTION DUE TO CONSTRAINTS UNDER STATE LAW**

COUNCIL SUPPORTED HOUSING AFFORDABILITY STRATEGIES: **BARRIERS TO DEVELOPMENT**

- **Stakeholders identified the need to:**
 - *Streamline processes;*
 - *Improve appeal processes;*
 - *Reduce costs to develop;*
 - *Build more affordable housing or mixed income housing;*
 - *Rehabilitate existing buildings and restrict these as affordable housing;*
 - *Collaborate with other organizations; and*
 - *Leverage outside funds such as county funds or regional funding.*
- **There are many options to explore and staff will bring this topic back for further discussion and direction in September 2018.**

COUNCIL SUPPORTED HOUSING AFFORDABILITY STRATEGIES: **IMPROVE ACCESS TO INFORMATION**

- **Lean accelerator team is running experiments to determine if staff and the City's website respond effectively to housing inquiries.**
- **Stakeholder comments called attention to the need**
 - To provide information in plain language,
 - Better communicate processes
 - Create materials that address diverse communication needs
 - Distribute information through other organizations

COMMUNITY PROPOSED EMERGENCY TENANT PROTECTION MEASURES

Removing Vacancy Decontrol Language from the Residential Rent Stabilization Ordinance

- *Would disproportionately impact a small number of landlords.*
- *Council could consider increasing the decontrol threshold.*

Enacting an Emergency Moratorium on Rent Increases

- *Will only delay scheduled rent increases.*
- *Staff does not recommend at this time.*

COMMUNITY PROPOSED EMERGENCY TENANT PROTECTION MEASURES

Adopting an Emergency Moratorium on No Cause Evictions or Amendment of Eviction For Cause Language in the Residential Rent Stabilization Ordinance.

- *A moratorium will not address the problem.*
- *Council could consider the following options regarding eviction for cause protections:*
 - *Maintain existing eviction for cause language; or*
 - *Modify existing language to clarify that eviction for cause protections cover both controlled and decontrolled units covered under the ordinance.*

QUESTIONS

1. **WHAT IS COUNCIL DIRECTION REGARDING THE FOLLOWING 6 MANDATORY MEDIATION PROGRAM COMPONENTS?**
 - a. Scope of mediation program (*units covered, rent increase threshold, issues heard*)
 - b. Process (*mediated by service provider or arbitrated by rent review board*)
 - c. Enforceability of decision (*binding or non-binding*)
 - d. Mandatory (*What does participation look like? What are the consequences?*)
 - e. Retaliation Protection (*Is state law sufficient?*)
 - f. Suspension of Rent Increases during process (*Yes, No or half*)
2. **SHOULD STAFF EVALUATE FURTHER ANY OF THE COMMUNITY PROPOSED EMERGENCY TENANT PROTECTION MEASURES?**
 - a. Modification of vacancy decontrol threshold
 - b. Modification of existing eviction for cause language under the Residential Rent Stabilization Ordinance

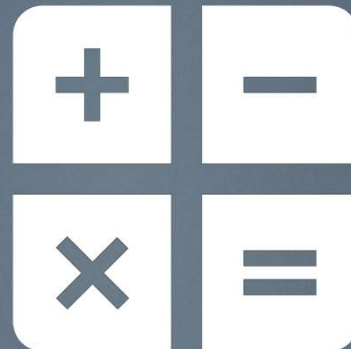
NEXT STEPS

TIMELINE

Improve Access to Information	May 2018
Mandatory Mediation	May 2018
Community Supported Tenant Protections <i>(If directed by Council)</i>	May 2018
Reducing Barriers to Development	September 2018

ITEM 8 – PH 18-025

**FY 2019 MASTER FEE/FINE
AND BAIL SCHEDULE**



FY 2019 Master Fee / Fine and Bail Schedule

Fee Compliance



- ▶ All fees have been reviewed to ensure compliance with:
 - ▶ Prop 26
 - ▶ Prop 218

FY 2019 Changes



- ▶ A portion of the changes included in the master fee schedule for adoption have been previously approved by resolution
- ▶ No changes at this time to:
 - ▶ Fine & Bail Schedule
 - ▶ Fees at Hayward Executive Airport

Notable Changes

- ▶ Cannabis Licensing Program, License Renewal, Inspection, Penalties Fees: **Range from \$5,000 to \$15,500**
- ▶ New (Deposit) Fee for Landscaping Lighting Assessment District Benefit Zone Annexation & Formation: **\$15,000**
- ▶ Library Room Rental Fees: **\$10-\$150 per hour**

Questions & Approval

