

COMMUNITY DEVELOPMENT AGENCY
HOUSING AND FEDERAL GRANTS DIVISION

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www.marincounty.org/cda

September 11, 2018

Board of Supervisors
County of Marin
3501 Civic Center Drive
San Rafael, California 94903

SUBJECT: Rental housing workshop on recommended enhancements to the multi-unit housing inspection program and options for Just Cause for eviction policies.

Dear Board Members:

RECOMMENDATION:

1. Receive staff presentation and approve changes to the County's multi-unit housing inspection program;
2. Hold a workshop and receive public testimony on Just Cause for eviction ("Just Cause") policies; and
3. Direct staff to pursue one of the following options:
 - a. Prepare a draft Just Cause ordinance for your Board's consideration at a future public hearing; or
 - b. Discontinue or suspend consideration of a Just Cause ordinance.

The Board of Supervisors has been reviewing and implementing various policies and programs aimed at addressing affordable housing and tenant protections in unincorporated Marin. A number of these policies have been implemented and we continue to explore policy options to address these important community issues. Specifically, your Board has taken the following actions over the past three years:

- Designated \$1 million dollars from the General Fund for funding of affordable rental housing for families;
- Acquired multi-family rental properties for preservation as affordable housing;
- Amended the Development Code to encourage accessory and junior accessory dwelling units;
- Adopted a Fair Housing ordinance to establish source of income protection;
- Adopted a Rental Housing Dispute Resolution ordinance to establish a mandatory mediation program; and
- Implemented two landlord incentives programs.

The purpose of this workshop is to provide your Board with an update on recommended improvements to the County's multi-unit housing inspection program and to review options for Just Cause policies.

HOUSING INSPECTION PROGRAM

BACKGROUND: County staff is currently responsible for inspecting rental housing properties with three or more units located within the unincorporated County and cities and towns in Marin except for the City of San Rafael and City of Novato, both of which administer their own housing inspection and enforcement programs. Staff currently inspects approximately 8,900 rental units on approximately 650 properties, representing 48% of the total number of units and 44% of rental properties within the entire county. Similarly, the Marin Housing Authority has assumed responsibility for inspecting public housing units and correcting violations within their purview.

County staff initiates the standard inspection process by providing advance written notification of the inspection date to the owner. Staff typically inspects 20-30% of the units on the day of inspection. A standard fee is charged annually to the property owner along with an operating permit to cover the County cost of conducting the program, with fees varying based on the number of units on a property.

RECOMMENDED CODE ENFORCEMENT ENHANCEMENTS: During your deliberations on tenant protection measures, the Board received public testimony regarding the lack of proper or timely maintenance of rental units that may result in substandard living conditions, potential adverse health effects for tenants, and violations of state housing law administered by the County. The Board responded to this input by requesting that staff evaluate the County's housing inspection and enforcement program to consider ways of ensuring staff is working effectively with landlords and tenants to identify and resolve housing code problems.

With that directive in mind, staff has been consulting with the Board of Supervisors ad-hoc Housing Subcommittee to explore changes to current inspection and enforcement procedures and policies. This effort has resulted in staff proposing the following program changes:

1. Inspect 100% of rental units on a property if one of two events occur:
 - a) County staff finds more than one major code violation within a building or on the property (typical major violations include vermin infestation, leaking roofs, windows or siding, and excessive mold attributed to leaks, sanitary sewer line failure and persistent plumbing leaks).

Properties would return to the standard protocol of staff inspecting 20%-30% of the units on a property only after all violations have been corrected in a timely manner.

- b) The property owner or their property manager fails to correct code violations within a reasonable period of time as determined by staff, based on magnitude of code violation and work required to correct.
2. Charge additional fees to property owner to offset County cost of additional inspection and enforcement time.

3. Increase and enhance staff resources by adding a Spanish speaking inspector to the program.
4. Expand the agency's website presence by including educational and referral information on a variety of topics, such as landlord and tenant rights and responsibilities, landlord tenant dispute resolution, rodent infestation, indoor air quality, mold, and services offered by Legal Aide of Marin.

Property inspections prompted by tenant complaints will continue to be responded to within 24-48 hours based on the severity of the alleged violation. Staff responses are usually initiated by way of return phone call to the tenant.

Staff will provide a report on implementation of these changes to the Board prior to the end of 2019.

JUST CAUSE POLICY OPTIONS

SUMMARY: Just Cause policies are intended to provide stability for households who rent by regulating the grounds for eviction, typically by prohibiting termination of a residential tenancy without a specific reason. These policies serve to promote greater awareness of the rights and responsibilities of landlords and tenants and provide a clear and transparent process for evictions and lease terminations,¹ particularly when rental agreements do not exist or lack specificity. Even in jurisdictions with Just Cause policies, landlords retain the legal right to evict tenants who fail to pay rent, breach material lease terms, cause legal nuisances to the landlord or fellow tenants, or engage in criminal activity. Landlords also have the ability to "go out of business" by withdrawing buildings with residential units from the rental market. Just Cause policies protect responsible tenants from unpredictable evictions. However, they do not prevent landlords from raising rents or limiting the amount that rents may increase,² nor do they prohibit lease terminations or evictions based on specified causes, including non-payment of rent or other material violations of a rental agreement.

Under State current law, landlords have the legal right to terminate a periodic tenancy without reason so long as they provide the tenant written notice to vacate. State law requires that a residential tenant living in a home for less than one year receive 30-day written notice; the termination of a tenancy where the tenant has resided in a home for one year or more must be noticed 60 days in advance. Landlords can also serve tenants with a three-day written eviction notice for any cause consistent with the State Code of Civil Procedure § 1161, such as non-payment of rent or remaining in a home after the expiration of a lease. In addition, the state Ellis Act (Government Code §§ 7060-7060.7) requires that property owners be allowed the withdraw their properties from the residential rental market.

¹ An eviction occurs when a residential tenant is forced out of their home by action or decision of a landlord or property manager. Lease terminations are considered informal evictions. A formal eviction comes with a court order and can create additional barriers for tenants seeking to relocate, since many landlords screen for recent evictions.

² Pursuant to the County's recently adopted Rental Housing Dispute Resolution ordinance ("Mandatory Mediation"), rent increases are not valid if a landlord fails to properly notice the tenant of the increase by providing them with a notice of tenant rights, or if a landlord is found by a hearing officer to have acted in violation of the program's requirement to participate in good faith.

Responses to frequently asked questions are provided as the second attachment to this report.

BACKGROUND: The Board of Supervisors recent work on tenant protection and affordable housing policy options has been prompted by a number of factors contributing to the severe shortage of affordable homes that currently exist in Marin and many other communities.

Marin County is a highly desirable place to live and work because of its beautiful setting, distinctive communities, and abundant cultural and recreational opportunities. In addition, more than 80% of the land in Marin is dedicated to parkland, open space, and agriculture, thus protecting or restricting it from further development. As housing costs have increased steadily, the sources of funding to support the preservation and creation of affordable housing opportunities have shrunk. These trends are reflected by low vacancy rates, the pressures of increasing demand, and a widening gap between housing affordability and the cost of purchasing and renting a home. Many lower- and moderate-income residents, including seniors and families, are struggling with the high cost of housing. In addition, Marin's workforce is facing longer commutes with fewer of those employed by local businesses living in the County.

Marin County is part of the San Francisco Metropolitan Statistical Area (MSA), which continues to have the second highest median home sales price in the nation following the San Jose MSA.³ Housing prices in Marin and much of the Bay Area have been high for many years; however, a dramatic rise has occurred since the 2008 recession. In 2009, the median home sales price in Marin was \$750,000 for a single-family detached home, and \$337,000 for a condominium/townhome. By 2017, the median home sales price was \$1,334,000 for a single-family detached home and \$700,000 for a condominium/townhome.

Rental prices have also soared. In 2005, the average rental in Marin cost \$1,478 per month. Despite the 2008 recession, this figure climbed to \$1,673 per month by 2009. As of June 2017, average rents have jumped up 65% since 2005, to \$2,448 per month.⁴ Based on housing affordability standards,⁵ a household would need to earn \$8,187 per month or \$98,240 per year to afford the average rental in Marin, and approximately \$200,000 per year (\$17,000/month) to afford the average purchase price of a single-family home.

³ (2018). *Metropolitan median area prices and affordability*. Retrieved from <https://www.nar.realtor/research-and-statistics/housing-statistics/metropolitan-median-area-prices-and-affordability>

⁴ Burke, Michael J. (2018). *Marin County rental statistics, second quarter 2018*. Retrieved from <http://www.marinapartments.com/docs/RentalSurvey.pdf>. This report includes a disclaimer that the "information is deemed reliable but accuracy cannot be guaranteed." CoStar Market Analytics, the creator of the first-order data and analysis, typically surveys only large apartment buildings.

⁵ According to the US Department of Housing and Urban Development (HUD), "families who pay more than 30 percent of their income for housing are considered cost burdened and may have difficulty affording necessities such as food, clothing, transportation and medical care." Retrieved from http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/affordable_housing.

While Marin is known for its affluence, roughly 20,000 people, or 8% of the County population, live below the Federal poverty line. Another 30% (more than 50,000 people) live below the California Self-Sufficiency Standard (SSS), which includes the costs of basic needs for California’s working families.⁶ Given these statistics, it is not surprising that many Marin households are experiencing housing instability. According to 2016 American Community Survey data, approximately 69% of households in unincorporated areas of Marin own the home they occupy, while the remaining 31% are renters.⁷ The data for median incomes and median home prices indicate that many existing homeowners in Marin would likely not be able to purchase their home again at current market rate prices.

Rising housing costs and diminishing supply is contributing to the loss of much of the already limited supply of rental housing stock affordable to lower- and moderate-income households. The lack of affordable rental housing has also contributed to a rise in the local population of people experiencing homelessness and those who are only precariously housed.⁸ The Marin County 2017 Point in Time Count⁹ of people experiencing homelessness revealed a total of 1,117 people who were homeless.¹⁰ The 2017 homeless count included a total of 75 families with children, accounting for 18% of the overall homeless population. Of those surveyed for the 2017 count, 35% shared that this was their first time experiencing homelessness, and 64% said they’ve been homeless for a year or more.

In 2015, the County released the Rental Housing Survey to solicit input from renters and landlords regarding the rental housing market in Marin. Of the more than 800 tenant-respondents, 372 (45%) were concerned with insecurity and instability of their rental home; 59% of respondents were worried about rent increases and/or eviction. The current state of the rental housing market and its impact on the local economy is prompting jurisdictions across the Bay Area and beyond to consider measures such as Just Cause policies to address the tight rental market.

Affordable housing policies

A Just Cause ordinance was first identified by your Board in a four-part workshop series covering a variety of tenant protection and affordable housing policy options held between October 2015 and February 2016 (Attachments 3 – 6). In the final workshop of that series, your Board approved an eleven-part policy work plan to preserve housing affordability and prevent displacement, including consideration of a Just Cause ordinance.

⁶ United Way Bay Area. (October 2017). *Snapshot of poverty: Marin County*. Retrieved from <https://uwba.org/wp-content/uploads/2017/10/Marin-Snapshot.pdf>.

⁷ U.S. Census Bureau (2016). *Tenure by Units in Structure, 2012-2016 American Community Survey 5-year estimates*. Retrieved from <https://factfinder.census.gov>.

⁸ A person is considered precariously housed and at risk of homelessness if they are about to lose housing and have no other place to live, or are housed but living temporarily with friends or family because they lack the resources and/or support networks to retain or obtain permanent housing and/or are housed but have moved frequently due to economic reasons and/or are living in severely overcrowded housing.

⁹ The Point in Time count is a Housing and Urban Development requirement to count the number of sheltered and unsheltered homeless persons on a single night in January on a biannual basis.

¹⁰ Marin County Health & Human Services. (July 2017) *Marin County 2017 homeless count & survey: Executive summary*. Retrieved from https://www.marinhhs.org/sites/default/files/files/servicepages/2017_07/marin_pit_executive_summary_2017.pdf.

The implementation schedule for the work plan has been revised since its initial approval (Attachment 7). Most recently, during the Board of Supervisors December 12, 2017 hearing on the Rental Housing Dispute Resolution program ("Mandatory Mediation"), the Board signaled its intent to hold a workshop to conduct a focused discussion of Just Cause policies (Attachment 8).

On June 12, 2018, the Board of Supervisors received the initial recommendations from a Community Advisory Group and Steering Committee for the County's ongoing Assessment of Fair Housing (Attachment 9). The recommendations are based on an extensive community engagement process reaching over 1,400 people from all areas of Marin, with a focus on communities most impacted by barriers to fair housing choice. Among the initial priority recommendations from the Advisory Group and Steering Committee is the Board's consideration of a Just Cause ordinance during 2018.

DISCUSSION: Just Cause ordinances are used by local jurisdictions to promote tenant stability and preservation of affordable housing options, particularly in low-vacancy and expensive housing markets. Just Cause policies ensure that landlords can lawfully evict tenants so long as the landlord has an acceptable reason while also protecting tenants from capricious, discriminatory or retaliatory evictions.

Notwithstanding the landlord protections in State law, landlords and rental property owners tend to view Just Cause ordinances as being onerous and complicating the current eviction process, in which a landlord has only to inform a tenant that their lease is being terminated to initiate an eviction. They maintain that Just Cause policies may discourage investment in rental property, increase operating costs and rental prices, make it more difficult to remove problematic tenants, and express concern that adoption of such policies could foretell that of rent stabilization. Landlord organizations also point to existing laws that protect renters from arbitrary or unreasonable evictions. For example, State law prohibits renters from being evicted in retaliation for filing a complaint about unsafe or unhealthy living conditions.

Because the County is in the process of preparing a fair housing study, Just Cause policies should be examined in light of overcoming barriers to fair housing choice by improving and stabilizing low-income neighborhoods while protecting against displacement. Just Cause policies relate to fair housing laws in three essential ways:

1. *Discriminatory or retaliatory intent.* The reason for eviction may be difficult to prove if no cause is provided by the landlord. Providing a reason for an eviction can provide transparency for all parties involved, reducing the chance that a noticed eviction is motivated by unlawful discrimination or retaliation.
2. *Consequences of exclusionary housing practices.* Due to historical housing policies in Marin County, members of protected classes¹¹ have been prevented from accessing homeownership and they continue to face increased obstacles to attaining it. Members of the protected classes are therefore more likely to be renters who could

¹¹ As noted by the U.S. Department of Housing and Urban Development (HUD), members of protected classes defined by the Fair Housing Act include race, color, national origin, religion, sex, familial status and disability.

benefit from policies like Just Cause. The protections embodied in such policies are often designed to prevent or relieve displacement pressures for existing tenants, thereby avoiding the exacerbation of unwanted historical housing patterns, such as segregation. According to data collected by Fair Housing Advocates of Northern California, members of protected classes are overrepresented in lease terminations compared with the overall population, and evictions are commonly intertwined with discrimination and fair housing complaints.

3. *Cost of moving.* The cost of moving is more than the movers and materials themselves, notably in areas with low-vacancy and expensive housing markets, like Marin County. To find new housing, renters must also have enough money for security deposits which may cost as much as twice the monthly rate. In a market where the Fair Market Rent for a two-bedroom apartment is \$3,121,¹² security deposits can easily be as much as \$5,000. Additionally, given the low vacancy rate, an unexpected move may force the tenant to either pay rent two apartments for some period or otherwise face homelessness.

Just Cause policies typically permit a landlord to recover possession of a rental unit for any of the enumerated reasons to permit evictions, which may vary slightly between jurisdictions. The attached samples (Attachment 1) provide examples of Just Cause from other Bay Area communities. Reasons for eviction which are usually included in Just Cause ordinances can be characterized as either "for cause" (those resulting from the tenant's behavior) or "no fault" (those resulting from the landlord's desired uses for the property).

Common "for cause" reasons for terminations are as follows:

- The tenant has failed to pay the rent to which the landlord is entitled.
- The tenant has violated their lease or rental agreement and has failed to comply after receiving lawful notice.
- The tenant is committing a nuisance, permitting a nuisance to exist, or is causing damage to the rental unit or the property. A nuisance is anything that creates an unreasonable interference with the comfort, safety, or enjoyment of any of the other residents of the same or adjacent buildings.
- The tenant is using a rental unit or permitting it to be used for any illegal purpose. This includes committing any such acts within a 1,000 foot radius of the boundary line of the property.
- The person in possession of the rental unit at the end of a lease term is a subtenant not approved by the landlord.
- The tenant has refused the landlord reasonable access to the unit for the purpose of making repairs or improvements, inspection, or for the purpose of showing the rental unit to any prospective purchaser or mortgagee.
- The tenant continues to smoke in the rental unit or in common areas where smoking is prohibited.

¹² U.S. Department of Housing and Urban Development. (2018). *Final FY 2018 FMRs by unit bedrooms*. Retrieved from <https://www.huduser.gov/portal/datasets/fmr.html>.

Common "no fault" reasons for terminations are as follows:

- The landlord seeks to recover possession to demolish the building or unit, or perform other work on the building or unit, that makes the unit uninhabitable for an extended period of time.
- The landlord seeks to recover possession of the rental unit for use and occupancy by the landlord, or the landlord's spouse, grandparents, brother, sister, father-in-law, mother-in-law, son-in-law, daughter-in-law, children, or parents.
- The landlord seeks to recover possession in order to remove the rental unit permanently from rental housing use.
- The landlord seeks to recover possession of the rental unit in order to comply with a governmental agency's order to vacate

No fault terminations permitted under Just Cause ordinances are frequently accompanied by other tenant protections, such as relocation benefits or a right of first refusal if the unit is re-rented.

Just Cause policies have existed in California and the Bay Area since the 1980s. In recent years, such policies have reemerged as a tool to provide stability in rental markets with very-low vacancy rates (Table A shows Just Cause ordinances around the Bay Area and the State).

Table A. Sample Jurisdictions with Just Cause Ordinances			
Jurisdiction	Just Cause? (Year Est.)	Rent Stabilization?	Mediation?
Alameda Co.	Y (2017)	Y	Y
Berkeley	Y (1980)	Y	Y
East Palo Alto	Y (1988)	Y	N
Emeryville	Y (2017)	N	Y
Glendale	Y (2002)	N	N
Hayward	Y (2003)	Y	Y
Maywood	Y (2008)	N	N
Oakland	Y (2004)	Y	Y
Richmond	Y (2016)	Y	Y
San Diego	Y (2004)	N	N
Union City	Y (2017)	N	Y

Along with a Just Cause policy, your Board should also consider the following:

- A. *Applicability:* Other jurisdictions with Just Cause ordinances have found that applicability is more effective when it is simple by virtue of being more easily communicated to, and understood by, both landlords and tenants. However, a Just Cause policy in Marin could be modified to meet local needs and concerns, for example, it could exempt certain properties with an owner-occupant on site.
- B. *Data Collection:* Some Just Cause ordinances include a provision to facilitate the collection of rental data from housing providers through periodic reporting of rent adjustments and lease terminations. This provision could respond to interest from

the Board of Supervisors, landlord and tenant communities, and municipalities in developing more accurate and timely data to inform housing policy decisions.

C. *Relocation Assistance and Right of First Return:* A Just Cause ordinance could also include provisions to help offset relocation costs for tenants in certain scenarios, for example when a new owner decides to renovate and requires tenants to move out. In addition, a right of first return can be made available to tenants displaced by an owner move-in if the owner later decides to re-rent the unit to the general public.

D. *Enforcement:* Staff would recommend that enforcement mechanisms mirror that of the Fair Housing ("Source of Income") ordinance, which sought to create consistent and easily comprehensible civil and criminal provisions. Under this approach, a Just Cause policy in Marin could be implemented as a complaint-based system, where the tenants would be responsible for pursuing alleged violations as a civil action through the Superior Court.

Alternatively, a hearing examiner could review complaints and attempt to resolve them through a mediation process, like that employed by the Rental Housing Dispute Resolution program. In instances where mediation does not produce a resolution, an administrative law judge could arbitrate and determine cases.

CONCLUSION: As has been demonstrated over the past several years, our affordable housing challenge cannot be addressed through one solution alone. The preservation of existing rental housing and the stabilization of its renter community continues to be the County's overarching affordable housing goal.

Staff asks that your Board approve the recommended code enforcement enhancements for multi-family housing and either direct staff to prepare a draft Just Cause ordinance for your Board's consideration at a future public hearing or otherwise direct staff to discontinue or suspend consideration of a Just Cause ordinance.

REVIEWED BY:

- | | |
|--|---|
| <input type="checkbox"/> Auditor Controller | <input checked="" type="checkbox"/> N/A |
| <input checked="" type="checkbox"/> County Counsel | <input type="checkbox"/> N/A |
| <input type="checkbox"/> Human Resources | <input checked="" type="checkbox"/> N/A |

Respectfully submitted,


Leelee Thomas
Planning Manager


Brian C. Crawford
Director

Attachments:

1. Samples of Just Cause ordinances
2. Responses to Frequently Asked Questions (FAQs) regarding Just Cause
3. Staff Report October 13, 2015
4. Staff Report November 17, 2015
5. Staff Report December 15, 2015
6. Staff Report February 9, 2016
7. Staff Report August 1, 2017
8. Staff Report December 5, 2017
9. Staff Report June 12, 2018
10. Administrative record (comments received)

A full reference copy of this staff report and associated attachments will become available for public review at the Board of Supervisors office, 3501 Civic Center Drive, Suite 329 (8:00 a.m. to 5:00 p.m., Monday through Friday) and at the Community Development Agency, Planning Division, 3501 Civic Center Drive, Suite 308 (8:00 a.m. to 4:00 p.m., Monday through Thursday, closed Fridays).



COMMUNITY DEVELOPMENT AGENCY
HOUSING AND FEDERAL GRANTS DIVISION

Samples of Just Cause ordinances

This attached contains samples of Just Cause ordinances recently established in Bay Area communities that do not have rent stabilization ordinances. Union City compliments its Just Cause ordinance with a mediation program like that of Marin County. The city of Emeryville has not established a program to curb rent increases.

1. City of Union City, California – Residential Landlord and Tenant Relations Ordinance
2. City of Emeryville, California – Residential Landlord and Tenant Relations Ordinance

The Marin County informational webpage on Just Cause policies (www.marincounty.org/justcause) provides examples of Just Cause ordinances from additional Bay Area communities.

ORDINANCE NO. 839-17

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UNION CITY ADDING CHAPTER 5.50 "RESIDENTIAL LANDLORD AND TENANT RELATIONS" TO THE UNION CITY MUNICIPAL CODE

WHEREAS, there is an increasing demand for rental housing in the City of Union City leading to rising rents; and

WHEREAS, according to RealFacts (Third Quarter, 2016), the average rent for market-rate units in apartment buildings of 50 units or more in the City of Union City have increased 60% between 2011 and 2016; and

WHEREAS, according to 2009-2013 Comprehensive Housing Affordability Strategy (CHAS) data, 3,370 extremely-low to moderate income renters in Union City pay more than thirty percent (30%) of their gross income on housing and are at greater risk of displacement; and

WHEREAS, the demand for rental housing in City creates an incentive for some landlords to pressure existing tenants to move so that rents can be quickly raised; and

WHEREAS, the City does not currently regulate the relationship between owner and managers of residential property and tenants; and

WHEREAS, secure and stable shelter is a basic necessity of life; and

WHEREAS, on May 17, 2016, the City Council held a study session to review possible tenant protection measures to address rising rents and displacement; and

WHEREAS, on July 12, 2016, the City Council formed a Rent and Tenant Taskforce ("Taskforce") to assist with the consideration of possible tenant protection measures; and

WHEREAS, on September 13, 2016, the City Council appointed fifteen (15) members to the Taskforce and the Taskforce convened seven (7) public meetings from October 2016 to January 2017; and

WHEREAS, on January 31, 2017, the City Council considered the Taskforce's recommendations; and

WHEREAS, on February 14, 2017, the City Council directed staff to develop a just cause eviction and harassment protection ordinance; and

WHEREAS, Article XI, Section 7 of the California Constitution provides that a city may make and enforce within its limits all local police, sanitary and other ordinances and regulations not in conflict with general laws; and

WHEREAS, the City Council wishes to regulate the relations between residential landlords and tenants in order to increase certainty and fairness within the residential rental market; and

WHEREAS, secure and stable rental housing is important for maintaining and protecting the public health, safety and the general welfare; and

WHEREAS, the City Council desires to prohibit residential landlords from terminating the tenancy of a residential tenant without a good, just, non-arbitrary, non-discriminatory reason and to prohibit residential landlords from engaging in harassing behavior; and

WHEREAS, such protections are consistent with City policies; and

WHEREAS, the amendments to the Municipal Code propose to add Chapter 5.50 as shown in Exhibit A, which exhibit is attached and incorporated herein by reference.

THE CITY COUNCIL OF THE CITY OF UNION CITY DOES ORDAIN AS FOLLOWS:

SECTION 1. Recitals. The above recitals are true and correct and made a part of this Ordinance.

SECTION 2. CEQA. Approval of the amendments is exempt from further environmental review under the general rule in California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3) that CEQA only applies to projects that have the potential for causing a significant effect on the environment. As a series of text amendments and additions, it can be seen with certainty that there is no possibility that the ordinance will have a significant effect on the environment.

SECTION 3. Findings. The City Council makes the following findings in support of approving this Ordinance, based on the whole of the record before it.

1. The City has a substantial government interest in regulating the relations between residential landlords and tenants in order to increase certainty, stability, and fairness within the residential rental market.
2. The amendments are neither overbroad nor vague, and are consistent with the City's efforts to protect the public health, safety and the general welfare.

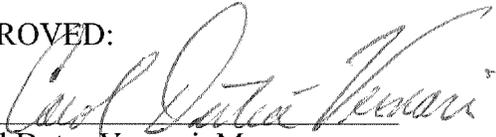
SECTION 4. Approval. The City Council hereby approves the amendments to the Municipal Code, more particularly, adding Chapter 5.50 as shown in attached Exhibit A, which is incorporated herein by reference and available for review in the City Clerk's office during normal business hours.

SECTION 5. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the Ordinance, including the application of such part or provision to other persons or circumstances shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this Ordinance are severable. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be held unconstitutional, invalid, or unenforceable.

SECTION 6. Publication and effective date. Within fifteen (15) days from and after adoption, this Ordinance shall be published once in the Tri-City Voice, a newspaper of general circulation printed and published in Alameda County and circulated in the City of Union City, in accordance with California Government Code Section 36933. This Ordinance shall take effect and be enforced thirty (30) days after its adoption.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Union City at a regular meeting held on April 11, 2017 by the following vote:

- AYES: Councilmembers Duncan, Singh, Vice Mayor Gacoscos, and Mayor Dutra-Vernaci
- NOES: None
- ABSENT: Councilmember Ellis
- ABSTAIN: None

APPROVED:

 Carol Dutra-Vernaci, Mayor

ATTEST:

 Anna Brown, City Clerk

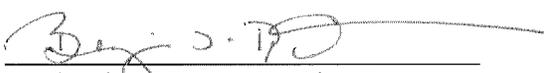
APPROVED AS TO FORM:

 Benjamin D. Reyes II, City Attorney

EXHIBIT A

Chapter 5.50

RESIDENTIAL LANDLORD AND TENANT RELATIONS

5.50.010 Purpose.

The purposes of this chapter are to regulate relations between residential landlords and tenants and to protect tenants from arbitrary, discriminatory, or retaliatory evictions. This legislation is designed to preserve the public peace, health and safety, and advance the housing policies of the City.

5.50.020 Definitions.

A. “Landlord” means an owner, lessor, or sublessor who receives or is entitled to receive rent for the use and occupancy of any rental unit or portion thereof, and includes any legal entity or other individuals, employees, agents, contractors, and subcontractors that comprise or represent the landlord.

B. “Notice of termination” means a written notice that includes all of the components identified in Section 5.50.060.

C. “Owner-occupied residence” means a single dwelling unit in which an individual retains no less than a fifty percent (50%) ownership interest in the individual unit, and resides in that unit as his or her permanent residence no less than ten (10) months of any calendar year.

D. “Rental Unit” means any unit in any real property, regardless of zoning status, including the land appurtenant thereto, that is rented or available for rent for residential use or occupancy (regardless of whether the unit is also used for other purposes), together with all housing services connected with use or occupancy of such property, such as common areas and recreational facilities held out for use by the tenant. A rental unit includes a single family home.

E. “Tenant” means any renter, tenant, subtenant, lessee, or sublessee of a rental unit, or any group of renters, tenants, subtenants, lessees, sublessees of a rental unit, or any other person entitled to the use or occupancy of such rental unit, or any successor of any of the foregoing.

5.50.030 Applicability.

A. The provisions of this chapter shall apply to all rental units within the City, including where a notice to vacate/quit any such rental unit has been served as of the effective date of this chapter but where any such rental unit has not yet been vacated or an unlawful detainer judgment has not been issued as of the effective date of this chapter, except that this chapter shall not apply to the following types of units:

1. Dwelling units in hotels, motels, and lodging rooming house, and boardinghouses, as those terms are defined in Title 18 of this Code, as long as the tenant(s) in a given dwelling unit do not reside in that unit for more than thirty (30) consecutive days. Terminating a tenancy or requiring an occupant to move, or to check out and reregister before the expiration of thirty (30) days’ occupancy is prohibited if a purpose is to avoid the effects of this chapter.

2. The entirety of a single owner-occupied residence, when the owner-occupant rents or leases two (2) or fewer bedrooms.

3. Dwelling units in nonprofit cooperatives owned, occupied, and controlled by a majority of the residents.

4. Each dwelling unit where the rent is controlled, regulated, or restricted by a local, State or Federal government unit, agency, or authority, when the control, regulation, or restriction would preempt local regulation of landlord and tenant relations. This exemption includes, but is not limited to, those dwelling units restricted by a recorded encumbrance on title pursuant to the Federal low income housing tax credit program. This exemption applies unless and until such restrictions, regulations, or controls of residential rents are released or no longer preempt local regulation of the landlord and tenant relationship; this exemption does not apply whenever a dwelling unit may be leased or rented for fair market value.

5. Housing accommodations in any nonprofit hospital, convent, monastery, extended care facility, asylum, residential care or adult day health care facility for the elderly which is licensed for such purpose where such license is required.

6. Rental units in a nonprofit facility that has the primary purpose of providing short term treatment, assistance, or therapy for alcohol, drug, or other substance abuse and the housing is provided incident to the recovery program, and where the client has been informed in writing of the temporary or transitional nature of the housing at its inception.

7. Housing units owned by any government unit, agency, or authority, including but not limited to any division or department of a local, State, or Federal government.

B. The provisions of this chapter may not be waived, and any term of any lease, contract, or other agreement which purports to waive or limit a tenant's substantive or procedural rights under this ordinance are contrary to public policy, unenforceable, and void.

5.50.040 Cause For Termination.

No landlord may terminate a residential tenancy of a rental unit, recover possession of a rental unit or otherwise endeavor to recover possession of a rental unit in the City unless the landlord can demonstrate all of the following:

A. That the landlord possesses a valid business license pursuant to Chapter 5.08 of this Code and has properly registered the rental unit pursuant to Section 5.50.090; and

B. That the landlord has provided the tenant with a notice of tenant rights in accordance with Section 5.50.070; and

C. That the landlord served a notice of termination pursuant to Section 5.50.060; and

D. That the landlord has not accepted and will not accept rent or any other consideration in return for the continued use of the rental unit beyond the term of the terminated tenancy in compliance with California Civil Code Sections 1945, 1946 and 1946.1; and

E. The existence of one of the following grounds for termination:

1. Failure to Pay Rent. The tenant has failed to pay rent to which the landlord is legally entitled pursuant to the lease or rental agreement within three (3) days of receiving written notice from the landlord demanding payment in accordance with California Code of Civil Procedure Section 1161.2. However, this subsection shall not constitute grounds for eviction where tenant has withheld rent pursuant to applicable law.

2. Breach of Rental Agreement. The tenant has violated a material term of the rental agreement.

3. Tenant Illegal Activities. Tenant has used the rental unit for an illegal purpose, including but not limited to the unlawful distribution of a controlled substance as contemplated

by California Civil Code Section 3486, or the unlawful use, manufacture, or possession of weapons and ammunition as contemplated by California Civil Code Section 3486.

4. Violations of Applicable Health and Safety Code. Tenant created or is maintaining a dangerous and unsanitary condition as described in the Union City Municipal Code or applicable Federal and State law, and that condition has not been promptly abated or repaired as contemplated by applicable law.

5. Tenant Rejected Written Lease Extension. Tenant failed to execute a written extension of an existing rental agreement.

6. Unit Will be Substantially Renovated. The landlord, after having obtained all necessary permits from the City to imminently begin and diligently complete the permitted work, seeks in good faith to undertake substantial repairs or planned capital improvements or other necessary rehabilitation that will temporarily remove the rental unit from the rental market because the rental unit will imminently become unfit for human habitation.

7. Landlord Returning from Deployment. Landlord has rented or leased the entirety of a single rental unit during the landlord's deployment by any United States Armed Forces, and once the deployment has concluded, landlord returns immediately to the rental unit as his or her residence that the landlord usually occupies for use during off-duty time.

8. Landlord Condominium Conversion. Landlord is converting the rental unit(s) to a condominium in accordance with Chapter 17.84 of the Union City Municipal Code.

9. Landlord Will Remove Unit from Market. Landlord will, within sixty (60) days, demolish the unit or otherwise remove the unit from any residential rental use or purpose for a minimum of a five (5) year period. Removal of the unit from the market includes a landlord's election to sell the unit to a bona fide purchaser. If the landlord terminating tenancy seeks to return the unit to the residential rental market prior to the expiration of the five (5) year period, the landlord shall comply with Section 5.50.040(F).

10. Landlord Will Move into Unit. Landlord, or one of landlord's parents or children, will, within sixty (60) days, move into and reside in the housing unit as his or her permanent residence no less than ten (10) months of any calendar year, for no less than two (2) years from the termination of tenancy. If a landlord seeks to return the unit to the residential rental market prior to the expiration of the two (2) year period, landlord shall comply with Section 5.50.040(F).

F. For a termination of tenancy pursuant to Section 5.50.040(E)(6), (9) or (10) the tenant is entitled to the right to return. The landlord must notify the tenant, upon notice of termination of tenancy, of the right to receive an offer to return to and rent the rental unit when the landlord returns the rental unit to the rental market. The tenant is entitled to receive an offer to return and rent the rental unit upon the following circumstances: (1) the tenant has provided to the landlord a current mailing address at which to receive an offer of the right to return; and (2) the tenant delivers to the landlord an affirmative written acceptance of the offer to return to and rent the unit within thirty (30) days of delivery by the landlord of the offer to return. For purposes of this subsection, "deliver" and "delivery" include deposit with the United States Postal Service of a sealed, addressed envelope, with first-class postage paid. Except as otherwise provided in this chapter, a tenant's right to return shall terminate after five (5) years.

5.50.050 Anti- Harassment and Other Prohibited Activities.

A. No landlord may do any of the following in bad faith, with ulterior motive, or without honest intent:

1. Interrupt, fail to provide, or threaten to interrupt or fail to provide any housing services under the rental agreement, including but not limited to utility services and other amenities and services agreed to by contract.
 2. Fail to perform repairs or maintenance required by contract or by State, County, or local housing, health, or safety laws;
 3. Fail to exercise due diligence to complete repairs and maintenance once undertaken, including the failure to follow industry-appropriate safety standards and protocols;
 4. Abuse or otherwise improperly use landlord's right to access the property;
 5. Remove personal property of the tenant(s) from the rental unit;
 6. Influence or attempt to influence the tenant(s) to vacate the unit by means of fraud, intimidation, or coercion (including but not limited to threats based on immigration status);
 7. Offer payment or any other consideration, in return for the tenant(s) vacating the unit, more often than once every six (6) months;
 8. Threaten the tenant(s) by word or gesture with physical harm;
 9. Interfere with the tenant(s) right to quiet use and enjoyment of the rental unit;
 10. Refuse to accept or acknowledge receipt of lawful rent from the tenant(s);
 11. Refuse to cash a rent check for over thirty (30) days;
 12. Interfere with the tenant(s) right to privacy;
 13. Request information that violates the tenant(s) right to privacy;
 14. Other repeated acts or omissions of such significance as to substantially interfere with or disturb the tenant(s) comfort, repose, peace, or quiet enjoyment, and that cause, are likely to cause, or are intended to cause the tenant(s) to vacate the unit; or
 15. Retaliate against the tenant(s) for the tenant(s) exercise of rights under this chapter or State or Federal law.
- B. Nothing in this section prohibits the lawful eviction of a tenant by appropriate legal means.

5.50.060 Notice of Termination.

In order terminate a residential tenancy of a rental unit or otherwise endeavor to recover possession of a rental unit, a landlord must send the tenant a notice of termination that contains the reason for termination of the tenancy in accordance with 5.50.040(E). This requirement is in addition to any other notice requirements imposed by local, State or Federal law.

5.50.070 Notice of Tenant Rights.

A. Landlords must provide to each tenant in a rental unit a notice of tenant rights under this chapter in the three (3) predominant languages spoken in the City. Each notice shall include a proof of service. The City shall provide notices for landlord use. The use of the City provided forms shall be prima facie evidence that the landlord has provided the proper notice. The notice shall contain the information and be in substantially the same form as follows: The City of Union City regulates the relationship between most landlords and tenants within the City. Generally, a landlord may only terminate your tenancy for specific reasons, which are set forth in Chapter 5.50 of the Union City Municipal Code. Examples of such reasons include, but are not limited to, a failure to pay rent on time as agreed to in the rental contract. In addition to State and Federal Laws, Chapter 5.50 of the Union City Municipal Code creates certain rights for landlords and tenants. Visit the City of Union City website for more information.

B. Landlords must provide tenants with the notice of tenant rights in accordance with subsection (A) of this section in the following circumstances:

1. Within sixty (60) days of the effective date of this chapter;
2. When entering a lease or rental agreement;
3. When renewing a lease or rental agreement;
4. With a notice of termination;
5. At such times as required by the City of Union City, which may include, but is not limited to, when this chapter is significantly amended.

5.50.080 Civil Remedies.

A. Whenever a landlord retaliates against a tenant for the exercise of any rights under this chapter or engages in activities prohibited under this chapter, the tenant may institute a civil proceeding for money damages or injunctive relief, or both. This section creates a private right of action to enforce all terms, rights, and obligations under this chapter.

B. Any tenant who receives a notice of termination may bring a civil action against the landlord to contest the validity of each necessary component and pre-condition for service of the notice of termination as required by this Chapter and to request injunctive relief to halt the termination of tenancy.

1. A landlord's inability to demonstrate compliance with any individual component of or pre-condition to serve a notice of termination as required by this Chapter will invalidate, nullify, and avoid the effect of a notice of termination. If a notice of termination is invalidated, the tenant(s) will be entitled to costs and reasonable attorney fees incurred to invalidate the notice of termination.

2. If a landlord can demonstrate compliance with each pre-condition to serve the notice of termination to the tenant(s) by a preponderance of the evidence, the notice of termination will be deemed valid and the landlord is entitled to costs and reasonable attorney fees incurred to defend the notice of termination.

C. Any tenant may bring a civil action to determine the applicability of this chapter to the tenancy, including but not limited to a determination of whether the dwelling unit is a rental unit.

5.50.090 Property Registration and Fees.

A. A landlord shall register each rental unit within the City. The registration shall be on forms provided by the City and shall include the name and mailing address of the owner or owners of the rental unit as well as any other information deemed necessary by the City.

B. For the sole purpose of reimbursing the City for the reasonable costs of maintaining property registration records and related administrative systems required by this chapter, the landlord of each rental unit shall pay a fee in an amount to be set by the City for each rental unit.

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**CHAPTER 40.
RESIDENTIAL LANDLORD AND TENANT RELATIONS**

Sections:

5-40.01 Purpose

5-40.02 Definitions

5-40.03 Just Cause for Termination of Tenancy Initiated by Landlord

5-40.04 Relocation Assistance

5-40.05 Anti-Harassment and Other Prohibited Activities

5-40.06 Civil Remedies

5-40.07 Notice of Tenant Rights

5-40.08 Landlord Notice of Termination to Tenant and City

5-40.01 Purpose.

(a) The residential landlord and tenant relations chapter of the Emeryville Municipal Code is enacted to formalize the relations between owners and managers of residential rental property in the City and the tenants who reside in those properties. By formalizing and regulating the landlord-tenant relationship, the City sets clear expectations and provides certainty for both landlords and tenants, promotes fair dealings between landlords and tenants, and recognizes the fundamental importance of residential housing and the landlord-tenant relationship to create a healthy, safe, and vibrant city. This chapter is intended to complement existing State and Federal regulation of the landlord-tenant relationship; it does not summarize or supersede any State or Federal law. The rights and obligations created by this chapter for landlords and tenants are in addition to those rights and obligations under State and Federal law.

(b) The City Manager has the authority to issue interpretations of and regulations to implement this chapter, including regulations to develop a process in which landlords may petition the City for a complete or partial exemption from the obligations set forth in Section 5-40.04.

(Sec. 2 (part), Ord. 16-011, eff. Apr. 1, 2017)

5-40.02 Definitions.

(a) "Covered unit" means every residential housing unit or dwelling unit within or under the jurisdiction of the City of Emeryville except the following:

(1) Dwelling units in hotels, motels, lodging houses, and group residential subject to Chapter 25 of Title 5 are exempt from this chapter so long as the tenant(s) in a given dwelling unit do not reside in that unit for more than thirty (30) consecutive days.

Terminating a tenancy or requiring an occupant to move, or to check out and reregister

before the expiration of thirty (30) days' occupancy is prohibited if a purpose is to avoid the effects of this chapter, in accordance with California Civil Code Section 1940.1.

(2) The entirety of a single owner-occupied residence, when the owner-occupant rents or leases two (2) or fewer bedrooms to one (1) or more lodgers, is exempt from this chapter.

(3) Dwelling units in nonprofit cooperatives owned, occupied, and controlled by a majority of the residents are exempt from this chapter.

(4) Each dwelling unit where the rent is controlled, regulated, or restricted by a State or Federal government unit, agency, or authority, when the control, regulation, or restriction would preempt local regulation of landlord and tenant relations, is exempt from this chapter. This exemption includes, but is not limited to, those dwelling units restricted by a recorded encumbrance on title pursuant to the Federal low income housing tax credit program. This exemption applies unless and until such restrictions, regulations, or controls of residential rents are released or no longer preempt local regulation of the landlord and tenant relationship; this exemption does not apply whenever a dwelling unit may be leased or rented for fair market value.

(5) Housing accommodations in any nonprofit hospital, convent, monastery, extended care facility, asylum, residential care or adult day health care facility for the elderly which must be operated pursuant to a license issued by the California Department of Social Services are exempt from this chapter.

(6) Housing units owned by any government unit, agency, or authority, including but not limited to any division or department of a local, State, or Federal government, are exempt from this chapter.

(b) "Deployment" shall have the same meaning as set forth in 10 U.S.C. Section 991(b) and as may be amended.

(c) "Group residential" shall have the same meaning as set forth in Section 9-2.211 and as may be amended.

(d) "Landlord" means an owner, lessor, or sublessor who receives or is entitled to receive rent for the use and occupancy of any resident rental unit or portion thereof, and includes any legal entity or other individuals, employees, agents, contractors, and subcontractors that comprise or represent the landlord.

(1) "Large landlord" means a landlord of more than four (4) covered units in the City of Emeryville.

(2) "Small landlord" means a landlord of four (4) or fewer covered units in the City of Emeryville.

(e) "Lodger" means a person contracting with the owner of a dwelling unit for a room or room and board within the dwelling unit personally occupied by the owner, where the owner retains a

right of access to all areas of the dwelling unit occupied by the lodger and has overall control of the dwelling unit, as defined in California Civil Code Section 1946.5(c).

(f) "Notice of termination" means a written notice that includes all of the components identified in Section 5-40.08.

(g) "Owner-occupied residence" means a single dwelling unit in which an individual retains no less than a fifty percent (50%) ownership interest in the individual unit, and resides in that unit as his or her permanent residence no less than ten (10) months of any calendar year.

(h) "Relocation assistance" shall have the meaning described in Section 5-40.04.

(i) "Right to return" means the obligation of certain residential landlords to deliver, and the right of certain residential tenants to receive, an offer to return to and rent a covered unit when the landlord returns the unit to the rental market, after temporarily removing the unit from the market under Section 5-40.03(e)(2). Tenant(s) with tenancies terminated pursuant to Section 5-40.03(e)(2) are entitled to receive, and landlord(s) must deliver, an offer to return to and rent the same unit if: (1) the tenant has provided to the landlord a current mailing address at which to receive an offer of the right to return; (2) the landlord returns the covered unit to the rental market within two (2) years of terminating the tenancy under Section 5-40.03(e)(2); and (3) the tenant delivers to the landlord an affirmative written acceptance of the offer to return to and rent the unit within thirty (30) days of delivery by the landlord of the offer to return. For purposes of this subsection, "deliver" and "delivery" include deposit with the United States Postal Service of a sealed, addressed envelope, with first-class postage paid. A tenant's right to return survives regardless of any transfer of legal ownership of the covered unit.

(Sec. 2 (part), Ord. 16-011, eff. Apr. 1, 2017)

5-40.03 Just Cause for Termination of Tenancy Initiated by Landlord.

No landlord may terminate a residential tenancy of a covered unit unless the landlord can demonstrate:

(a) That the landlord possesses a valid residential landlord business license pursuant to Chapter 1 of Title 3;

(b) That the landlord has provided the tenant with a notice of tenant rights in accordance with Section 5-40.07;

(c) That the landlord served a notice of termination to the tenant in the form required by Section 5-40.08, and that the landlord delivers a true and accurate copy of the notice of termination to the City Clerk within ten (10) calendar days of delivery to the tenant(s); and

(d) That the landlord has not accepted and will not accept rent or any other consideration in return for the continued use of the covered unit beyond the term of the terminated tenancy in compliance with California Civil Code Sections 1945, 1946, and 1946.1.

(e) That the termination qualifies as a for cause or no fault termination, as defined below.

- (1) For Cause Terminations. If a landlord can show any of the following circumstances with respect to a termination of tenancy, the termination will qualify as for cause.
- (i) Failure to Pay Rent. Tenant failed to pay rent within three (3) days of receiving written notice from the landlord demanding payment in accordance with California Code of Civil Procedure Section 1161.2.
 - (ii) Breach of Rental Contract. Tenant violated a material term of the rental agreement.
 - (iii) Tenant Illegal Activities. Tenant has used the unit for an illegal purpose, including but not limited to the unlawful distribution of a controlled substance as contemplated by California Civil Code Section 3486, or the unlawful use, manufacture, or possession of weapons and ammunition as contemplated by California Civil Code Section 3485.
 - (iv) Violations of Applicable Health and Safety Code. Tenant created or is maintaining a dangerous and unsanitary condition as described in the Emeryville Municipal Code or applicable Federal and State law, and that condition has not been promptly abated or repaired as contemplated by applicable law.
 - (v) Failure to Allow Landlord Access. Tenant failed to allow landlord access to the unit, after receiving due notice as required by California Civil Code Section 1954.
 - (vi) Tenant Rejected Written Lease Extension. Tenant failed to execute a written extension of an existing rental agreement, but only if the offered written extension is substantially and materially the same as the original rental agreement.
 - (vii) Tenant Violated Occupancy Restriction. Tenant failed to abide by the long-term occupancy restrictions of the rental agreement (i.e., tenant allowed long-term occupancy of the unit by one (1) or more individuals who were not previously contemplated in the rental agreement), but only when the unapproved, long-term occupants of the unit would cause the number of persons living in the unit to exceed the total of two (2) persons per bedroom in the unit plus one (1).
 - (viii) Landlord Returning from Sabbatical to Occupy Unit. Landlord has temporarily rented or leased the entirety of a single covered unit for up to and including one (1) year, when that covered unit qualified as an owner-occupied residence during the calendar year prior to the temporary rental and the landlord intends to return to the covered unit as his or her primary residence to re-qualify the covered unit as an owner-occupied residence for the calendar year after the conclusion of the temporary rental; if the covered unit does not qualify as an owner-occupied residence following the conclusion of the temporary rental, the tenant during the temporary rental is entitled to the right to return.
 - (ix) Landlord Returning from Deployment. Landlord has rented or leased the entirety of a single covered unit during the landlord's deployment by any United States Armed Force, and once the deployment has concluded, landlord returns immediately to the

covered unit as his or her residence that the landlord usually occupies for use during off-duty time.

(x) Landlord Condominium Conversion. Landlord is converting the covered unit(s) to a condominium in accordance with Article 7 (Residential Condominium Conversions) of Chapter 6 (Subdivisions) of Title 9 (Planning Regulations), and has provided the tenant(s) with the relocation assistance payment under Section 9-6.706.

(2) No Fault Terminations. If a landlord can show any of the following circumstances with respect to a termination of tenancy, the termination will qualify as “no fault” and entitles the tenant to relocation assistance in accordance with Section 5-40.04 and the right to return, which includes the right to receive notice from the landlord that the unit will be returned to the rental market and the right to return to and rent the unit under substantially the same material terms as the prior rental agreement when it is placed back in service for residential rental purposes. For purposes of this section, “substantially the same material terms as the prior rental agreement” means substantially similar housing services for a monthly rent charge that may not exceed the amount paid for the last month of the tenancy, subject to any notice provided in accordance with California Civil Code Section 827.

(i) Landlord Will Remove Unit from Market. Landlord will imminently demolish the unit or otherwise permanently remove the unit from any residential rental use or purpose.

(ii) Landlord Will Move into Unit. Landlord, or one of landlord’s parents or children, will imminently move into and reside in the housing unit as his or her permanent residence no less than ten (10) months of any calendar year, for no less than two (2) years from the termination of tenancy.

(iii) Unit Is Temporarily Unfit for Human Habitation. The unit must be temporarily removed from the rental market because the unit is not currently fit for human habitation, but will be repaired and returned to the rental market.

(iv) Unit Will Be Substantially Renovated. The unit must be temporarily removed from the rental market because it will imminently become unfit for human habitation because of planned capital improvements and other necessary rehabilitation, for which the landlord currently possesses all necessary permits to imminently begin and diligently complete the permitted work in order to promptly return the unit to the rental market.

(Sec. 2 (part), Ord. 16-011, eff. Apr. 1, 2017)

5-40.04 Relocation Assistance.

(a) When a landlord terminates a tenancy through a no fault termination, the tenant(s) will be entitled to receive relocation assistance, unless the cause of the no fault termination was a natural disaster or other naturally occurring phenomenon beyond the control of the landlord, such as an earthquake, fire, or flood.

(b) Landlord may pay the relocation assistance to entitled tenants concurrent with or after delivering the notice of termination, but must deliver the relocation assistance to the tenant(s) by the last day of tenancy for which the landlord has received rent.

(c) A large landlord shall pay relocation assistance to the tenant(s), which is equivalent to either five (5) times the most current fair market rents as published annually by the U.S. Department of Housing and Urban Development (“HUD”) for the Oakland-Fremont, California HUD Metro FMR Area in the Federal Register, or four (4) times the monthly rent that the tenant(s) is paying at the time the notice of termination is delivered, whichever amount is greater. The payment must be divided equally among all tenants who are occupying the rental unit at the time the notice of termination is delivered to the tenant(s).

(d) A small landlord shall pay relocation assistance to the tenant(s), which is equivalent to either one (1) month of the most current fair market rents as published annually by the U.S. Department of Housing and Urban Development (“HUD”) for the Oakland-Fremont, California HUD Metro FMR Area in the Federal Register, or one (1) month of rent that the tenant(s) is paying at the time the notice of termination is delivered, whichever amount is greater. The payment must be divided equally among all tenants who are occupying the rental unit at the time the notice of termination is delivered to the tenant(s).

(e) A landlord of group residential covered units shall be exempt from paying any relocation assistance.

(Sec. 2 (part), Ord. 16-011, eff. Apr. 1, 2017)

5-40.05 Anti-Harassment and Other Prohibited Activities.

(a) No landlord may do any of the following in bad faith, with ulterior motive, or without honest intent:

- (1) Interrupt, fail to provide, or threaten to interrupt or fail to provide any housing services under the rental agreement, including but not limited to utility services and other amenities and services agreed to by contract;
- (2) Fail to perform repairs or maintenance required by contract or by State, County, or local housing, health, or safety laws;
- (3) Fail to exercise due diligence to complete repairs and maintenance once undertaken, including the failure to follow industry-appropriate safety standards and protocols;
- (4) Abuse or otherwise improperly use landlord’s right to access the property;
- (5) Remove personal property of the tenant(s) from the rental unit;
- (6) Influence or attempt to influence the tenant(s) to vacate the unit by means of fraud, intimidation, or coercion (including but not limited to threats based on immigration status);
- (7) Offer payment or any other consideration, in return for the tenant(s) vacating the unit, more often than once every six (6) months;

- (8) Threaten the tenant(s) by word or gesture with physical harm;
- (9) Interfere with the tenant(s) right to quiet use and enjoyment of the rental unit;
- (10) Refuse to accept or acknowledge receipt of lawful rent from the tenant(s);
- (11) Refuse to cash a rent check for over thirty (30) days;
- (12) Interfere with the tenant(s) right to privacy;
- (13) Request information that violates the tenant(s) right to privacy;
- (14) Other repeated acts or omissions of such significance as to substantially interfere with or disturb the tenant(s) comfort, repose, peace, or quiet enjoyment, and that cause, are likely to cause, or are intended to cause the tenant(s) to vacate the unit; or
- (15) Retaliate against the tenant(s) for the tenant(s) exercise of rights under this chapter or State or Federal law.

(b) Nothing in this section prohibits the lawful eviction of a tenant by appropriate legal means.

(Sec. 2 (part), Ord. 16-011, eff. Apr. 1, 2017)

5-40.06 Civil Remedies.

(a) Whenever a landlord attempts to prevent a tenant from acquiring any rights under this chapter, retaliates against a tenant for the exercise of any rights under this chapter, or engages in activities prohibited under this chapter, the tenant or the City may institute a civil proceeding for money damages or injunctive relief or both. This section creates a private right of action to enforce all terms, rights, and obligations under this chapter.

(b) Any tenant who receives a notice of termination may bring a civil action against the landlord to contest the validity of each necessary component and pre-condition for service of the notice of termination as required by Sections 5-40.03(a), (b), (c), (d) and (e) and to request injunctive relief to halt the termination of tenancy.

(1) A landlord's inability to demonstrate compliance with any individual component of or pre-condition to serve a notice of termination as defined in Sections 5-40.03(a), (b), (c), (d) and (e) will invalidate, nullify, and avoid the effect of a notice of termination, except that a failure to demonstrate service to the City under Section 5-40.03(c) will not invalidate the notice of termination. If a notice of termination is invalidated, the tenant(s) will be entitled to costs and reasonable attorney fees incurred to invalidate the notice of termination.

(2) If a landlord can demonstrate compliance with each pre-condition to serve the notice of termination to the tenant(s) by a preponderance of the evidence, the notice of termination will be deemed valid and the landlord entitled to costs and reasonable attorney fees incurred to defend the notice of termination.

(c) Any tenant may bring a civil action to determine the applicability of this chapter to the tenancy, including but not limited to a determination of whether the dwelling unit is a covered

unit or whether the residence qualifies as an owner-occupied residence.

(Sec. 2 (part), Ord. 16-011, eff. Apr. 1, 2017)

5-40.07 Notice of Tenant Rights.

(a) Landlords must provide to each tenant in a covered unit a notice of tenant rights under this chapter in substantially the same form as follows:

The City of Emeryville regulates the relationship between most landlords and tenants within the City. Generally, landlords may not terminate your tenancy without cause or explanation, and may not reduce or stop providing services agreed to in the rental contract, so long as you pay rent on time as agreed in the rental contract.

In addition to State and Federal Laws, the Residential Landlord and Tenant Relations chapter of the Emeryville Municipal Code creates certain rights for landlords and tenants, which may include the right to relocation assistance or the right to return to your rental unit if you are evicted. Visit the City of Emeryville website for more information: <http://www.emeryville.org>

(b) Landlords must provide to tenants the notice of tenant rights in accordance with subsection (a) of this section in the following circumstances:

- (1) Within thirty (30) days of enactment of this chapter;
- (2) When entering a lease or rental agreement;
- (3) When renewing a lease or rental agreement;
- (4) With a notice of termination, as provided in Section 5-40.08; and
- (5) At such times as required by the City of Emeryville, which may include, but is not limited to, when this chapter is significantly amended.

(Sec. 2 (part), Ord. 16-011, eff. Apr. 1, 2017)

5-40.08 Landlord Notice of Termination to Tenant and City.

(a) The notice of termination provided to tenants must contain the reason for the termination of tenancy in accordance with Section 5-40.03(e), a notice of tenant rights under Section 5-40.07, and a list of rents charged throughout the tenancy in substantially the same form as provided in subsection (b) of this section. The City of Emeryville makes no claim or representation that the notice of termination satisfies any responsibilities or obligations imposed upon landlords serving a notice of intent to terminate a tenancy under State or Federal law.

(b) The notice of termination must be in substantially the same form as the following:

The City of Emeryville makes no claim or representation that this notice satisfies any responsibilities or obligations imposed by State or Federal Law. You may wish to consult with a private attorney prior to completing this form.

NOTICE OF TERMINATION

This is a notice of the landlord's intent to terminate your tenancy. Read this notice for important information about your rights under the City of Emeryville regulation of landlord and tenant relations. You may wish to consult with a private attorney about the information contained in this notice.

Landlord Information Name: _____ Address: _____ No. of Units Owned in Emeryville _____	Property Information Unit: _____ Address: _____ Emeryville, CA 94608
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Length of Notice <input type="checkbox"/> 30 Days <input type="checkbox"/> 60 Days <input type="checkbox"/> Other: _____ (Specify Days)	Intended Final Date of Occupancy Landlord requests return of unit by: _____ (Day of the Week, Calendar Date/Month/Year)
--	---

Reason for Termination THIS AFFECTS YOUR LEGAL RIGHTS.
 Tenant(s) may be entitled to money to help relocate and the right to return to the unit depending upon the reason for termination. Tenant(s) must provide Landlord with mailing address for Right to Return.
 (Check Only ONE, see Emeryville Municipal Code § 5-40.03 for More Information)

"For Cause"	<input type="checkbox"/> Failure to Pay Rent EMC §5-40.03(e)(1)(i)	<input type="checkbox"/> Breach of Rental Contract EMC §5-40.03(e)(1)(ii)	<input type="checkbox"/> Tenant Illegal Activities EMC §5-40.03(e)(1)(iii)
	<input type="checkbox"/> Violations of Applicable Health & Safety Code EMC §5-40.03(e)(1)(iv)	<input type="checkbox"/> Failure to Allow Landlord Access EMC §5-40.03(e)(1)(v)	<input type="checkbox"/> Tenant Rejected Written Lease Extension EMC §5-40.03(e)(1)(vi)
	<input type="checkbox"/> Tenant Violated Occupancy Restriction EMC §5-40.03(e)(1)(vii)	<input type="checkbox"/> Landlord Returning from Sabbatical to Occupy Unit EMC §5-40.03(e)(1)(viii)	<input type="checkbox"/> Landlord Returning from Deployment EMC §5-40.03(e)(1)(ix)
	<input type="checkbox"/> Landlord Condo Conversion EMC §5-40.03(e)(1)(x)		

"No Fault"	<input type="checkbox"/> Landlord Will Remove Unit from Market EMC §5-40.03(e)(2)(i)	<input type="checkbox"/> Landlord Will Move into Unit EMC §5-40.03(e)(2)(ii)	
	<input type="checkbox"/> Unit Is Temporarily Unfit for Human Habitation EMC §5-40.03(e)(2)(iii)	<input type="checkbox"/> Unit Will Be Substantially Renovated EMC §5-40.03(e)(2)(iv)	

Rent Paid	List Contractual Rental Amount Charged Per Month For Most Months in:					
	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
	Year: 20__	Year: 20__	Year: 20__	Year: 20__	Year: 20__	Year: 20__

City of Emeryville Notice EMC § 5-40.07

The City of Emeryville regulates the relationship between most landlords and tenants within the City. Generally, landlords may not terminate your tenancy without cause or explanation, and may not reduce or stop providing services agreed to in the rental contract, so long as you pay rent on time as agreed in the rental contract.

In addition to State and Federal Laws, the Residential Landlord and Tenant Relations chapter of the Emeryville Municipal Code creates certain rights for landlords and tenants, which may include the right to relocation assistance or the right to return to your rental unit if you are evicted. Visit the City of Emeryville website for more information:

<http://www.emeryville.org>

California Civil Code § 1946 Notice

State law permits former tenants to reclaim abandoned personal property left at the former address of the tenant, subject to certain conditions. You may or may not be able to reclaim property without incurring additional costs, depending on the cost of storing the property and the length of time before it is reclaimed. In general, these costs will be lower the sooner you contact your former landlord after being notified that property belonging to you was left behind after you moved out.

(c) Landlords must provide a copy of the notice of termination to the City Clerk within ten (10) days of delivery to the tenant(s). Landlords must attach a copy of the applicable rental agreement or contract to the notice of termination when submitting the notice of termination to the City Clerk. Notices of termination with a copy of the applicable rental agreement or contract may be mailed or otherwise delivered to:

City Clerk

1333 Park Avenue

Emeryville, CA 94608

ATTN: Notice of Termination of Residential Tenancy

(Sec. 2 (part), Ord. 16-011, eff. Apr. 1, 2017)

Learn more about Just Cause for eviction policies in Marin County



www.marincounty.org/justcause

Just Cause policies are intended to provide stability for households who rent by preventing the termination of leases without reason.

On **September 11, 2018 at 5:30 PM** the **Board of Supervisors will conduct a workshop on Just Cause policies**, receive public testimony, and decide if staff should pursue the development of a Just Cause ordinance.

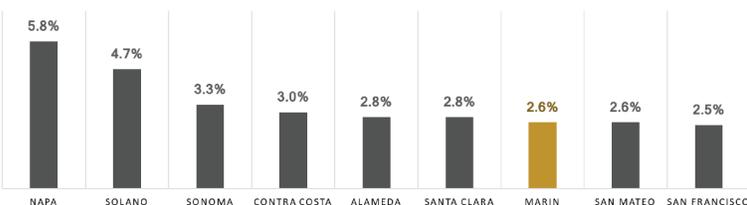
• What is “Just Cause”?

“Just Cause” refers to housing policies that require tenants to be given a legal reason or, a “cause,” for an eviction. Such policies are established by a local ordinance, which provides a list of reasons for which a tenant may be asked to discontinue a rental unit. Just Cause policies are typically intended to provide clarity to landlords and tenants about their rights and responsibilities and, in tight housing markets, may be considered as a tool to improve housing stability for renters.

• What is an eviction?

An eviction occurs when a residential tenant is forced out of their home by action or decision of a landlord or property manager. A legal eviction comes with a court order and can create additional barriers for tenants seeking to relocate, since many landlords screen for recent evictions.

RENTAL VACANCY RATE ACROSS BAY AREA COUNTIES (2016)



source: American Community Survey 5-year estimates (2012-2016)

• Does Just Cause prevent a tenant from being evicted?

Just Cause policies do not protect tenants from eviction if they fail to pay rent or breach their lease agreement.

Other common grounds for eviction allowed under Just Cause policies include:

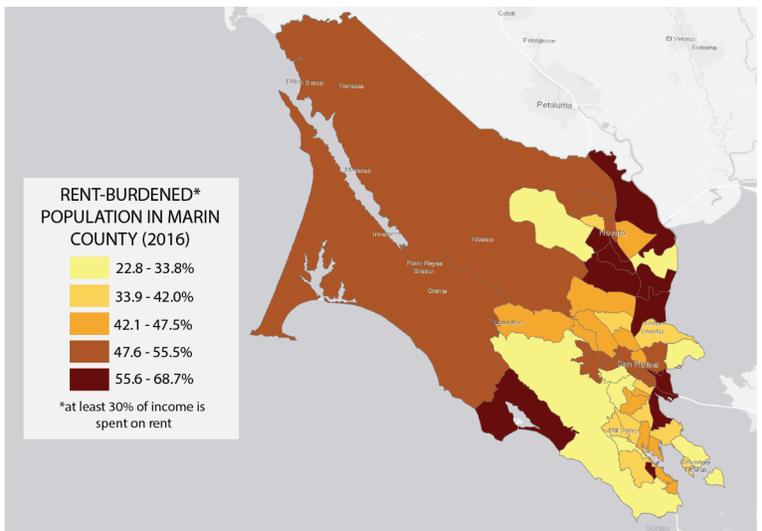
- Tenant uses the property for illegal activities;
- Tenant fails to allow landlord access to the unit, after receiving due notice;
- Tenant rejects a written lease extension;
- Landlord, or an immediate family member, moves into the unit;
- Landlord seeks in good faith to remove the unit from the rental market;
- Unit is declared unfit for human habitation and must be temporarily removed from the rental market; and
- Unit is removed from the rental market because substantial renovations will make it temporarily unfit for human habitation.

• To what properties could Just Cause apply?

Just Cause policies only apply to rental units within the jurisdiction that has adopted a Just Cause ordinance. The ordinance may apply to all rental units within the jurisdiction or alternatively, some communities have modified the applicability of their ordinance to address special circumstances or specific needs.

Potential exemptions include:

- Rental units in which the landlord shares a living space with a lodger;
- Rentals occupied by Housing Choice (“Section 8”) voucher recipients and/or other government-subsidized units; and
- Rental units located on properties in which the owner or a member of their family occupies one of the living units and the structure contains fewer than three dwelling units.



source: American Community Survey 5-year estimates (2012-2016)

• Is Just Cause the same thing as rent control?

No, rent control policies regulate the amount or rate of rent increase that an existing tenant can receive. Just Cause policies define reasons that a tenant may be evicted; they do not address the cost of rent, or a landlord’s ability to increase it.

• Are tenants already protected from arbitrary evictions under California state law?

State law does not require cause for an eviction. It requires only that a tenant receive a 30- or 60-day notice of lease termination, dependent on a resident’s length of tenancy or, in instances where a tenant has failed to pay rent, a tenant must be given a three-day eviction notice.



•Are tenants already protected from discriminatory or retaliatory evictions under California state law?

Federal, State, and local laws forbid discrimination in the housing market on the basis of protected characteristics, such as race or ethnicity, gender, sexual orientation, familial status, disability, and source of income. California Civil Code section 1942.5 also prohibits, for a period of six months, retaliation against tenants who have notified their landlord or an appropriate agency of a code violation in their unit.

Tenants may assert these prohibitions against discrimination or retaliation as an argument against the validity of an eviction action. However, eviction proceedings are designed to be expedited proceedings, and the defenses that tenants are allowed to raise in these proceedings are limited. Additionally, due to the abbreviated nature of eviction proceedings, the opportunity that tenants have to raise and present evidence for these limited defenses, including discrimination and retaliatory eviction, are similarly narrow and may not allow for thorough consideration of such defenses. Since tenants must establish a landlord’s intent to discriminate or retaliate within that framework, defenses that rely on arguments of discrimination or retaliation are difficult to prove and thus may be rarely successful. Additionally, raising a defense like discrimination or retaliation in an unsuccessful eviction defense may preclude a tenant from bringing those claims in a civil suit, where procedures allow for a more thorough investigation of those claims.

Requiring landlords to provide a just cause for eviction in the original notice to the tenant creates a clear framework for both landlords and tenants for eviction proceedings, and may provide a platform for misunderstandings to be better resolved. Under just cause, tenants experiencing an eviction inspired by retaliatory or discriminatory intent would not need to prove the intent of their landlord during the eviction proceedings. Instead, the eviction hearing need only to evaluate whether or not the landlord demonstrated a documented just cause for the eviction.

•What other Bay Area communities have a Just Cause policy?

Several Bay Area communities have adopted Just Cause policies including Berkeley, Hayward, Mountain View, and East Palo Alto. Jurisdictions that have adopted Just Cause policies that do not also have rent stabilization rules include Emeryville, Fremont, Los Gatos, and Union City.

•Do we have data on the number of evictions in the county?

There is no data collected on no-cause evictions. Without a Just Cause policy, landlords are not required to specify a reason for an eviction, and the County is therefore not able to collect and analyze data on the number of and causes for eviction. Some Just Cause policies include data collection provisions that allow for the creation of a localized database to help policymakers track evictions and examine trends in the local housing market. The Marin County Superior Court tracks a subset of evictions called unlawful detainers, which are those evictions that are formally contested by a tenant and are therefore filed in the courts. In 2016 and 2017, there were 371 and 341 filings, respectively. These figures only represent a portion of the total number of Marin evictions during those years since many tenants choose not to contest evictions.

This is because a tenant who fails in the defense of an unlawful detainer action may face additional consequences, such as a damaged credit score and increased hardship in securing a new home, particularly in a region such as the Bay Area, with high demand for limited housing opportunities.

•If we don’t have data on evictions, why is Just Cause being considered in Marin and other jurisdictions?

In 2015, the County released the Rental Housing Survey to solicit input from renters and landlords regarding the rental housing market in Marin. Of the more than 800 tenant-respondents, 372 (45%) were concerned with insecurity and instability of their rental home; 59% of respondents were worried about rent increases and/or eviction. The current state of the rental housing market and its impact on the local economy is prompting jurisdictions across the Bay Area and beyond to consider measures such as Just Cause policies to address the tight rental market.

•How can I stay informed as this process continues?

The Board of Supervisors will hold a workshop to learn more about Just Cause policies on Tuesday, September 11, 2018 at 5:30 PM. Sample ordinances, previous staff reports, and other supplemental materials are available on the Community Development Agency website. Please subscribe to stay informed about the Board’s discussion of Just Cause.

Opportunities for community learning:

In anticipation of the September 11 Board of Supervisors workshop, the Community Development Agency will host two opportunities for community learning where members of the public may ask questions about Just Cause policies.

• Wednesday, September 5, 2018 •

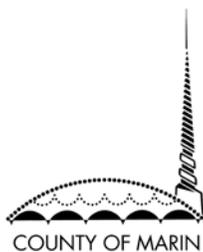
San Geronimo Valley Community Center
6350 Drake Ave, San Geronimo, CA 94963
6:30 PM

• Thursday, September 6, 2018 •

Bayside Martin Luther King Jr. Academy, Multipurpose Room
200 Philips Drive, Marin City, CA 94965
6:30 PM

Spanish interpretation services will be provided at all meetings. Speakers using these services will be granted additional time to testify at the Board of Supervisors workshop on September 11.





COMMUNITY DEVELOPMENT AGENCY

Brian C. Crawford
DIRECTOR

October 13, 2015

Marin County Civic Center
3501 Civic Center Drive
Suite 308
San Rafael, CA 94903
415 473 6269 T
415 473 7880 F
415 473 2255 TTY

Board of Supervisors
County of Marin
3501 Civic Center Drive
San Rafael, California 94903

SUBJECT: Workshop on Preserving Housing Affordability

Dear Board Members:

Building and Safety
Environmental Health Services
Planning
Environmental Review
Housing
Sustainability
Code Enforcement
GIS
Federal Grants

RECOMMENDATION: Staff recommends that your Board review the results of the 2015 Rental Housing Survey, consider options for preventing displacement and preserving housing affordability, and provide direction to staff.

BACKGROUND: A number of factors have contributed to the severe shortage of affordable homes that currently exists in Marin. Marin County is a highly desirable place to live and work because of its beautiful setting, distinctive communities, and abundant cultural and recreational opportunities. In addition, more than 80% of the land in Marin is dedicated to parkland, open space and agriculture, thus protecting or restricting it from further development. As housing costs have increased steadily, the sources of funding to support the preservation and creation of affordable housing opportunities have been shrinking. These trends are reflected by low vacancy rates, the pressures of increasing demand, and a widening gap between housing affordability and the cost of purchasing and renting a home. Many lower and moderate income residents, including seniors and families, are struggling with the high cost of housing. In addition, Marin's workforce is facing longer commutes with fewer of those employed by local businesses living in the county.

www.marincounty.org/cda

Marin County is part of the San Francisco Metropolitan Statistical Area (MSA), which continues to have the second highest median home sales price in the nation following the San Jose MSA.¹ Housing prices in Marin and much of the Bay Area have been high for many years; however a dramatic rise has occurred following the 2008 recession. In 2009, the median home sales price in Marin was \$750,000 for a single-family detached home, and \$337,000 for a condominium/townhome. By 2014, the median home sales prices jumped to \$999,000 for a single-family detached home and \$506,000 for a condominium/ townhome. That represents an increase of 33% for single-family detached home prices and a 50% increase for condominium/townhome prices just in the past six years.

¹ Realtor.org: <http://www.realtor.org/topics/metropolitan-median-area-prices-and-affordability>

Rental prices have soared as well. Ten years ago in 2005, the average rental in Marin cost \$1,478 per month. Despite the 2008 recession, this figure had climbed to \$1,673 per month by 2009. As of June 2015, average rents have jumped by 66% since 2005 to \$2,456 per month.² Based on housing affordability standards³, a household would need to earn \$8,187 per month or \$98,240 per year to afford the average rental in Marin, and approximately \$200,000 per year (\$17,000/month) to afford the average purchase price of a single-family home. The median income for a two-person household in Marin is \$81,500⁴. Given these statistics, it is not surprising that many Marin households are reporting difficulty affording to rent or purchase a home in the county today. According to 2010 census data, approximately 70% of households in Marin own the home they occupy, while the remaining 30% are renters. The data for median incomes and median home prices indicate that many existing homeowners in Marin would likely not be able to purchase their home again at current market rate prices.

The recent changes in the local housing market have made it increasingly difficult for some members of the community (current residents and those who work in the county) to find and maintain affordable housing in the area. The Housing Element points out that as of early 2014 less than 1% of all housing in unincorporated Marin was restricted for lower and moderate income households. A household of two persons is considered “low income” if they earn a combined household income of \$75,100 or less a year, or “moderate income” if they earn \$97,800 or less per year.

Rising housing costs and diminishing supply is contributing to the loss of much of the already limited supply of rental housing stock affordable to lower and moderate income households. The lack of affordable rental housing has also contributed to a rise in the local homeless and precariously housed⁵ population. The Marin County 2015 Point in Time Count of homeless persons was conducted on January 29, 2015, and revealed a total of 1,309 homeless persons, an increase of 38% since January 2013.⁶ The 2015 homeless count included a total of 57 families with children, accounting for 15% of the overall homeless population. Of those surveyed for the 2015 count, 35% shared that this was their first time experiencing homelessness, and 51% said they’ve been homeless for a year or more.

In 2013, an additional 4,388 persons were found to be at risk of homelessness and considered precariously housed. In 2015, this number jumped by 19% up to a total of

² Marin County Rental Statistics, Summer 2015, Michael J. Burke Rental Survey: <http://www.marinapartments.com/docs/RentalSurvey.pdf>

³ According to the US Department of Housing and Urban Development (HUD), “Families who pay more than 30 percent of their income for housing are considered cost burdened and may have difficulty affording necessities such as food, clothing, transportation and medical care.” http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/affordablehousing

⁴ HUD FY2015 Income Limits: <http://www.huduser.org/portal/datasets/il/il15/index.html>

⁵ A person is considered precariously housed and at risk of homelessness if they are about to lose housing and have no other place to live, or are housed but living temporarily with friends or family because they lack the resources and/or support networks to retain or obtain permanent housing and/or are housed but have moved frequently due to economic reasons and/or are living in severely overcrowded housing.

⁶ Marin County Health & Human Services: <https://www.marinhhs.org/point-time-count-marin>

5,222 precariously housed persons. Last year, Marin County Health & Human Services tracked in real time the number of households (either individuals or families) who requested assistance with a housing crisis. Over a one-week period in late 2014, they received 587 requests for assistance from households experiencing a housing crisis (at least 225 of which were families and 286 were individuals).⁷

County Support for Affordable Housing

The 2007 Marin Countywide Plan has a goal of maintaining balanced communities that house and employ persons from all income groups and provide the full range of needed facilities and services. In order to promote diverse and vibrant communities and economies, there is a need to preserve the limited housing opportunities that exist for lower and moderate income households. The following policies of the Countywide Plan and 2015-2023 Housing Element exemplify the County’s goal of supporting a diverse housing stock that offers opportunities for households of all income levels to be an integral part of the local community:

CWP Goal CD-2: Balanced Communities. Maintain balanced communities that house and employ persons from all income groups and provide the full range of needed facilities and services.

CWP Policy CD-2.1 Provide a Mix of Housing. The range of housing types, sizes, and prices should accommodate workers employed in Marin County. This includes rental units affordable to lower-wage earners and housing that meets the needs of families, seniors, disabled persons, and homeless individuals and families.

CWP Policy CD-2.11 Promote Diverse Affordable Housing Strategies. Promote a diverse set of affordable housing strategies to convert existing market rate units to permanently affordable units in addition to building affordable housing in appropriate locations.

CWP Program CD-2.r Convert Existing Market Rate Units. Identify specific strategies and funding mechanisms for the conversion of existing market rate units into permanently affordable housing.

Housing Element Policy 2.2 Housing Choice: Implement policies that facilitate housing and preservation to meet the needs of Marin County’s workforce and low income population.

Housing Element Policy 2.4 Protect Existing Housing: Protect and enhance the housing we have and ensure that existing affordable housing will remain affordable.

⁷ Marin County Health & Human Services, August 2015.

Housing Element Program 2.i: Increase Tenants Protections

Explore providing rental protections, such as:

- Noticing of rental increases
- Relocation costs
- Just-cause eviction
- Rent stabilization
- Rent control

One of the primary goals that guides the Countywide Plan states: ***“A Creative, Diverse, and Just Community. Marin will celebrate artistic expression, educational achievement, and cultural diversity, and will nurture and support services to assist the more vulnerable members of the community.”*** The policy options presented for the Board’s consideration offer a range of measures aimed at making the County an equitable, healthy and safe place to live, regardless of background or income level.

County Efforts

Over the years, the Board of Supervisors has taken a number of steps to promote the development and preservation of affordable housing in the unincorporated county. These efforts include providing a range of funding sources, such as the Housing Trust, jobs-housing linkage fee and large home impact fee, waiving planning and building fees for affordable housing projects, inclusionary housing requirements, creating incentives and adjusting development regulations, and allowing rental of rooms with small food preparation facilities. The full list of these actions with more detail is included as Attachment 1.

While the County has pursued a number of strategies to address the housing shortage, more can be done to prevent further displacement of Marin’s current residents and preserve housing affordability. There are several measures that could be explored further to help current residents remain in the homes they can afford, and to better encourage a range of opportunities for new affordable housing in the County. Measures could include: preservation of units through acquisition and conversion, supporting landlord incentives, revising regulations for second units, creating a more efficient review process for affordable housing development, increasing support for Below Market Rate (BMR) home ownership program, and introducing tenant protections, such as rent stabilization and just cause for evictions.

Around the Bay Area

The current state of the rental housing market and its impact on the local economy is prompting jurisdictions across the Bay Area and beyond to consider measures such as those discussed in this report. The bay area cities of San Francisco, Oakland, Berkeley, San Jose, East Palo Alto, Hayward, and Los Gatos have comprehensive rent regulation programs administered by a rent board, which include rent stabilization, just cause evictions, and other tenant protections. This past August, the City of Richmond adopted an ordinance establishing rent control and just cause for

eviction, and the City of Healdsburg adopted rental housing guidelines to encourage landlords to limit rent increases to no more than 10% annually and provide 90-day notice for rent increases when possible.

Several other local jurisdictions have recently begun the process of considering tenant protections including San Mateo County, City of Alameda and City of Santa Rosa. San Mateo County is implementing several programs, some of which are similar to Marin's efforts to support the preservation and creation of affordable housing opportunities, including an Affordable Housing Fund, utilizing county land for housing, encouraging second unit development, implementing an inclusionary housing requirement for new development, regulating conversion of rental housing to condominiums, and encouraging Section 8 voucher acceptance.

A variety of other affordable housing programs currently exist in the state. A total of 22 cities have rent regulation in place for mobile home parks. The cities of Campbell, Fremont, Gardena and San Leandro offer tenant/landlord mediation service; while the cities of San Diego and Glendale are implementing just cause eviction ordinances. Napa County recently adopted a "Proximity Housing Homebuyers' Assistance Program," which provides down payment assistance of up to 10% for qualifying lower and moderate income households who work in the County and wish to purchase a home within 20 miles of their workplace. The Marin towns of Novato and Tiburon have adopted a Junior Second Unit ordinance to promote the conversion of bedrooms into separate living units in underutilized homes.

Fair Housing

Under state and federal fair housing laws, it is unlawful to restrict housing choice on the basis of race, color, disability, religion, sex, familial status, national origin, sexual orientation, marital status, ancestry, age, and source of income. In 2011, the Board adopted an Analysis of Impediments to Fair Housing Choice (AI) which broadly identifies the actions, omissions, and conditions in the County that may have the effect of restricting housing choice for people protected under state and federal fair housing laws. The AI not only identifies impediments to fair housing choice, but also makes recommendations to overcome the effects of those impediments in an Implementation Plan. The AI is intended to serve as the basis for fair housing planning, providing essential information to County staff, policy makers, housing providers, lenders, and fair housing advocates, and to assist with garnering community support for fair housing efforts.

The AI concludes that substantial impediments to housing choice exist across the rental, sale, and lending markets throughout Marin County. For example, Hispanic, Asian, and particularly Black households are not moving into Marin County in appreciable numbers in part because Marin is viewed as an unwelcoming place for racial minorities; and those minorities who choose to live in Marin may face differential treatment that limits housing choices. Families with children also experience discrimination and are limited in their housing choices that have unit

sizes that can accommodate families. People with disabilities face barriers ranging from housing providers' unwillingness to rent to tenants in need of reasonable accommodations to physically inaccessible housing. As the generation of baby boomers ages, demand has increased for a limited number of beds in residential care facilities for the elderly (RCFEs). Studies have shown that people with disabilities, particularly people of color, have unequal access to senior housing, RCFEs and continuing care facilities. Although fair housing and affordable housing are not synonymous, affordable housing can serve the needs of a diverse community, including those who historically have faced discrimination in finding a place to live.

2015 Rental Housing Survey

In March of this year, the Community Development Agency released the 2015 Rental Housing Survey to solicit input from renters and landlords regarding the rental housing market in Marin (Attachments 2-5). The survey received more than 800 responses from renters, the majority of who indicated that their rent has been raised in the past twelve months and that the cost of monthly rent is the most challenging and prohibitive factor to living in Marin. When asked about monthly rent increases, 498 of the 829 respondents (60%) indicated that their rent has gone up by some amount in the past year. To be more specific, 135 respondents (16%) said their rent increased by \$200 or more per month in the past twelve months; 172 (21%) by \$100 to \$199; 142 (17%) by \$51 to \$99, and 52 (6%) by less than \$50. 261 (32%) of respondents are spending more than 50% of their income on housing, and 382 (46%) indicated that they are paying 30 to 50% of their income toward housing costs. 372 (45%) of respondents have a month-to-month agreement and are living without the security and stability of a longer term lease. Fifty-nine percent of respondents indicated that they have plans to move, citing the cost of their rent payment and concerns about rent increases and/or eviction as their primary reasons. Seventy-seven percent of respondents state that the cost of monthly rent is by far the most significant challenge to renting in Marin, followed by the cost of rent deposits at move-in time (36%), and concern about rent increases and/or eviction (27%).

In the open comments at the end of each survey, participants provided details of their personal struggle to find or maintain housing in Marin that they can afford (Attachment 3). By way of example, parents can't afford to stay in Marin to keep their kids in the county's high performing school districts. Seniors can't afford to transition within their own community as their daily life needs and incomes change. Young people new to the workforce can't afford to live in the area they grew up in. And many of the locally employed people who serve Marin's residents and add significant value to their communities are being displaced due to the affordability gap between their respective wages and current housing prices.

Policy Options

The urgency of the Bay Area housing crisis has put added pressure on the need to consider a full range of solutions that may be feasible at the local level. Staff recommends evaluating a comprehensive set of policy options that together with the measures already being implemented by the County (Attachment 1) would help to prevent displacement and preserve housing affordability. Under the Board’s direction, any options selected from the list below could be presented and discussed in greater depth at a future Board hearing.

Preservation and Conversion:

- *Acquisition for preservation* - Purchase market rate housing for conversion to long-term affordable housing.
- *Workforce home ownership program* - consider a new program to support home ownership for Marin’s workforce, consistent with [Napa County’s Proximity Housing Program](#).⁸ This could include one-time assistance toward a down payment on a home within 20 miles of the workplace for qualifying applicants employed in Marin.
- *Incentives* – Offer one-time incentives to landlords who are willing to rent to low income tenants, including those with Section 8 vouchers. This could include a loan pool to guarantee landlord assistance with the cost of repairing damages or lost rent due to vacancy. Tax incentives or write-offs could also be explored.

New Construction:

- *Second Unit regulations* – Consider adjustments to Second Unit regulations such as incentives for renting the unit to lower income households and reducing impact fees associated with the Second Unit development costs. This is consistent with Housing Element Program 1.e (Consider Adjustments to Second Unit Development Standards).
- *Promote Room Rentals/ “Junior Second Units”* – Identify and promote the existing regulations that permit the conversion of bedrooms into independent rental units within existing homes that may currently be underutilized (e.g. a single person living in a four-bedroom home). This type of housing is also commonly referred to as “Junior Second Units.”
- *Second Unit amnesty* – Consider renewing the second unit amnesty program to legalize illegal second units that are brought up to code to improve housing conditions for moderate and lower income households.
- *Evaluate multi-family land use designations* - Analyze multi-family land use designations to evaluate whether multi-family zoning is appropriately located. This is consistent with Housing Element Program 1.b.

⁸ <http://www.countyofnapa.org/ceo/affordablehousing/>

- *Tiny home village* – Identify appropriate site and funding for a “tiny home” village to house and service the homeless and precariously housed.
- *Pre-approved plans for small homes* - Develop a small residence prototype that offers property owners approved plans for small residences.
- *Streamlined review* – Consider establishing a ministerial review process for affordable housing development that meets predetermined standards, consistent with Housing Element Program 1.d (Study Ministerial Review for Affordable Housing).
- *Below Market Rate (BMR) program* – Consider expanding financial support for the Below Market Rate (BMR) home ownership program
- *Housing Overlay Designation (HOD)* – Analyze the Countywide Plan’s HOD policy for its effectiveness in encouraging the construction of affordable housing. This is consistent with Housing Element Program 1.c.

Tenant Protections:

- *Just cause evictions* – By local ordinance, a landlord must state and prove a valid reason for terminating a tenancy. Typically adopted with a rent stabilization ordinance.
- *Rent stabilization* - Protects tenants from excessive rent increases, while at the same time allows landlords a reasonable return on their investments. Typically ties annual rent increases to the Consumer Price Index (CPI) for shelter.
- *Noticing requirements for rent increases/evictions* – Under California law, a landlord is required to give a 30-day notice to move or 60 days if the tenant has lived in the rental a year or more. Similarly, for rent increases of 10% or less a year, a 30-day notice is required, and for more than 10% a 60 day notice is required. These noticing deadlines could be expanded to provide increased notification for tenants.
- *Relocation costs* - California law provides for tenant relocation fees when a local enforcement agency orders the unit vacated due to an immediate threat to the tenants’ health and safety. Local ordinance can also require monetary relocation assistance when tenants are evicted. Often this is reserved for elderly, disabled or low-income tenants.
- *Source of income protection* - Under California law, it is unlawful for landlords to discriminate against a person because of the person’s source of income. However, because Section 8 vouchers are not considered a source of income, voucher recipients are not covered by this statute. A local ordinance can prohibit housing discrimination based on a tenant’s source of income, including Section 8 vouchers and other third-party payees.

CONCLUSION

With housing prices at an all-time high, vacancy rates at historic lows, and extremely limited opportunities for development of new multi-family housing, exploring options for preventing displacement and preserving housing affordability is a step toward preserving Marin’s community fabric and maintaining an equitable quality of life for all of the County’s residents and workers. The land, financing and public support for new multi-family housing is hard to come by in Marin and very few affordable housing projects have come forward since the Countywide Plan was last updated in 2007. Pursuing some of the above affordability measures would not remove opportunities for new housing in the future, but would help ease some of the pressure for those currently living and working in the County, and serve as an essential component to a more comprehensive housing strategy moving forward.

REVIEWED BY:

- | | |
|--|---|
| <input type="checkbox"/> Auditor Controller | <input checked="" type="checkbox"/> N/A |
| <input checked="" type="checkbox"/> County Counsel | <input type="checkbox"/> N/A |
| <input type="checkbox"/> Human Resources | <input checked="" type="checkbox"/> N/A |

Respectfully Submitted,



Alisa Stevenson
Planner



Brian C. Crawford
Director

Attachments:

1. Existing Supportive Policies for Affordable Housing in Marin
2. Renter Summary Statistics from 2015 Rental Housing Survey
3. Renter Comments from 2015 Rental Housing Survey
4. Landlord Summary Statistics from 2015 Rental Housing Survey
5. Landlord Comments from 2015 Rental Housing Survey

The Board letter and all attachments are available online at:

<http://www.marincounty.org/depts/cd/divisions/planning/housing/affordable-housing>

A full reference copy is available for public review at the Board of Supervisors office, 3501 Civic Center Drive, Suite 329 (8:00 am to 5:00 pm, Monday through Friday) and at the Community Development Agency, Planning Division, 3501 Civic Center Drive, Suite 308 (8:00 am to 4:00 pm, Monday through Thursday, closed Fridays).

Attachment 1

Existing Affordable Housing Support Established by the County of Marin

Over the years, the Board of Supervisors has taken a number of steps to promote the development and preservation of affordable housing opportunities for the community. As detailed below, this has included a range of funding sources, development fees, incentives and adjusted regulations all aimed at supporting affordable housing in unincorporated Marin.

- *New affordable housing development:* Since 1995, the County has contributed to the development or preservation of 528 units of affordable housing located in projects throughout unincorporated Marin, representing 11% of the total affordable units countywide. Most of these projects provide affordable family housing, but three projects are exclusively for low income seniors.
- *Funding for preservation and for construction of new affordable housing:*
 - *The Marin County Affordable Housing Trust Fund* (Housing Trust) was created by the Board in 1980 along with the inclusionary program to increase the stock of permanently affordable housing units in the County. The Housing Trust provides a local source for financial and technical assistance to help affordable housing developers produce and preserve affordable housing. In recent years, the Board has allocated \$250,000 annually from the general fund to the Housing Trust. In the last twenty years, the Housing Trust has been a major funder of every affordable housing development in unincorporated Marin. Since 1988, the Housing Trust has expended over \$14 million in support of approximately 900 units of affordable housing. As of August 1, 2015, the Trust's balance is approximately \$5,550,553.
 - *The Marin Workforce Housing Trust* is a public/private partnership with Board members from the County of Marin, the Marin business community, and the Marin Community Foundation. The Trust was created to meet the challenges of housing affordability for workers throughout Marin County. Through a revolving loan fund, the Trust provides low-interest rate loans for the construction, rehabilitation and preservation of homes affordable to working families, the retired workforce and other vulnerable populations within the community.
 - *The Restricted Affordable Housing Trust Fund* resulted from the excess funds of mortgage revenue bonds and may be used solely for the purposes of residential development or preservation for low and moderate income households, with a priority for projects located in Marin City.
 - *Impact Fee:* The Board adopted the Affordable Housing Impact Fee in 2008, which applies to all new single-family homes larger than 2,000 square feet, as well as

teardowns and major remodels that would result in over 500 square feet of new space. These fees contribute to the Affordable Housing Trust Fund. (MCC Ch. 22.22).

- *Inclusionary Housing:* The Board established the County's inclusionary housing requirement in 1980, which requires residential subdivisions to build or dedicate 20% of the total units or lots to affordable housing. Units built must be preserved as affordable in perpetuity. New rental developments are subject to a rental housing impact fee, or may alternatively provide units within the development affordable to very low income households. Non-residential developments are required to pay a Jobs/Housing Linkage Fee, based on the development type and the total square footage. All fees collected are deposited into the Affordable Housing Trust Fund. (MCC Ch. 22.22).
- *Incentives:* The Board has adopted a range of incentives, including density bonuses, technical assistance, site development alternative standards, priority processing and fee waivers to encourage and facilitate the development of affordable homes, as outlined in Development Code Chapter 22.24. In addition, developments proposed as 100% affordable housing are allowed at the high end of the density range established by the applicable Countywide Plan designation.
- *Second Units:* The County encourages Second Unit development as a valuable infill and intensification strategy, and allows Second Units in all residential zoning districts. Since 2000, the County has issued approximately 255 permits for Second Units throughout unincorporated Marin. The 2015-2023 Housing Element includes a program (1.e) to consider adjustments to Second Unit development standards, including increasing the size limit and reducing permitting fees and other restrictions.
- *Condo Conversion:* The County regulates the conversion of rental property to condominiums by preventing conversions that would (a) reduce the countywide rental vacancy rate below five percent, or (b) reduce the ration of multi-family rental units to less than 25% of the total number of dwelling units in the County without providing replacement rental units.
- *Agricultural Worker Housing Program:* The County has partnered on a program that assisted agricultural producers to apply to a USDA loan program established to assist with rehabilitation of existing housing and building new housing for agricultural workers. This program helps to ensure the long-term affordability and maintenance of agricultural worker housing.
- *Landlord/Tenant Mediation Service:* The Consumer Protection Unit of the Marin County District Attorney's Office provides mediation for various types of disputes. This includes disputes between tenants and landlords regarding housing repairs, security deposits, and evictions. Mediation services are available in both Spanish and English.

Attachment 2
Summary Statistics from 2015 Rental Housing Survey for Renters/Homeowners

Total Responses	Total Count	829
	Total Count	%
1. Do you live and/or work in Marin County?		
Live	154	18.6%
Work	37	4.5%
Live and work	529	63.8%
Other	9	1.1%
<i>Total Responses</i>	<i>729</i>	<i>87.9%</i>
<i>Skipped</i>	<i>100</i>	<i>12.1%</i>
<i>Totals</i>	<i>829</i>	<i>100%</i>
2. Do you live in the unincorporated area or in a city/town of Marin County?		
	Total Count	%
I do not live in Marin County	29	3.5%
An unincorporated area	156	18.8%
Belvedere	3	0.4%
Corte Madera	22	2.7%
Fairfax	29	3.5%
Larkspur	29	3.5%
Mill Valley	33	4.0%
Novato	148	17.9%
Ross	9	1.1%
San Anselmo	40	4.8%
San Rafael	283	34.1%
Sausalito	7	0.8%
Tiburon	23	2.8%
<i>Total Responses</i>	<i>811</i>	<i>97.8%</i>
<i>Skipped</i>	<i>18</i>	<i>2.2%</i>
<i>Totals</i>	<i>829</i>	<i>100%</i>
3. Do you rent or own your residence?		
	Total Count	%
Own	101	12.2%
Rent	691	83.4%
Other	15	1.8%
<i>Total Responses</i>	<i>807</i>	<i>97.3%</i>
<i>Skipped</i>	<i>22</i>	<i>2.7%</i>
<i>Totals</i>	<i>829</i>	<i>100%</i>
4. If you rent, has your montly rent been raised in the past 12 months?		
	Total Count	%
Yes, it has been raised one time in the past 12 months	412	49.7%
Yes, it has been raised more than one time in the past 12 months	86	10.4%
No	153	18.5%
Not applicable	94	11.3%
Other	19	2.3%
<i>Total Responses</i>	<i>764</i>	<i>92.2%</i>
<i>Skipped</i>	<i>65</i>	<i>7.8%</i>
<i>Totals</i>	<i>829</i>	<i>100%</i>

5. If you answered "yes" to Question #4, how much did your rent increase per month?

	Total Count	%
Less than \$50	52	6.3%
\$50 to 99	142	17.1%
\$100 to 199	172	20.7%
\$200 to 299	75	9.0%
\$300 to 499	37	4.5%
\$500 to 999	17	2.1%
\$1000 or more	6	0.7%
Not applicable	131	15.8%
Other	13	1.6%
<i>Total Responses</i>	<i>645</i>	<i>77.8%</i>
<i>Skipped</i>	<i>184</i>	<i>22.2%</i>
<i>Totals</i>	<i>829</i>	<i>100%</i>

6. If you answered "yes" to Question #4, how much notice were you given prior to your rent increase?

	Total Count	%
30 days	244	29.4%
60 days	161	19.4%
More than 60 days	55	6.6%
Not applicable	144	17.4%
Other	30	3.6%
<i>Total Responses</i>	<i>634</i>	<i>76.5%</i>
<i>Skipped</i>	<i>195</i>	<i>23.5%</i>
<i>Totals</i>	<i>829</i>	<i>100%</i>

7. How much of your income is spent on housing costs (monthly)?

	Total Count	%
Less than 30 percent	111	13.4%
30 to 50 percent	382	46.1%
More than 50 percent	261	31.5%
Other	39	4.7%
<i>Total Responses</i>	<i>793</i>	<i>95.7%</i>
<i>Skipped</i>	<i>36</i>	<i>4.3%</i>
<i>Totals</i>	<i>829</i>	<i>100%</i>

8. Do you receive rental assistance to help pay for housing costs (for example: Section 8 voucher, family assistance, other subsidy)? If yes, please specify.

	Total Count	%
Answered	590	71.2%
<i>Skipped</i>	<i>239</i>	<i>28.8%</i>
<i>Totals</i>	<i>829</i>	<i>100%</i>

9. If you rent, what is your current lease term?

	Total Count	%
Month-to-Month	372	44.9%
Six months	15	1.8%
One year	223	26.9%
Two years	19	2.3%
No lease agreement	56	6.8%
Not applicable	18	2.2%
Other	12	1.4%
<i>Total Responses</i>	<i>715</i>	<i>86.2%</i>
<i>Skipped</i>	<i>114</i>	<i>13.8%</i>
<i>Totals</i>	<i>829</i>	<i>100%</i>

10. Do you currently live in subsidized or affordable housing?

	Total Count	%
Yes	65	7.8%
No, but I am on a waiting list	65	7.8%
No, I do not qualify and/or do not need it	520	62.7%
Other	101	12.2%
<i>Total Responses</i>	<i>751</i>	<i>91%</i>
<i>Skipped</i>	<i>78</i>	<i>9.4%</i>
<i>Totals</i>	<i>829</i>	<i>100%</i>

11. Which of the following best describes your household?

	Total Count	%
One person living alone	169	20.4%
Couple with no children	107	12.9%
Couple with child(ren) under 18 years old	249	30.0%
Single parent with child(ren) under 18 years old	94	11.3%
Couple or single parent with grown child(ren) living at home	41	4.9%
Grandparent(s) raising grandchild(ren)	6	0.7%
Couple or single parent with grown child(ren) who no longer live(s) at home	19	2.3%
Unrelated individuals living together	33	4.0%
Multiple families living together	40	4.8%
Other	27	3.3%
<i>Total Responses</i>	<i>785</i>	<i>95%</i>
<i>Skipped</i>	<i>44</i>	<i>5.3%</i>
<i>Totals</i>	<i>829</i>	<i>100%</i>

12. How many people live in your household?

	Total
Average persons per household	4
Total persons	2,562
<i>Total Responses</i>	<i>774</i>
<i>Skipped</i>	<i>55</i>
<i>Totals</i>	<i>829</i>

13. What is your annual gross household income?

	Total
Average household income	\$57,489
Total income	\$28,207,756
<i>Total Responses</i>	463
<i>Skipped</i>	366
<i>Totals</i>	829

14. How long have you lived at your current residence?

	Total Count	%
Less than 1 year	105	12.7%
1-2 years	170	20.5%
2-5 years	232	28.0%
5-10 years	145	17.5%
More than 10 years	139	16.8%
<i>Total Responses</i>	791	95.4%
<i>Skipped</i>	38	4.6%
<i>Totals</i>	829	100%

15. If you plan to move, please identify your reason(s):

	Total Count	%
Cost of rent/house payment	262	31.6%
Current housing does not accept Section 8 vouchers	6	0.7%
Housing size doesn't meet family needs	100	12.1%
Housing doesn't meet accessibility needs	19	2.3%
Concerned about rent increases/eviction	135	16.3%
Want to move to a different neighborhood	26	3.1%
Want to move outside Marin County	32	3.9%
I have no plans to move	341	41.1%
My lease was terminated/not renewed	24	2.9%

16. If your lease was terminated/not renewed, what was/were the reason(s) provided?

	Total Count	%
No reason was provided	44	5.3%
Non-payment of rent or late rental payment(s)	9	1.1%
Occupancy concerns (number of people living in the home)	7	0.8%
Owner move-in	9	1.1%
Upgrades to the property	14	1.7%
Not applicable	471	56.8%
Other	40	4.8%

17. If your lease was terminated/not renewed, did you request an extension of your lease on the basis of a disability?

	Total Count	%
Yes, and my request was granted	10	1.2%
Yes, but my request was denied	22	2.7%
No	48	5.8%
Not applicable	469	56.6%
Other	16	1.9%
<i>Total Responses</i>	<i>565</i>	<i>68%</i>
<i>Skipped</i>	<i>264</i>	<i>31.8%</i>
<i>Totals</i>	<i>829</i>	<i>100%</i>

18. If your request was granted, how long of an extension were you given?

	Total Count	%
Answered	201	24.2%
<i>Skipped</i>	<i>628</i>	<i>75.8%</i>
<i>Totals</i>	<i>829</i>	<i>100%</i>

19. If you will be moving, do you plan to stay in Marin County?

	Total Count	%
Yes, I want to find a new home in Marin County	180	21.7%
No, I want to find a new home outside of Marin County	35	4.2%
No, I can't afford to live in Marin County	123	14.8%
I have no plans to move	258	31.1%
Other	57	6.9%
<i>Total Responses</i>	<i>653</i>	<i>78.8%</i>
<i>Skipped</i>	<i>176</i>	<i>21.2%</i>
<i>Totals</i>	<i>829</i>	<i>100%</i>

20. The most significant challenge to renting in Marin is:

	Total Count	%
Cost of monthly rent	639	77.1%
Cost of rent deposit (at time of move-in)	298	35.9%
Cost of utilities	40	4.8%
Landlords do not accept Section 8 vouchers	39	4.7%
Availability of accessible housing	109	13.1%
Concern about rent increases/eviction	221	26.7%
Housing size does not meet family needs	109	13.1%
Housing does not accept pets	113	13.6%
Unacceptable housing conditions	119	14.4%
Other	57	6.9%

21. Please share any additional thoughts about the rental housing situation in Marin County:

	Total Count	%
Answered	356	42.9%
<i>Skipped</i>	<i>473</i>	<i>57.1%</i>
<i>Totals</i>	<i>829</i>	<i>100%</i>

Attachment 3

Open Comments from the 2015 Rental Housing Survey for Renters/Homeowners

Please share any additional thoughts about the rental housing situation in Marin County:

Name not available (unclaimed) March 20, 2015, 5:41 PM

Physical accessibility for the aging population, the size of places, access to public/senior transportation all concerns. As a younger woman with a child housing was a major challenge & took about 60% of income to be in Tiburon school district.

Name not shown inside Tiburon (on forum) March 20, 2015, 5:58 PM

As a single parent, rent took 60-70% of my income. Options in Marin are very limited and very expensive for all types of housing needs

Name not available (unclaimed) March 22, 2015, 4:37 PM

I live in one room in another person's home. My rent here is more than I paid for mortgage, taxes and insurance for a three bedroom, two bath new home in Southern Oregon

Name not shown inside Corte Madera (on forum) March 23, 2015, 11:26 AM

The housing market in Marin is very challenging for the renter. Vacancy rates are very low and landlords can be very picky. It is difficult to find a place to rent as a single mother.

Name not available (unclaimed) March 23, 2015, 2:51 PM

I have worked for the County of Marin for nearly 2 decades, but due to the high rents and lack of rent control/unpredictable rent increases, I have had to commute from out of county to do my job. I am a single parent and would really want my daughter to attend school near to my place of employment in case of any emergency- but this is not possible as we are not County residents. - I don't want to leave my job of 17 yrs- but can not afford to live here either. I don't qualify to purchase subsidized housing, I can't rent and commuting is expensive and bad for the environment. I wish there was some reciprocity with the school districts in Marin to help County Employees have their children attend a school near their place of employment- and have housing assistance for employees as well- we are just at the boarder where we don't qualify for assistance and we don't make enough to be able to afford living here. HELP!

Name not shown inside Unincorporated Marin County (unverified) March 24, 2015, 10:59 AM

West Marin is becoming a second-home/vacation rental area. Property values tempt owners to sell. Evictions to raise rent are common. Affordable housing is closed. Need affordable housing with preference given to locals.

Name not shown inside Sausalito (on forum) March 25, 2015, 3:19 PM

Rent has doubled in the last two years. We need regulations to control required deposits and how often and how much to raise rent.

Name not available (unclaimed) March 25, 2015, 4:48 PM

We need to work towards creating more affordable housing for renters who cannot afford to buy houses, Marin should not only be for the wealthy who can afford to purchase million dollar homes. Some of us have long standing ties to the community, work here and contribute to the diversity of the County.

Name not available (unclaimed) March 25, 2015, 5:13 PM

It is awful how property owners are raising rents so high. All government branches must institute laws that require property owners to have a quarter of their housing units at affordable prices, and accepting section 8 vouchers.

Name not available (unclaimed) March 26, 2015, 2:09 PM

I work for the County and basically live in a converted garage with my husband who is disabled. The cost of rent is a huge portion of my wage and will eventually force us to move to another county. I never imagined living in a converted garage studio of under 300 sq ft space, being a professional with a Master's Degree, but that's the only way we have been able to afford to live anywhere near my work. I want to live in Marin because I need to develop strong ties to the area and agencies where I work in order to do the job I do, assisting the Marin public in finding and securing various resources. I would love to have the option to be on a low-income housing program as I pay the majority of my family's bills, but I don't qualify. Along with car payments and student loans, living in Marin in a regular sized apartment is pretty much impossible. Please help the people trying to stay in running...teachers, county and city workers and others who work hard and pretty much spend their money on rent instead of saving for retirement. I decided not to have children because of the high cost of rent/expenses in Marin and not wanting to spend my life commuting. I traded a healthy living lifestyle for the convenience of living closer to work. That's quite a difficult trade if you ask me.

Name not available (unclaimed) March 27, 2015, 7:40 PM

The Community Land Trust Association of West Marin (CLAM) is doing great work in creating affordable rental housing for low income people. I hope the County will give the organization as much help as possible.

Name not available (unclaimed) March 27, 2015, 9:26 PM

What a horrible, dire crisis, in Marin County and throughout the entire greater Bay Area, and southern Sonoma County. I am a Bay Area native, I have lived here for most of my 50 some odd years of life, I have rented for over 3 decades, and I have never seen anything like this! And it is escalating at an alarming rate. Marin County needs to have protections for renters. And the disability protections, for which I qualify, don't do a thing as there are a myriad of ways in which a homeowner can get around accommodations/extensions. So now I have become homeless. In the area in which I live, West Marin, the problem is those with more means buying up properties as second, vacation homes, and evicting the local tenants. The local Fire Department estimated 40% of the homes in West Marin are primarily unoccupied, and I know many who are in my situation, just trying to get by until one of those scarce rentals becomes available, is affordable, and for me, is the suitable given my particular disability. Despite my disability, now that my health has improved somewhat, I am trying to get back into my professional career - a daunting task without a home base. If there had been protections as a renter, or REAL protections as a disabled person, I would not be in this situation. This is how a person falls between the cracks. I could go on, but I imagine one gets the picture ...

HUNTER WALLOF inside Unincorporated Marin County (on forum) March 28, 2015, 8:46 AM

plenty of room but the concept of private property for maximized profit and the privilege of privacy for the well to do prevents those of limited financial means from making their homes here

Name not available (unclaimed) March 28, 2015, 9:07 AM

Time to TAX Vacation Rental By Owner, use the money for Section 8 housing assistance. ALSO, time to INSPECT the rental units for compliance with Human Rights...for example, the living conditions of the workers who live in shacks or trailers with outhouses, units NOT to code (LeRoy Martinelli Ranch). Most VRBOs are 2nd or 3rd homes of uber wealthy, who do not participate in community.

Name not available (unclaimed) March 29, 2015, 10:16 PM

I am saddened and concerned about the lack of affordable housing in my community.

Name not available (unclaimed) March 30, 2015, 1:24 PM

PLEASE consider rent control....at least for seniors. We desperately need it.

Name not available (unclaimed) March 30, 2015, 1:48 PM

I have always worked since age 18, never married, no kids, always earned minimum wage and worked multiple jobs in service industry. The FT benefited job in San Rafael ended in bankruptcy and I was laid off at age 60 and that is when I found out about age discrimination in employment. I depend on Marin Food Bank for food and am on Expanded Medicaid for healthcare and if there was enough senior subsidized housing I would be living in one of those units but Marin didn't build enough for boomer generation seniors and now gentrification is out of control and seniors are caught squeezed between not being able to earn enough to pay the high rents and the situation gets worse each month as more of us get rent increases and there's no cheaper housing to go to.

Name not available (unclaimed) March 30, 2015, 1:56 PM

Studies have proven that diversity of income as well as culture not only improves a community but that children do better in school and neighborhoods are safer in the long run if diversified. Marin has become like a gated community with the affluent "protecting" themselves from anyone or anything different. I have watched this go on my whole life and now because of finances have become one of the "others". What a exclusive but sad place this has become.

Name not shown inside San Rafael (on forum) March 30, 2015, 4:19 PM

Rents average more than my mortgage. Lots of people working in the county can't afford to live here.

Name not shown inside Larkspur (on forum) March 30, 2015, 4:47 PM

It's amazing that a "Marin poor" family earning less than \$65,000 annually can't get some kind of financial assistance.

Name not available (unclaimed) March 30, 2015, 4:59 PM

Rental properties are scarce and often in poor condition. Prices are very high. We are terrified that our landlord will decide to sell and we'll have to find someplace new. With our income, we don't qualify for any assistance, but we also cannot afford to buy a home in this inflated market. This leaves us dependent on a rental market that offers few reasonably priced options. We've gone as far from the city as we can go without making our commutes unbearable, and it's still too expensive.

Name not available (unclaimed) March 30, 2015, 5:43 PM

*[*Staff note: this comment was submitted in Spanish and translated to English for this document]*

Here in Marin county there is no rent control, therefore the rent increases every two years up to \$200.00 per month. This situation is abusive towards renters. A lot of times they take advantage of renters because of their immigration status. We need that the authorities control the rent to avoid that abuse against us. Thank you.

Name not shown inside Novato (on forum) March 30, 2015, 6:48 PM

Glad you're doing this survey. I love living in Marin. I love the open space (so I'm not necessary in favor of a lot of development), but affordable (and desirable) housing is a real problem.

Name not shown inside San Rafael (on forum) March 30, 2015, 7:49 PM

Rent is too damn high! :(

Name not available (unclaimed) March 30, 2015, 10:16 PM

It's frightening. Marin is my home base, friends, support and employment. As a solo parent, I am being priced out of this glorious place. RENT CONTROL IS NEEDED.

Name not available (unclaimed) March 31, 2015, 10:41 AM

People who own homes in Marin are like magical wizards to me. How do they do it? What is their secret? Did I have to have rich parents, or did I have to be born into wealth to be able to have a house? How is someone with a professional, ok-paying job supposed to afford a house in Marin? I have no idea.

Name not shown inside Novato (on forum) March 31, 2015, 10:45 AM

I am a FT-employed female over 50yrs old and lived in a San Geronimo Valley rental for ten years. Homeowner sold in 11/2015. I was unable to find affordable housing for myself in SG Valley after a 6-month search and opted for a Novato homeshare. This is a typical scenario for working class persons trying to remain in West Marin.

Name not shown inside Unincorporated Marin County (on forum) March 31, 2015, 11:49 AM

Prices are constantly going up. Landlords are more interested in capitalizing on the current market opportunity and cashing out. Rental inventory is VERY VERY low. Finding a 3 bedroom for a family of 4 is OUTRAGEOUSLY EXPENSIVE. To bump form our 2 bedroom to a 3 bedroom will cost us at least an additional \$500/month but we are likely going to have to pay \$700 month more than previously. We're being priced out of the area - and the school district - which is potentially very hard on our kids and therefore our family.

Name not available (unclaimed)

March 31, 2015, 12:44 PM

Apartment and House shares often have unreasonable conditions by renters.

Name not available (unclaimed) March 31, 2015, 2:52 PM

Stop the ugly new massive or inappropriately located new housing units going in or trying to go in

Name not shown inside San Rafael (on forum) March 31, 2015, 2:58 PM

Most of the senior housing has a two year wait list. We have lived in the county since 1971 and find it impossible to stay.

Name not shown inside Unincorporated Marin County (on forum) March 31, 2015, 3:01 PM

Landlords are trying now to "cash in" on the market "boom" so they refuse to fix up problems in the rental and charge exorbitant monthly rents to force the needy out and open the property for richer folk who can afford it. Case in point, ex-wife with our 3 JrHS-HS aged children 4 blocks from oldest boy's HS school in San Rafael and on bus line for second and third children Jr High in Fairfax, was forced out of lease of 1,100 sq' 3 bd house at \$3,700/mt where she had lived for 3 years on 1-yr leases, so Landlord could rent the same house, in need of many repairs he had refused to make, for \$6,500/mt. She eventually took a 3 bd apt above a business in downtown Fairfax at \$3,200 because that was all she could secure. Rent control would have prevented this.

Name not available (unclaimed) March 31, 2015, 3:16 PM

Marin needs rent control. And incentive for or laws for landlords to let more people live in a rental. My landlady clearly sees me as a commodity, and doesn't care to provide a good living space. She took 4 years to deal with a rat and rat mite situation. When I told her the refrigerator needs replacing because I cannot sleep

in a one room studio with a broken compressor banging, she said she is no longer providing a refrigerator. That I can buy one myself. We need more support for tenants dealing with unfair landlords. I am not in favor of the kind of development proposed all over Marin. Please read Behind the Green Mask by Rosa Koire. The long term result of this UN Agenda 21 ABAG plan is no more private home ownership, everyone forced to move into highrise apartments along transportation corridors for easier control and in the name of "it's good for the environment." Hard to see now, but we're in the early stages. It's time for people to wake up and act now. We are losing our private property rights and it's going to feel like China here eventually if people don't say no. There are parallel non elected governments making these decisions and usurping power from all the local governments. [See www.DemocratsAgainstUNAgenda21.com](http://www.DemocratsAgainstUNAgenda21.com) for more info and how to stop it. Thanks!

Name not available (unclaimed) March 31, 2015, 3:40 PM

NIMBYism and "entitlement" based upon the argument "We were here, first!" are severely limiting availability of apartments and are causing rental prices to skyrocket. It's not the fault of the tech industry.

Name not shown inside Unincorporated Marin County (on forum) March 31, 2015, 3:48 PM

Our apartment community in Tamalpais Valley has been below market rate (but neglected upkeep) for many years. The property owner just recently has increased many of our rents here, and has plans to replace windows and landscape. Although these upgrades are most needed and welcome, the long term residents here fear the improvements will come with annual increases to bring rents up to market rate, which we simply cannot afford. I'm concerned SF's tech boom is reaching across the GGB and pushing S. Marin's working class service providers further out, increasing traffic and significantly decreasing quality of life for all, even those who can afford to stay. I believe rent controls will be much more effective to keeping Marin's working families here, rather than trying to find more places to add more affordable housing units.

Name not available (unclaimed) March 31, 2015, 4:22 PM

This survey seems targeted at renters, but does little to address the issues facing homeowners: increased taxes, costs of services, policies that allow elimination of the stock of affordable single-family homes that are being replaced by gigantic homes, impact of bigger houses on narrow neighborhood streets, impact of policies that allow cities to be credited for a big house with a tiny rental (often occupied by the nanny or unemployed adult child, doing little to actually provide housing for the people with limited access to wealth and assets), planning departments who are lax about monitoring tear-down and remodel projects. Yes, renters have challenges, but this survey is lop-sided and skewed; limited in its capacity to provide reliable information except for the biased point of view.

Name not shown inside Novato (on forum) March 31, 2015, 5:09 PM

Not about housing, but you have an OLD pic of the Board of Supes at the conclusion of your survey!

Name not available (unclaimed) March 31, 2015, 5:32 PM

Please don't urbanize Marin. If I wanted to be surrounded by high density housing I would live in San Francisco!

Name not available (unclaimed) March 31, 2015, 6:26 PM

Terrribly frightening for us older people who cannot afford rising cost and where section 8 is not allowed.

Name not available (unclaimed) March 31, 2015, 8:15 PM

We are extremely fortunate and thankful to live in Tiburon, where the schools are excellent and public transit good.

Name not available (unclaimed) March 31, 2015, 8:22 PM

Intense need for one level (no stairs or elevator) senior housing with adequate parking. Lack of inventory.

Name not available (unclaimed) March 31, 2015, 9:52 PM

Too few units available to meet our needs. Too few affordable units. Too few accept pets and backyard chickens.

Name not available (unclaimed) March 31, 2015, 10:29 PM

We need rent control and to change the stigma attached to Section 8, require drug testing and stop letting drug criminals and pimps qualify for housing programs.

Name not available (unclaimed) March 31, 2015, 10:50 PM

if my lease were not renewed, I don't know what I would do....I'd have to move far away from life, friends, family. Needed: affordable 1 Bedroom apt's. (with garages) in marin!!

Name not available (unclaimed) April 1, 2015, 7:00 AM

It's common knowledge that there is a housing crisis in Marin County. I'm lucky to have been in a place for 8 years, but if my landlord wanted to he could raise our rent another \$650 to the market value. He's only raised it once, \$300 last year. It's a brutal situation for me and the thought of paying today's market rate is terrifying.

Name not shown inside Novato (on forum) April 1, 2015, 8:06 AM

Something needs to be done about rent increases. There needs to be a maximum amount allowed per year. This year our rent went up 20%!! That is ridiculous! We are barely scraping by now and can't put anything into savings for emergencies, etc due to this incredibly high rent increase.

Name not available (unclaimed) April 1, 2015, 10:11 AM

We make \$120,000 p/year (gross HHI) and can still not afford a house, and can barely afford renting. With daycare (for only 1 child) and health insurance, we eat into our savings a little every month. Not only can we not afford to rent here, we also can't afford to buy. And we live in southern Novato where it's basically the most affordable. The area is sort of ok (not great) and our apartment looks like a place we would've lived in college. We are getting out of this county.

Name not available (unclaimed) April 1, 2015, 2:05 PM

Rental costs haven't caught up to San Francisco's yet, but I fear the tech boom and gentrification will significantly affect rents in the future.

Name not shown inside Unincorporated Marin County (on forum) April 1, 2015, 3:04 PM

I am hopeful that whom ever the county has HIRED to create this survey, and evaluate the responses, is able to provide a solution. We live far BELOW POVERTY LEVEL, and have worked with over 10 Dept. H&HS in the last year, most of which have been of little or no support. I have not been able to get in contact with my own eligibility worker since December. If we added all the salaries of these workers together, applied those monies to housing expenses, how many families would have shelter?

Name not shown inside San Rafael (on forum) April 1, 2015, 7:22 PM

I work for the City of San Rafael. I am the top paid staff member in my department. I cannot afford to buy a home in San Rafael. There is something very wrong about this.

Name not shown inside Unincorporated Marin County (on forum) April 1, 2015, 8:48 PM

Low income housing not available

Name not shown inside San Rafael (on forum) April 2, 2015, 4:06 AM

How much we make even with more than one income cannot pay for the rent needed for a bigger home to support a family of 4 on top of other bills and expenses. Also there are not enough low income homes for families to move into. In order to pay for a one bedroom at 1250 a month we need to make at least 4000 to make sure we can pay everything on time without having to pay late fees.

Name not available (unclaimed) April 2, 2015, 9:53 AM

We have 2 (small) dogs. It's nearly impossible to find a place to rent that will allow them. They are quiet and house trained. It's really a shame.

Abbie Durkee inside Unincorporated Marin County (on forum) April 2, 2015, 10:05 AM

3 years ago we made a tough decision to leave our home in Inverness where we had a rent to own lease fixed at \$1950/mo. We had lived there for 6 years but the outsourcing of work (carpentry) made it impossible to stay. We moved to DSM, IA but struggled to acclimate there. Our family, friends and community was here in West Marin. We just moved back last June. It took us 5 months before finding a home. Rent, pets, and competition kept us in flux. Once we found a place we had to settle for a month-to-month lease at \$2200 for a home that has not been kept up. We have put tons of our own work into making it livable, yet the owner could (and might) sell at any moment giving us only 30 days. That is terrifying when there are no other options, available rentals and rents nearly double.

Name not available (unclaimed) April 2, 2015, 2:00 PM

1. Grown children raised in Marin County cannot not afford to stay here.
2. Cost of rent directly relates to commute hours spend on roads. For example I could get more rooms/garage/yard/washer&dryer hookups if I lived in Novato but the number of hours added to my commute would double. Not only adds to auto costs/fuel/maintenance but more importantly adds to the stress and loss of personal time off work.

Name not available (unclaimed) April 2, 2015, 4:39 PM

Very high rent, too little supply, too many difficult landlords

Name not shown inside Sausalito (on forum) April 2, 2015, 7:01 PM

This is a common topic discussed among many friends pretty much everywhere. We also have a daughter with 2 teens living 3 to a tiny 1-br apartment in a town miles from their schools. They are unable to live with us due to restrictions by our own landlords against children, and we are under threat of rent raises as it is. We own a small business in Sausalito and have high business rents as well. We are very active in our communities, our children are top students, we volunteer and donate all we can, and yet we are a part of the local culture that will be flattened in this outrageous market.

Name not shown inside San Rafael (on forum) April 2, 2015, 7:26 PM

We are stuck with living where we do and putting up with rental increases because the cost to move means our rent rising at least by \$1000/month or downsizing which isn't an option right now.

Name not shown inside Novato (on forum) April 2, 2015, 7:32 PM

No Companies offering work within county or up north of where i live. Golden Gate bus services are limited to city and not frequent as BART. Those also are slow and buses are full. Drive to ferry is long and if it is after 6pm 101N is full of traffic and even if we reach ferry there is no parking there. If these are mitigated more

commute options are provided I will NOT move out of Marin

Name not available (unclaimed) April 2, 2015, 7:47 PM

Housing is a public health issue that should be addressed. Gone are the days of "I don't want public transportation or more affordable housing due to increase of trash." Get with the times Marin. This county has the highest density of aging people and inadequate housing and public transportation. Your white trash entitled mentality needs to get to the 21st century way of life and living. Increase affordable housing and increase public transportation or die in your old views.

Name not shown inside San Rafael (on forum) April 2, 2015, 8:02 PM

Rent prices going up are making it more difficult to afford living here.

Name not shown inside San Rafael (on forum) April 2, 2015, 8:05 PM

Apparently there are fairly nice houses IF you have the bucks. Within the range I reviewed, I saw crap houses and decent houses.

Name not available (unclaimed) April 2, 2015, 8:38 PM

I am now concerned that many landlords have not upgraded their toilets to low-flush models and do not take green yard waste containers for our compost.

Name not available (unclaimed) April 2, 2015, 8:42 PM

High home prices are making it so many more people are renting instead of buying. This makes it more challenging for the average income earner to find affordable housing.

Name not shown inside San Rafael (on forum) April 2, 2015, 8:52 PM

The rent is so high that it is extremely challenging to save enough for a down payment in order to buy something. And because home prices are so high, the down payments are outrageous, even for 2 incomes with good jobs.

I also balk at rent increases b/c when the market takes a down turn, we will be stuck with sky high rent.

Name not available (unclaimed) April 2, 2015, 9:01 PM

There will never be enough housing for all who wish to live here! We need to respect the environment and limit the number of residents at some point, now?

Name not available (unclaimed) April 2, 2015, 9:46 PM

It is of great concern to me, beyond my own personal situation, that the cultural diversity of this county is quickly diminishing as rents increase. It no longer feels like a place I want to live, EVEN if I could afford to.

Name not available (unclaimed) April 2, 2015, 11:04 PM

We need renter advocates. Our landlord re-roofed house with us in it, made us deal with construction workers, no rent reduction, no cleaning, 3 weeks of unusable dwelling. County said he could do whatever he wanted. He doesn't give 24 hr notice before coming in house and yard. No fire or CO2 detectors. Said we should buy. Other counties have renter help, not Marin.

Name not available (unclaimed) April 3, 2015, 12:10 AM

Need more affordable housing

Mehmet Haspolatli inside San Rafael (on forum) April 3, 2015, 1:40 AM

There should be a federal program to compensate every person who works and pays more than 30 percent of

his income for rent. Median one room apartment should be below \$ 600 and two bedroom \$ 800. The majority of the working people work in jobs around \$ 10/hour and can not find affordable housing. Being able to rent an apartment in Marin County one has to make \$ 3000/month, yet only very few people have this income. The national average is only high because top 5 percent make enormous amount of money while the total income of other 95 percent is almost the half of that. The democracy in the USA is a joke. If majority had a real chance to choose the government, the rich would pay 60 percent of their income because what is left is still a very good income for anybody.

Name not shown inside San Rafael (on forum) April 3, 2015, 5:55 AM

My apartment building is beautifully maintained and I have no complaints about it. My frustration is with the homeless encampments, liquor-store attracting drunks to our neighborhood and people who dump trash, furniture and other discards on the side-walk.

Name not shown inside San Anselmo (on forum) April 3, 2015, 8:24 AM

I moved into my 2br duplex in Aug 2011 with a 1 yr lease and monthly rent of \$1800. A month before the lease was to expire, my landlord contacted me and said "no increase, you're a great tenant!" A year goes by, landlord contacts me near lease expiration and says "no increase, you're a great tenant!" The following year I get an email "the rent's increasing \$150/mo because we've never raised it before". I told my landlord I wish they would have just increased it \$50/mo every year because it's easier to budget. I was able to negotiate it down to \$100/mo. On Feb 1st of this year (6 mo before lease expiration) I get an email from the landlord advising of \$150/mo increase. She attaches the Jan 2014 article from the Marin IJ regarding Marin's rental market and includes a comment "you'll still be \$300 less than the average". I can read the writing on the walls that they'll do it again next year in order to bring it up to the average, so I'm looking for a new place. Is the place nice? Well, it's basic - it doesn't have granite counters and new stainless steel appliances. The carpet is worn and stains won't come out when cleaned. The windows are old and drafty. But, it has a huge patio, storage room and on-site laundry. One thing I've noticed is the shoddy workmanship whenever they have any repairs done. They had to replace the tile bathtub surround and kitchen counter tiles due to mildew. Instead of also replacing the kitchen back splash to match the new counter tiles, they "matched the tiles the best we could". The tiles are uneven, and they didn't put an end cap tile, so the edge of the counter is uneven and rough. I understand the reasons why the rents have gone through the roof, but where's the loyalty to the tenant who has taken good care of their place, notified them when there was a repair needed, and paid their rent EARLY every month? I didn't get a \$150/month raise on my paycheck. I make a good salary, but yet ONE whole paycheck goes to rent and the other paycheck covers utilities, commute and living expenses. It's greed, pure and simple. I've been looking for a new place for 2 months now. I'm downsizing from a 2br to 1br, so the rents are more in line with what I'm comfortable paying. During my search, I've looked at places that are either in-law type units, or in a very small complex owned by an individual/couple and not a corporation. I've met several landlords who APPRECIATE AND VALUE having a good tenant and only raise the rent between tenants! Novel idea, huh?

Name not shown inside San Rafael (on forum) April 3, 2015, 8:29 AM

There needs to be some kind of rent control.

Name not available (unclaimed) April 3, 2015, 8:55 AM

County needs to create built affordable units as a large percentage of new construction as well as family & senior co-housing options.

Name not available (unclaimed) April 3, 2015, 9:06 AM

We need rent control, and retroactive...to set at current rates is unaffordable. We also need better quality control...what looks nice on the outside may be a dump inside...there are lots of those. I spend every penny I earn every month, \$400/month is debt payment (\$200/mo toward taxes I owe from when I lived off IRA money working <\$20/hour temp jobs for almost three years)...I'll be paying a long time, and \$200/mo toward a VISA I have used for our annual family camp and other travel-related expenses to visit family. The rest is basic living expenses. I live modestly, color my own hair, no mani/pedi for years, no health club/gym membership for either of us, no laptop for volunteer work I do (pen and paper instead), no major sports games we'd love to attend, only buy clothes at Ross, and I've been sleeping on the couch for 3 years because I can't afford a bed (I had 3 garage sales over the course of a year to buy my son a bed when he outgrew his twin two years ago). I know many have it worse; these "sacrifices" are what it costs me to stay in Marin, which I do because of my job and my son's school. Child support just went up \$100/month (included in above gross annual) which has given me a little wiggle room every month. Before that \$100, wiggle room options were cancel cable, downsize 2 data phones, and/or take the bus to work and let my son fend for himself for after school activities...we do the latter sometimes. The only other "splurge" on my spending plan is my son's braces, and he has one tooth completely sideways in addition to a bad bite; we're on a 3-year payment plan there and I split it with my ex. My ex earns less than me after he pays child support. He gives me more than the state dictates so I can afford to live here. I stress about money constantly...the "what if's" and things we cannot do that we want to do, including move to a nicer place.

Name not available (unclaimed) April 3, 2015, 10:32 AM

When you work in the arts, you don't make much money--but working in the arts requires one to, in this case, live in the Bay Area where you can actually work. It would be impossible to do what we do in a more rural situation.

Name not available (unclaimed) April 3, 2015, 11:20 AM

Grew up in Marin and have found nowhere else on earth I'd rather live (having spent lots of time in NYC and Europe), but after losing my place in Bolinas last year am now living in the East Bay. We really want to move back to Marin to raise our child, but are finding it so challenging to find affordable housing, or housing at all, really, in West Marin. Particularly challenging in Bolinas, where most of the homes are now second/vacation homes and there is literally next to nothing available. Heartbreaking.

Name not shown inside San Anselmo (on forum) April 3, 2015, 12:02 PM

We need to implement renter's protection laws to allow affordable housing and protect renters' rights.

Name not shown inside San Anselmo (on forum) April 3, 2015, 2:18 PM

While at the moment I have affordable housing for myself in Marin (this could change), I am aware of others who are desperately searching for affordable housing here. I work in the service industry, a grocery store, where the wages are low by Marin standards. I know of at least two co-workers who have had to move recently. One had to move from her studio where she lived for over 30 years. She is in her 60s and works full time. Yesterday when I greeted her and asked how she was she burst into tears. She had just been to the doctor to get help for her depression over losing her home, she has been actively looking for 7 months now. She is living with a friend temporarily and recently lost one of her cats. This is not the first time I found her in tears. She said that the doctor told her that at least 4 other people had come in because of having their rents raised so much that they no longer are able to afford to stay here. Another co-worker was asked to leave her apartment as well. The rent was increased and she was told she had to move out because her apartment was being re-modeled. She is a single mom with a teenaged daughter who are living with a roommate to be able to afford the apartment where she lives now; she and her daughter share a room. She has been looking for 2

months and had to ask for an extension to stay where she is living now. In addition to working full time, she waitresses and does occasional catering jobs to make ends meet. These are the people who prepare our food. To be forced into moving further away will not only cause increased hardship for these two women, it will also increase our greenhouse gas emissions, something we must reduce if we want to continue having a descent quality of live. It is heartbreaking. I am glad to have this opportunity to tell these stories, I needed to do something.

Name not shown inside Fairfax (on forum) April 3, 2015, 3:19 PM

What I see aside from the gouging that is going on, is that property owners are selling, taking property off the rental market. Every week someone in the San Geronimo Valley (and hence I assume elsewhere) posts something to the effect of "my landlord is selling"... Nothing can be done about that! But the gouging, my word. If my landlady raises my rent, I will have to leave the Bay Area and all my family as there is simply nothing available at the "low" end, and most landlords won't take Sec 8. I'm not crying alligator tears, I am very lucky to have it. But I am scared every time I open my mailbox there will be another major rent raise. I know she could raise it \$300 or more and fill the apartment in a day or so.

Name not shown inside Corte Madera (on forum) April 3, 2015, 3:32 PM

I am very concerned about the rental housing situation. My husband and I have good jobs but are struggling to meet basic needs mostly due to such high rent. If rents continue to go up then only millionaires will be able to live here. That will present a problem that will affect the quality of life of the wealthy: who will work in the restaurants they frequent, babysit their kids, fix their cars, stock their vegetables? Why is there no rent control? I have been building my life in Marin for 20 years, if rent continues to go up I will have to uproot my family and start over somewhere else. Many acquaintances have had to do this already. Please help!

Name not shown inside Unincorporated Marin County (on forum) April 3, 2015, 5:04 PM

We need programs that support stable families to work from renting to owning their own homes. We also need to ensure that we strategically limit development to protect our natural ecosystems. We all want to live here because it is so beautiful, we need to provide incentives for owning smaller homes and protecting resources like fresh water and our wild salmon.

Name not shown inside San Rafael (on forum) April 3, 2015, 5:32 PM

The rent is insane here. I have lived here for 8 years. The cost is too high, but I can't move since I would no longer qualify to rent anywhere else anywhere near here. The rent is by far the biggest problem. HOWEVER, I have never found a place which accepts pets, which makes me sadder than I can say. I really wish that could be changed. Pet ownership would make a huge difference in our physical and emotional health. I think it should be against the law to deny people the comfort of having pets, at least cats and small animals. Thanks for listening!

Name not available (unclaimed) April 3, 2015, 5:32 PM

It is difficult to find affordable housing. It has become prohibitively expensive in relation to income.

Name not shown inside Unincorporated Marin County (on forum) April 3, 2015, 5:57 PM

owners raised rent by 20% twice but did not make any improvements of value.

Name not shown inside Unincorporated Marin County (on forum) April 3, 2015, 6:07 PM

The loss of young families, artists, teachers from our community (Pt. Reyes) has been escalating at an enormous pace. The vibrancy of a once-richly diverse (generationally) population is now slowing to a gray-haired crawl. I'm one of the gray-hairs who deplore this sad situation. The greed of wealthy non-residents who

use their homes once a year is, in part, to blame. Housing our visitors in VRBOs has become more important than housing our own born-and-raised locals.

Name not available (unclaimed) April 3, 2015, 6:26 PM

Rental market is great. I have owned homes before, but prefer to rent. Some of my friends rent as well and none have had any problems finding housing or staying.

Name not available (unclaimed) April 3, 2015, 6:36 PM

No one can really afford Marin County rents except rich white ppl

Name not shown inside San Anselmo (on forum) April 3, 2015, 6:58 PM

When my last dwelling went up for rent, there were 200 applicants, and they engaged in a bidding war that drove the price of the rent the "winner" paid up more than \$500, or 20% over the advertised price. Affordable housing does not exist in Marin.

Name not available (unclaimed) April 3, 2015, 7:00 PM

Available housing in West Marin Needed

Name not available (unclaimed) April 3, 2015, 7:15 PM

No enough rental properties.

Deirdre McDonald inside Unincorporated Marin County (on forum) April 3, 2015, 7:57 PM

For us, this is the saddest times of our lives ! A real lowpoint! We have to move in three months! Very few houses to rent in San Geronimo valley and now toooo expensive for us!! From 3,200.00 to 3,700.00 A MONTH ! WHO CAN AFFORD THAT?!! TECHIES THAT'S ALL! not working class middle class families !!! We are ALREADY paying 2,500.00 a month for the past TWO YEARS!!! now we have to move cause one month our rent check bounced in DECEMBER!! Landlady was at our door on New Year's Day at 10am to give us a sixty day notice! AFTER PAYING HER 60,000 dollars the past two years! I had a panic attack and ending up in Marin General!! When we moved to Fairfax in 2000 our rent was 900 for a one bedroom apt. Then 1250 for a house, after six years renting we were paying 1950! Now 2500 ! Tell me what are we to do ?? How can we move our son away from his life, his friends, his school at such a crucial age of twelve!! We have six more yeas to school him. How are we going to last in this county!! Our family needed rent control yen years ago!! THE PEOPLE ARE IN PERIL!!! MY FAMILY NEED A MIRACLE IN THREE MONTHS!!! Oh the 2500 pays for an apartment above a store commercial space, right on Sir Francis Drake!! Very noisy...not really a quiet peaceful HOME either! Ah life in Marin county...all the benefits of millionaire Marin and all the stress of a peasant...it was the best of times, it was the worst of times....Really hope we can continue living here for our child!

Name not available (unclaimed) April 3, 2015, 8:10 PM

may need to sell home due to HIGH Property Taxes

Name not available (unclaimed) April 3, 2015, 9:07 PM

Grew up here, love my community, love this place, so sad, rent control long overdue. The market favors a total loss of what makes this place special, the variety of people, tolerance, accessibility, etc...People who own cant even afford to move, everyone is trapped.

Name not shown inside Fairfax (on forum) April 3, 2015, 9:26 PM

I think it is ridiculous that rent is more than a mortgage. How can I save for my own home, when I'm paying off someone else's mortgage? I also notice a lot of discriminatory housing ads. For example, landlords requiring

single person only, no music, work daytime hours outside the home, no pets, no car (I'm not making this up). My last quibble is for those who think that if I can't afford to live here I should move. I agree. However, I am a single parent with children here in Marin. I cannot take them out of Marin to live, per family court. However, their other parent has refused to pay child support for the last two years, despite their ability to do so. There is no enforcement on that. So my options are to either leave my children (hell no) or pay more than half of my income for a mold-infested apartment. There's something wrong with this picture!

Name not available (unclaimed) April 4, 2015, 12:43 AM

It's about time the county investigate this terrible housing crisis. Now it needs to act—fast! I have a phd, teach at College of Marin and have to keep moving because i cannot afford to buy and am subjected to my house being sold, short leases, and rent increases. nearly every renter i know is having to move almost yearly or sooner for the same reasons. Many of my students can't even afford to rent anything even with other students and either drive in from out of county or live at home for too long. This problem is out of control. there is no available housing at a reasonable cost for the size. Something needs to be done. I mostly work in Marin and i am facing having to move out of the county and then drive in to teach. If that happens I may stop teaching here. I have lived here for 11 years. Emergency action must be taken. Put an initiative on the ballot to implement much needed rent control, improved protection form evictions due to house sales, and other commonplace measures. Pretty soon this county will have no one living here but elderly retired people who can't find anyone to take care of them or provide services because we aren't allowed to live here and there is no way to get to Marin except by inadequate bus service or driving. Do something or we will do it for you and it won't be pleasant for the wealthy who would rather ignore this problem! Robert Ovetz, Ph.D., 415 602 1585

Name not available (unclaimed) April 4, 2015, 12:45 AM

My rent increased %50 this year. I now spend almost %70 percent of my income on rent and I'm not making it. I've had to borrow money for food. I can't afford to move and honestly there is no where to move to. I look online and even renting a bedroom in a shared household is 1200 to 1800 dollars a month. It wouldn't even be so bad to pay so much if my house wasn't moldy and affecting my health, and if I had on-site laundry and an insulated house that didn't cost a fortune to heat. The crazy part is that right now in this market my landlord could easily get even more for this place. Insane.

Name not shown inside Larkspur (on forum) April 4, 2015, 5:28 AM

Some affordable housing is substandard or illegal (no kitchen, not to code, unsafe). Landlords are asking for huge deposits and deducting to pay for their own deferred maintenance or shoddy workmanship. Maybe a clearinghouse/third-party inspection would help.

Name not available (unclaimed) April 4, 2015, 8:09 AM

I said it above, but I have witnessed many families being pushed out of marin because of rent increase or the home they are renting is being sold. Some with one months notice. I too am facing moving. My children have lived in this house their whole lives. I was born in San Francisco and have lived here for over 30 years but cannot afford it. It all just makes me very sad.

Name not available (unclaimed) April 4, 2015, 8:14 AM

Marin, as beautiful as it is, is a truly creepy place. Your treatment of elderly not rich people, even the reactions when attempting to get on a Senior wait list is sickening. Applying in other counties at least one is treated with courtesy. What I had experienced until I got a vehicle to live in was beyond belief. Marin is for the wealthy only. Not wealthy you may move or die. I hope my responses have been straightforward and helpful. As they say, "I didn't pull any punches."

Name not shown inside San Rafael (on forum) April 4, 2015, 8:45 AM

Before I moved I rented for seven years and moved six times. Rent is too high and a lot of places I lived in were sub par: no heat, mold, bad landlords who refused to fix things. And there was always the threat or reality of rent increases. There need to be more rental options and rent caps.

Name not available (unclaimed) April 4, 2015, 10:41 AM

We need rent control so people can stay in their homes AND in their communities. I had to leave my nice flat 3 years ago because of a rent increase of \$450 and I have not found a decent new home yet. Still trying.

Jo D'Anna inside Unincorporated Marin County (on forum) April 4, 2015, 11:24 AM

I am 65 years old, on a fixed, low income (SSDI), and my landlords have raised the rent \$100 every year since 2013. I love where I live, have the perfect place, and I live in constant fear about eviction or continuing rent increases, while not being able to afford living here. There is no place to move to in either Marin or other areas. I really need to stay living here. I cannot house-share because I have 2 pets, and even that or affordable housing doesn't take pets (I have 2 cats).

Name not available (unclaimed) April 4, 2015, 11:44 AM

The current rental market will force me to leave Marin next year. I spend more than half my income on rent but I have a very nice apt. in a safe community so I believe it is worth it. There is not much left to cut from my budget, however. I am 60 yrs. old, retired, lifelong Marin resident. I do have some assets (savings) so I would likely not be eligible for affordable housing even if it was available.

Name not shown inside Unincorporated Marin County (on forum) April 4, 2015, 12:22 PM

It is ridiculous that it costs this much to live here. It takes minimum \$150K annual family income to afford it and still be considered middle class

Name not available (unclaimed) April 4, 2015, 12:58 PM

If my rent increases, I will have to leave the area - and my job. Right now I can commute to work in a reasonable time. If I have to move to Santa Rosa or Oakland, I won't be able to get to my job in a reasonable amount of time/money. I make \$21/hour and I work about 35 hours a week. I don't have any benefits. The business I work for follows the school calendar so I have several unpaid vacations which lowers my yearly salary. The rent is the determining factor since I started Covered California and PG&E care program. I have lived in Marin since 1993. This is the lowest standard of living apartment I have ever taken, but I am trying to stay in Marin.

Name not shown inside Unincorporated Marin County (on forum) April 4, 2015, 1:24 PM

My husband and I are both longtime Marin residents and local professionals who have always made 150-175,000 per year. We volunteer and are very active in our community. Rents are skyrocketing and we cannot afford to buy a home or condo here. We are being forced to move out of the county as many of our friends have done over the past decade to Sonoma or Lake county. Sad that 150k is low income in Marin.

Name not shown inside San Rafael (on forum) April 4, 2015, 7:54 PM

The short-term solution is rent control. Renters have very weak protections in Marin and landlords are trying to wring every penny out of this insane housing market, driving out working families. In the long-term, cities and especially the county need to stop listening to NIMBYs who refuse to consider affordable housing near transportation and services. Strawberry is especially insane - they keep trying to protect their "small town" when they are directly on the freeway with a ton of open land. Most small towns don't have a Maserati dealership. And I'm sick of environmental concerns being used as an excuse to lessen the number of units

permitted, meaning only mansions will be built. I believe in protecting the environment, but if it's already next to a freeway and in the middle of a city, it's time for infill development!

Name not available (unclaimed) April 5, 2015, 11:32 AM

I am worried. I am renting due to divorce in 2014 and do not know where to go next. I am 68 years old. It seems rents will keep increasing, and I don't know if I can afford to buy either.

Name not available (unclaimed) April 5, 2015, 6:14 PM

no applicable questions for homeowner/landlord

Name not available (unclaimed) April 5, 2015, 6:59 PM

It amazes me that there is no protection for tenants in Marin. People in my complex have had their rent raised 3 times in a single year, for a total of a \$525 increase--which is hard on a young family. Yet, there's now protection or recourse. For a supposedly enlightened county, we are just as biased towards property owners (many of whom are in San Francisco) as someplace like Orange County.

Name not available (unclaimed) April 5, 2015, 11:13 PM

Seniors have no rights in Marin County and our numbers are growing. As an elder with a small fixed income I am pushed out of my home community of 40 years with very few options.

Name not shown inside Larkspur (unverified) April 6, 2015, 10:24 AM

Because there is no rent control in Marin County, it seems that landlords have free reign to gouge their tenants. I am an excellent tenant... quiet, low maintenance, careful, prompt in my rental payments, friendly and helpful with neighbors... who cares for the property as if it were my own home. My landlord has raised my rent by 10% for each of the last four years and now she wants to raise it by 75%... because she can. Is this even legal? I am being forced out and displaced because my income cannot match her greed.

Name not available (unclaimed) April 6, 2015, 10:54 AM

Lifelong Marin resident, retired. A renter for over 25 years. Not once late on rent. Getting priced-out of the Marin rental market. Rent consumes over half my gross income which, to me, is worth it as I have a very nice apt. in a safe community. The situation is becoming unsustainable, however, so I will have to leave Marin next year.

B C inside Unincorporated Marin County (on forum) April 6, 2015, 11:39 AM

The current state of housing in Marin is truly shameful. Based upon my experience Marin's efforts are going towards (1) those who have children, and (2) those engaged in drug, alcohol and/or experiencing mental illness. Yes. Some effort has been taken for senior housing but certainly not enough. I've lived here for over 2 decades and there are 2 things that should have been obvious to the county:

1. The number of seniors in Marin
2. The fact that not ALL of them would be able to afford to buy

Having been engaged in a serious hunt for housing, let me state what I have seen. The preference given to the above 2 groups virtually shuts out vast numbers of those who have given life to Marin -- namely, those of us who are (or were) middle-class. These are those who were not making six figure salaries but faithfully paid their taxes, voted and did most of the things that good, law-abiding citizens should do. These are those who, having given their all to this county, are now left to fall through the cracks. Yes, it is true that, despite the many challenges they are facing in this area, most of them will never succumb to drug and/or alcohol, undergo mental illness, embrace homelessness or simply give up. Instead they will be allowed to fall through the cracks in the hope that, with time, they will simply fade away, move away, or (not wanting to move from the

place they have long called home) be "forced" to live with virtual strangers. Included in this problem are the many (sometimes homeless) people who ARE coming from other counties (using resources of which they have not invested) and those who have moved from other states. Imagine a parent who gives preference to the children of others above his/her own!!!! This is what Marin is engaged in (whether consciously or unconsciously) and it is a tragedy... With all of the love I have had for Marin, let me state honestly. You (as a county) are creating homelessness of your middle class residents (specifically) and it should be for you (as a county) a source of genuine sorrow. Written with heartfelt sorrow at the current decline of the quality of life in Marin due to (let's be honest, please) greed. Sincerely, BC

Name not available (unclaimed) April 6, 2015, 11:45 AM

The problem is that rent is high in good and safe neighborhoods where education seems to have higher numbers. Housing cost is so high that it keeps minorities in certain areas due to affordability. Feels like it's intentional to keep minorities out. There is also racism in the way that apartments are being rented and only to certain races.

Name not available (unclaimed) April 6, 2015, 11:48 AM

WE ARE FORTUNATE TO HAVE AN AMICABLE RELATIONSHIP WITH OUR LAND LORD OF 23 YEARS WITH REASONABLE RENT AND EXCELLENT HOUSING. WE ARE LIKELY OUTSIDE THE NORM FOR MOST MARIN RENTERS.

Name not available (unclaimed) April 6, 2015, 2:24 PM

We need regulation regarding rent increases (i.e. rent control). Not knowing when and how much your rent will increase is pretty stressful.

Name not shown inside Unincorporated Marin County (on forum) April 6, 2015, 5:13 PM

I am a long time resident of West Marin and do not plan to move. However my daughter, who is disabled hasn't been able to find an affordable place to rent for about 10 months.

Name not shown inside San Rafael (unverified) April 6, 2015, 6:20 PM

It's all a crime .. and is destroying community . .more co-housing structures needed like in the east bay . .there's alot of fear about money .. lack of diversity.. . elitism

Name not available (unclaimed) April 6, 2015, 9:11 PM

I ask for your support of: 1. Decent, moderate-cost options near transportation hubs. 2. Subtle, low-profile small apartment complexes near parks and schools as opposed to megaloplex developments by the highway. 3. County-wide strategic approach to support the development of a solid middle class, including (but not limited to) reasonable rental options for young professionals that might actually allow us to save for a down payment.

Name not shown inside Fairfax (on forum) April 6, 2015, 9:16 PM

Several friends have been unable to find new housing after being asked to move. They are musicians and artists and cannot afford 1000 for a room

Name not available (unclaimed) April 7, 2015, 3:49 PM

I am lucky to be able to exchange work and goods in lieu of a monthly rent check. Otherwise I would not be able to afford to "rent" in Marin.

Name not available (unclaimed) April 7, 2015, 4:37 PM

Although I personally don't have a problem right now, I am in touch with many senior adults who can't find any housing in my community. Affordable housing just doesn't exist. If my landlord sold the house in which I am living, I don't know what I would do. It makes me feel insecure about my living arrangements.

Name not shown (unverified) April 7, 2015, 6:02 PM

There is so little on the market that unless you have perfect credit and a sizable bank account, you are not likely to find a place. We work for non- profits which cannot afford to pay Bay Area salary which also does not help our situation. So our jobs and community will be losing us unless we can find something.

Name not available (unclaimed) April 7, 2015, 6:14 PM

In West Marin rental housing has all but disappeared, landlords switching from long term rentals to vacation rentals.

Name not shown inside Unincorporated Marin County (on forum) April 7, 2015, 6:47 PM

I hate to think of being priced out of the area we love to live and raise our child, but I fear it is possible that may happen if our landlord raises rent or sells the building. It's scary and sad what is happening in Marin!

Name not available (unclaimed) April 8, 2015, 8:01 AM

Post divorce, I thought I would have to live in an apartment as renting a house is too expensive, but I found a cute little house for my daughter and I to rent in Novato for only \$1950/month!

Name not available (unclaimed) April 8, 2015, 8:05 AM

Cost of rentals are too high and property owners do not value good tenants and do not maintain the properties to justify the rent they are charging.

Name not available (unclaimed) April 8, 2015, 8:12 AM

Landlords are asking far too much for their properties - Marin County is not worth living in for the price

Name not available (unclaimed) April 8, 2015, 8:27 AM

Marin is an amazing place to live, I love it here... but I feel that the rents are being increased too much for the average person to live. My husband and I are left with pennies at the end of each month. My take home pay is 2,500 per month... our rent is 2425. you do the math!

Name not available (unclaimed) April 8, 2015, 8:32 AM

I work here but can barely afford to live here. The majority of my pay check goes to rent. When I retire, I will have to move, but my support systems and friends are here.

Name not shown inside Novato (on forum) April 8, 2015, 8:39 AM

I work for the Novato Unified School District and I can not afford to live in the city that I work. I do not have any children of my own therefore I do not qualify for any services. I take home 1334 a month on my pay check and my rent is 1300. Rents are increasing so much that there is no way for my family to find housing that we can afford. We are currently a family of three sharing a 1bd cottage.

Name not shown inside San Rafael (on forum) April 8, 2015, 8:41 AM

I have lived in Marin for almost 30 years and feel increasingly marginalized in my own community. We live in fear of the next rent increase or of having to move as the current rental rates are such that we would be forced to leave Marin and perhaps the Bay Area.

Name not shown inside Fairfax (on forum) April 8, 2015, 9:28 AM

Rental opportunities are shrinking while rental prices are increasing! I understand supply and demand but many long time renters are getting priced out of Marin.

Name not shown inside Fairfax (on forum) April 8, 2015, 9:33 AM

There will be no housing for teachers and service workers before long. It is impossible to even find a rental. my rent was 1925\$ and then was raised 275\$ within a 6 month period! And I'm told more raises are to follow. it's very depressing.

Angelica Galland inside Ross (on forum) April 8, 2015, 9:42 AM

We were lucky to have found the home we did in Ross as affordable housing. It was 850 square feet, but it was close to school and a great price. Now that we are forced to find a new place we have been shocked to find out how much rent has increased in the last four years and now we may need to move out of the county. We ideally would like a 3 bedroom, but that would put rent over 3k a month and it just feels unreasonable. Our rent was raised within less than 6 months apart in the last year, granted it was the only two rent raises we experienced the whole time were there, but it was a trend we were concerned was going to continue. The house was due for some repairs but we were afraid to say anything because we didn't want the rent to be raised again. Thank you for doing this survey. Something needs to be done about rental prices in Marin.

Name not shown inside Larkspur (on forum) April 8, 2015, 9:54 AM

need more low income housing so Marin workers can afford to stay here and spend money here to keep the economy going.

Name not shown inside San Rafael (on forum) April 8, 2015, 10:06 AM

It's terrible! If affordable, so small as to be unlivable!

Name not available (unclaimed) April 8, 2015, 10:16 AM

I am an elementary school teacher and through the kindness of a good friend, I have found housing at an affordable rate temporarily. I have not had success at finding affordable long term housing for teachers in Marin. The cost of living is too high for civil servants in MARin, and it feels like the community at large does not value us because of the resistance to affordable housing here. We can never afford to buy a home here, but wish there were more programs to protect us as long term renters who want to live in the community we serve.

Name not shown inside San Anselmo (on forum) April 8, 2015, 10:27 AM

Consideration should be made for teachers in the San Rafael City School District who earn less than a living wage and will likely be priced out of Marin and San Francisco.

Name not shown inside Unincorporated Marin County (on forum) April 8, 2015, 10:44 AM

Lack of rent control is an issue as rent increases are far exceeding wage increases or even inflation rise.

Name not available (unclaimed) April 8, 2015, 11:31 AM

As a teacher in Marin, it is becoming increasingly difficult to make ends meet.

Name not shown inside San Anselmo (on forum) April 8, 2015, 12:51 PM

As a teacher, I have never been able to afford a house in Marin. I rent with family assistance. When my current housing situation ends, I will need to look elsewhere for housing because Marin is far too expensive.

Name not available (unclaimed) April 8, 2015, 12:56 PM

Renting in Marin is difficult depending on household income. So, either we pay people more, such as teachers, etc., or we offer affordable rentals to professionals who contribute to our community.

Name not shown inside Mill Valley (on forum) April 8, 2015, 2:22 PM

Marin is a beautiful area and I love living here but the cost of renting may force me out of the area. I am a teacher in Marin County and my daughter goes to school here as well. My annual income as a Marin County public school teacher is not enough for me to live on in Marin County. That just seems wrong.

Name not available (unclaimed) April 8, 2015, 3:05 PM

I was very fortunate to buy a piece of property 4 years ago in the housing crash. Before that was looking to move out of the area. I still have concerns that the property I live in the flood area of Santa Venetia with no immediate plans to work on the higher berms or retaining walls. If my property were to flood I am certain I would have to move out of the area.

Name not shown outside Marin County (unverified) April 8, 2015, 3:05 PM

It's a shame that I cannot afford to live where I grew up and where I work. I would need to do similarly to what I do now, which is likely to be either living with others/housemates/parents or some alternate plan if I wanted to either maintain our current standard of living or use that money to raise children at a decreased standard of living. It's limiting on the neighborhoods, school districts, and activities that one can live in or participate in and why I commute to work from another county and have put off having a family or life in Marin.

Name not available (unclaimed) April 8, 2015, 3:17 PM

Lack of available housing is profound but pressure from family court to MOVE BACK is more of an issue for me. Marin has managed its growth and open/agriculture space exceptionally well over the past 40 years resulting in fewer rental development projects. However, due to its proximity to SF and the evolution of the local housing market there are fewer rental units and a skewed demographic living in the county - so be it, let the markets dictate.

Name not shown inside Unincorporated Marin County (on forum) April 8, 2015, 3:44 PM

I am really hoping that we can come up with a solution so that I may continue to raise my children and work where I was raised, Marin. I currently live in a two bedroom home with 1 child who has special needs and can not share his room. This means that I am sleeping on a pull out couch in the living room in order to provide for my family.

Name not shown inside Fairfax (on forum) April 8, 2015, 3:54 PM

Salaries aren't compensating for the increase of the housing market. Because the rental/housing market is increasing in a rapid pace, salaries are unable to compensate making it challenging to live in the area.

Name not available (unclaimed) April 8, 2015, 11:52 PM

I want to stay in Marin County, specifically west Marin, and am concerned that rising prices will make it extremely difficult to move into a larger space to accommodate my family.

Name not available (unclaimed) April 9, 2015, 5:53 AM

I am a senior (68) and still working. At any time my situation could change. I find myself taking on additional work to make ends meet. I have no other income except what I am able to earn. If I stop working, the whole picture changes.

Name not shown inside Unincorporated Marin County (on forum) April 9, 2015, 6:24 AM

I have been looking for another rental for 10 months now and have not found a less expensive one that is even close to nice. I feel as if I should be able to buy a home for what I am paying in rent (\$3900/mo.). I have made 5 attempts to buy a home (in the 600K-750K range) but have been significantly outbid by buyers who are paying much more in cash. I am a leader in Marin County and would like to live here, but it is feeling impossible.

Name not shown inside Unincorporated Marin County (on forum) April 9, 2015, 1:00 PM

It is impossible to live in Marin County - even to rent a one bedroom apartment for my daughter and I...and I make \$67k a year. Sonoma County is a little better but barely. We're kind of stuck in this neverworld where we make too much to get a break but not enough to survive among the techies and investment bankers. It's, well, sickening.

Name not available (unclaimed) April 9, 2015, 1:27 PM

This situation is untenable. Everyone I know who rents, including myself, feels like the rug could be pulled at any moment. It is a landlord's market and in addition to skyrocketing rents, tenants with pets in their families face a VERY challenging situation. The fact that pets are not allowed in the majority of rentals, certainly the decent places, is a very sad state of affairs indeed.

Name not shown inside San Rafael (on forum) April 9, 2015, 3:32 PM

Hostility and fears drummed up by people who have been here a while against imagined ills of workforce affordable housing. Most of the worst could not afford to buy or rent here now but got in when it was more affordable and are very exclusionary. The usual low income person who is at or below county median income is the one they see every morning in the mirror. But they have a zero sum mentality, if anyone else gets something, they must logically as a result lose something.

Name not shown inside Unincorporated Marin County (on forum) April 9, 2015, 3:43 PM

When I was looking for housing under \$1000 (studio) this is what I found. I found a place that had an old trailer in their back yard with no sewage hook up and a compost toilet for \$800, for \$750 a small bedroom that had been walled off with a bathroom with no kitchen (a microwave) and no heat. If I wanted a decent studio apartment (440 sq ft) it was \$1300-1400 which is almost half of my take home pay. As a professional paying almost half of my take home salary for a postage stamp sized living space is crazy. I don't know how people who have families, especially those who make less than I, make it. There are homeless all over the place, living in cars, and up in the hills, and who can blame them. I am moving to Vallejo, where I can pay half the rent for a postage size place, so at least I will have some disposable income to actually do things other than pay for a roof over my head. AND as soon as I can afford to job wise I am leaving Marin because this situation is just out of hand. As an administrator of a child development program, finding staff is difficult. Many staff live outside the county and have to commute and when they find jobs closer to their home they leave. For jobs with pay at a child care teacher's or aide's salary rate, who can live here?

Name not available (unclaimed) April 9, 2015, 3:46 PM

I do not live in Marin County because I cannot afford it. My partner and I own a house in Richmond. We would live in Marin if there were affordable housing options.

Name not available (unclaimed) April 9, 2015, 3:48 PM

The cost of rent is rising too fast and my paychecks aren't able to keep up. Landlord does as little to maintain property and doesn't take into account if you're a good tenant. It's getting to the point that I won't be able to afford to live or work in Marin.

Name not available (unclaimed) April 9, 2015, 3:50 PM

It is impossible for a middle-income single adult to afford housing alone. Without a roommate, I couldn't afford to live in the county and even then it's a stretch to find reasonable prices for rent. The cost of studios and one bedroom apartments are well above the reach of most people. The room shares or studios that are available are still expensive at \$900-\$1300 respectively and often don't include private space or a kitchen.

Name not available (unclaimed) April 9, 2015, 4:02 PM

I have lived in Marin County all of my life, but had to move as I was unable to afford the cost of rent in this area.

Name not available (unclaimed) April 9, 2015, 4:05 PM

There is nothing available for young adults with low paying wages. Even the eligibility requirements are an impossible hurdle for many. When I was a teenager, we were able to rent an apartment with friends quite easily. Not so anymore.

Name not available (unclaimed) April 9, 2015, 4:17 PM

My sister who lives in the area was willing to convert her garage into an inlaw unit for me, but she couldn't get the permits. I know that some cities are now allowing this policy and I wish San Rafael would.

Susan Warnick inside Unincorporated Marin County (on forum) April 9, 2015, 5:01 PM

I have lived in Marin for over 35 years and I am concerned that I won't be able to live here when I retire because I won't be able to afford the rent. Investors are buying properties and charging outrageous rents that used to be affordable and reasonable. Now, the same places are four times more than they used to be. I am a teacher librarian and worked in Marin my entire adult life. I'm divorced and it is very difficult for me to live here now. Please do something about this.

Name not available (unclaimed) April 9, 2015, 5:14 PM

The cost is entirely prohibitive for young adults looking to live and work near the city. The east bay and south bay are much more attractive areas of residence because of the exorbitant cost of living in Marin. If I didn't work in Marin, I would not live here, despite having grown up here and having family here.

Name not available (unclaimed) April 9, 2015, 6:02 PM

Thank you!

Name not available (unclaimed) April 9, 2015, 6:49 PM

Very expensive.

Name not available (unclaimed) April 9, 2015, 6:49 PM

Im a teacher that works in marin county and cannot afford to live anywhere near where I work.

Name not shown inside Novato (on forum) April 10, 2015, 9:06 AM

I bought a place 4 years ago because I had family help with the down payment and my monthly payments (including taxes) was going to be less than renting. There is a real need for affordable housing in Marin. I'm a single mom and can make it because I have a professional job but most single parents simply can't afford to live in Marin.

Name not shown inside San Rafael (on forum) April 10, 2015, 9:29 AM

I've lived in Marin for 30 years. Landlords just seem to want to keep this county exclusive by over charging

rent! Too bad. It use to be a nice place to live but I can't even afford to live in the county I work in.

Name not available (unclaimed) April 10, 2015, 10:31 AM

The cost of living in Marin County is for the wealthy only. Old-time/long-time residents who are not very wealthy can no longer afford to live in the county they were born and raised in. It's a real shame.

Name not available (unclaimed) April 10, 2015, 12:28 PM

We actually would very much like to move into a larger place as we are a married couple living in a 1 bedroom with my spouse also working from home. We just cannot afford to do so as rents are high in Marin. We have thought about moving outside of Marin County but then the commute in is costly and timely ... it is more a lose/lose situation. We live modestly and are very happy with our landlord and apartment ...

Name not available (unclaimed) April 10, 2015, 2:11 PM

I recently had to move out of marin county because as a single person with 2 children working full-time with a \$40K annual income, I could not afford to live in Marin County. There was no affordable housing. Rents were up to \$1600 for a 2 bedroom apartment in a run down area of town.

Name not shown inside Novato (on forum) April 10, 2015, 2:35 PM

Rent prices are ridiculously high. I'm a professional, middle income single mom. I can only afford a one-bedroom apartment because a two bedroom would eat up 50% of my net income and would compromise other living expenses. I do not live an extravagant life...my car is over 10yrs old, I do not buy designer labels and I try to live sensibly. I make too much money to qualify for low income housing but not enough to live in a place where I can give my one child their own room and still afford after school care and other living expenses. Something needs to be done!

Name not available (unclaimed) April 10, 2015, 3:23 PM

I am a home owner. Is this the wrong survey?

Name not available (unclaimed) April 10, 2015, 3:52 PM

Adult children caring for their elderly parents is a hardship many endure due to the high cost of rent. There should be tax breaks and other financial perks for those who are in this situation.

Name not available (unclaimed) April 10, 2015, 5:17 PM

Our landlord is attempting to sell the home we are renting. If we are evicted by the new landlord, we are quite concerned about finding an affordable place to rent. We would probably have to move to Petaluma or somewhere else outside of Marin County.

Name not available (unclaimed) April 10, 2015, 6:56 PM

Outrageous rent prices and landlords have raised them "just because they can". It is absolutely inhumane to keep people from being able to afford basic needs such as food, clothing and gas. I feel trapped because I don't want to move my kids out of their school and disrupt what little connection they have here. The wealth divide is quite significant among their peers and makes them feel "less than".

Robert Zarren outside Marin County (on forum) April 10, 2015, 7:37 PM

My rent went up 10% 1/1/13, another 10 % 1/1/14, and another 10% 1/1/15. I justed moved to Sebastopol in February because of this increased cost. My monthly savings is \$800 per month. Thank you for asking.

Name not available (unclaimed) April 11, 2015, 2:01 PM

Your question - "How much of income is spent on housing"? could have been clearer did you mean cost of

rent, or cost of rent, water, trash, & PG&E. (being this form is for renters, that is why I found the word "housing" & not "rent" confusing) NOTE - I am can not afford to even take a "stay at home" vacation. Due to the cost of my rent. That is my largest expense. I work 10hrs daily some days more hrs. 5days a week. My apt., is simple no pool or anything. L/L doesn't maintain it very well. But I am blessed to live here! and blessed to work and live in Marin!

Name not available (unclaimed) April 11, 2015, 8:21 PM

there is SO LITTLE rental housing available AT ALL, let alone affordable and/or sec 8 accepting

Name not available (unclaimed) April 12, 2015, 2:34 PM

Extremely competitive. 4+ bedrooms that are affordable are hard to come by. Owners have no incentive to keep the property in good shape. No long term rentals are available.

Name not available (unclaimed) April 12, 2015, 5:35 PM

Unlike many, I make a very good living, (\$200k/yr). I am a single parent to two older children, do not get child support and am currently renting a 3 bedroom condo in Greenbrae. While my rent is generally "affordable" for me right now, the condition of the unit is not great and I am leasing month to month. I know that the owner is interested in selling, and I am very concerned that if he decides to sell in this market (which he can command a huge price for) I will never find another apartment that accommodates my family for the same rent. If this is difficult and concerning for me, I can not imagine what this means for people who have far less income working and living in this area. I don't know who is affording these rents.... but it seems the middle class family will all eventually be run out of Marin, forced to relocate, not to mention those who are not middle class.

Name not available (unclaimed) April 12, 2015, 10:02 PM

Not only are apartments priced 50% higher, lots of them aren't healthy and functional (and never were). Lots of mold problems and just plain not enough space to live comfortably in. I think rent control is in order. And also health and safety codes for apartments. Also, I don't think it fair to renters to move into a place at one price and then once in there, landlord gets to increase whatever they want, and if we don't like it we have to move. I rent an apartment because I am wiling to pay what I rent it for, not higher. I would love it if housing were indeed affordable, and not just for low income folks, but for everyone. It is a really big chunk of money that goes for basic needs. I would love it if housing was 1/2 of what it is now.

Name not shown inside Sausalito (on forum) April 13, 2015, 8:13 AM

We had to give up our beloved family dog because it was IMPOSSIBLE to find anywhere that would rent to us with a pet. Fortunately, she has found a loving home, but it was heartbreaking to give her up.

Name not shown inside San Rafael (on forum) April 13, 2015, 9:38 AM

As a renter, I feel powerless and unprotected.

Tia Acevedo inside San Rafael (on forum) April 13, 2015, 4:22 PM

At this point I am in a one bedroom with my 24 year old daughter who can't afford to move. I am praying my landlord doesn't ask us to move because the rents have skyrocketed and there seems to be no section 8 housing available anymore.

Name not available (unclaimed) April 14, 2015, 10:13 AM

Rents are far too high for working families. The quality of what is available is generally very poor at the lower end of the rental market (which is still extremely high).

Name not available (unclaimed) April 14, 2015, 4:07 PM

lifetime resident of marin, born and raised in marin, now will have to leave my home county due to the lack of housing affordable to young people. I find it disheartening that for all the focus put on children throughout marin there would be some consideration for what they are going to do when the come of age to move on their own the current policy seems to be to prevent them from returning to their home county to live but rather to force them elsewhere through financial restriction.

Name not available (unclaimed) April 14, 2015, 6:44 PM

I have a friend who had to move out of Marin County in the summer. After going through a divorce and illness, she was hit with a 50% increase in rent. She is a single mom and couldn't get placed in affordable housing even though she was on several lists. She moved to San Diego.

Name not available (unclaimed) April 14, 2015, 9:51 PM

There is not enough affordable housing in Marin County at all and it's sad because most of the population here is in the below poverty level even though we work. This county is outrageous!

Name not available (unclaimed) April 15, 2015, 7:52 AM

Not enough decent and affordable housing, especially for seniors.

Name not shown inside Novato (on forum) April 15, 2015, 10:08 AM

The cost of renting a home has gone up SO much in Novato, even in the last year! We have been looking to rent a new home for a couple of years and now have seen the same homes up for rent as a year ago but they are \$500-\$1000 more per month then they were then! Maybe people moving here from SF or Southern Marin can afford those rental prices but locals cannot. Our family feels very fortunate to have a home at all that we can afford but our family has grown and we can't get into a larger home in this current rental market so we feel trapped.

Name not shown inside San Anselmo (on forum) April 15, 2015, 11:11 AM

The cost of living in Marin is so expensive. I spend over 50% of my monthly income on rent just to keep a roof over my child's head but according to the State of California I make too much money to qualify for any assistance, even food stamps. It is very difficult living in Marin.

Name not shown inside San Rafael (on forum) April 15, 2015, 9:27 PM

We live in an apartment that continues to raise the rent at the end of every lease. We want to be able to work and live in the same community. We find it very difficult to find a place to live that allows our son to remain in his school that we can afford. We wish there was rent control in Marin. We wish there were more opportunities for lower income families to stay in the area.

Name not available (unclaimed) April 16, 2015, 9:46 PM

Cost of living for dual income families is outrageous, let alone single income families. My daughter and I have been sharing a small one bedroom apartment for 9 years because I can't afford to move to a bigger place. What happened to rent control?!

Name not available (unclaimed) April 16, 2015, 10:45 PM

Renting is such a challenge. The rents are so very high and there are few places available which are remotely affordable. Friends of ours were recently evicted after 24 years with the landlord. They could find nothing at a rent they could afford. We are afraid of being evicted or of repeated rent increases as we can't afford the market rent and we have a child about to start college and don't qualify for aid.

Name not shown inside Novato (on forum) April 18, 2015, 8:56 PM

Way too expensive!

Name not available (unclaimed) April 19, 2015, 9:39 AM

There should be some form of rent control. I bought a house and am moving but my rent would have increased 10% monthly (an additional \$400/month) if I had stayed in the house I was renting. That is exorbitant. The new tenant will pay \$5,000/month.

Name not shown inside Novato (on forum) April 19, 2015, 3:31 PM

I am renting because I lost my condo in the mortgage crisis. I am losing out on benefits of real estate market

Name not available (unclaimed) April 19, 2015, 9:51 PM

We need housing for a disabled young adult who needs support services. This is a real and urgent need in Marin

Name not shown inside Novato (on forum) April 21, 2015, 1:58 PM

Not much to share - it's no secret housing and rental costs are ridiculously high and it's next to impossible for a lower-middle class family to get ahead in this climate. If we could move we would but our situation requires us to live here right now.

Name not shown inside Mill Valley (on forum) April 22, 2015, 5:02 PM

As a public servant, the better that I serve my southern Marin community, the more desirable/expensive I make the real estate. Thus, the better I am at my job, the more I price myself out of the housing market. Now there's a paradox! Where is the BMR and affordable housing for teachers, firefighters, cops, etc. There's currently only one BMR unit on the MLS right now and the odds of winning that lottery aren't inspiring. Can we please do something to put a lid on all the real estate greed here? I am losing hope for my family's future.

Name not shown inside Unincorporated Marin County (on forum) April 22, 2015, 5:18 PM

I know friends who live in SF but lease also or sublet in Marin so their kids can school here. Local people since 1998, we are being forced out to Silicon Valley types. We are over 50 with children who go to school here and their friends and sports teams are all here! Rents at the Cove Area have gone up 30% to 50%; and the landlords don't care about fixing problems. Our place is tiny, and we live with rat traps in a "luxury living" place! I pray for RENT CONTROL; grandfather clauses; and equitable rent pricing standards for what is provided!

Name not shown inside Corte Madera (on forum) April 22, 2015, 5:30 PM

Rental housing in Marin County has become really very expensive. My family and I would love to stay but might have to move out because of the cost of living here.

Name not available (unclaimed) April 22, 2015, 8:14 PM

Rent has gone up based on the CPI every year we have lived here. However, our incomes have not gone up AT ALL each year. The problem is the overall economy.

Name not shown inside Tiburon (on forum) April 22, 2015, 11:03 PM

We tend to move after the end of our lease period because every time we've rented the increase in rent has been substantial. For example, we rented our last house in Belvedere for \$7,000/month. At the time, that was a big stretch. When our lease ended, our landlords wanted to increase the rent to \$9,500/month. There was no way we could afford that. We lived in that house for three years before being forced to leave because of

the huge increase. We're already fearing the same thing will happen in our current house. Very stressful...

Name not shown inside Tiburon (on forum) April 23, 2015, 5:57 AM

Uncontrolled Rental increases in an already pricey rental market are frightening!

Name not shown inside Tiburon (on forum) April 23, 2015, 8:24 AM

The current state of a one year lease and then transferring to month to month leads to instability for both the renter and rentee. The more secure a guarantee of residency, the better a family can become part of the community and the rentee then also has a guaranteed income. Yearly leases should be more strongly encouraged. Also the way that the Cove handled their remodel is scary and unfair. To be able to force people out of their homes, some of whom have lived there for decades because new owners have come in and are greedy, is unfair. Raising rent with the intent of eviction seems unethical but is standard practice. There should be a more fair option of grandfathering in current tenants.

Name not available (unclaimed) April 23, 2015, 11:01 AM

There is no rent control in Marin county. There is no limit as to rent raises, there is a major neglect in housing maintenance and upkeep. No boundaries. Wide discrepancy between the affluent and the poor and no housing availability even for the salaried educated professional. Money speaks in Marin County.

Name not shown inside Novato (on forum) April 23, 2015, 3:27 PM

Novato used to be affordable, but I've seen monthly rents skyrocket recently (from \$1300 average to \$2500.) Thank goodness for Warner Creek Senior Housing! Otherwise, I'd have to move to AZ. Ugh!

Name not available (unclaimed) April 23, 2015, 4:24 PM

Few options in Bay Area with limited income, but best place to live. Social Security income shouldn't be threatened!

Name not available (unclaimed) April 23, 2015, 6:12 PM

I work at schools in Marin as a substitute ParaEducator. From those wages, it's very difficult to make ends meet & I have to have a second job. Affordable Housing is really essential especially for people who work in the schools. It is also important to allow for diversity. Many children were born in Marin but they move away because of the high cost of living & not much industry in Marin that pays well.

Name not shown inside San Rafael (unverified) April 23, 2015, 9:52 PM

Pets are statistically less noisy and less damaging to property than kids. Also, we are required to pay "pet rent" when there is no such requirement for kids. A deposit should be enough. It is very unfair. There are no protections for renters in Marin as far as rent increases are concerned. There should be a limit to the percent rent can be increased. If it is increased, the landlord should be required to furnish the tenant an improvement in the condition or amenities of the rental.

Name not available (unclaimed) April 24, 2015, 8:25 AM

I want to live in the county where I work but no affordable housing

Name not available (unclaimed) April 24, 2015, 9:06 AM

People are renting rooms for over \$1500 a month with no access to kitchen and sharing bathrooms. This is not right and unfair. I am lucky enough to have found landlords who are appreciative of me and have not raised my rent and treat me very fairly. You do not find many landlords like this.

Name not shown (unverified) April 24, 2015, 7:50 PM

Like MANY others have commented, the cost of renting here in Marin are RIDICULOUS and honestly, I am disgusted by the greed that is currently on display in the listings by property management companies and private housing owners. Question for the county at large: Who is it that you expect to teach/care for your children, wait on you in the many niche eateries, wash your car, your clothes, or protect your homes from fires and police your neighborhoods if you aren't willing to provide a liveable wage or affordable, CLEAN AND PROPERLY MAINTAINED housing for these civil "servants" and the other minions whose skills and services allow you to enjoy the quality of life that you have earned? For the record, I do believe that many of the people here in Marin have worked hard for and earned the right to enjoy their lifestyle how ever they choose. I am not foolish enough to think "they" are responsible for the current housing troubles here in Marin and all over the Bay Area but I do find it upsetting that the term "working-class" seems to be synonymous with "people we'd rather not have to see living in our communities" type of attitude. No one likes being looked down upon or made to feel bad about the fact that they can't afford to live in a place they have called HOME for most of their lives!!! I sure hope we can all work together towards an outcome that allows for there to be room for everyone here in one of the MOST beautiful parts of California!

Name not shown inside Corte Madera (on forum) April 25, 2015, 8:43 AM

Greed is the crux of the problem. Too many landlords price their properties above fair market value because in inventory is low. We talked our new landlord down by \$600 a month and the rent is still too high but he has the upper hand. It's sickening. We're fortunate that we afford to rent. We're hoping that more property comes on the market for sale so we can start building some equity instead of paying exorbitant lease terms.

Name not available (unclaimed) April 25, 2015, 11:22 PM

The availability of moderately priced rental apts is limited.

Name not available (unclaimed) April 26, 2015, 1:01 PM

all renters live with the fear of having their place sold out from under them/the owner moving in; in Marin, because the cost of housing has become so high, VERY few rentals of ANY kind are available should one have to move- owners are converting to vacation rentals, or can afford to not bother to rent their property out at all

Name not available (unclaimed) April 26, 2015, 3:03 PM

any renter lives under the threat of having their place sold out from under them/owner moving in; in Marin, the cost of houses has become so high that should one have to move, there are VERY few rentals- owners can either afford to not have to bother to rent at all, or are using their property as vacation rather than residential rentals. renters have little available rental stock in Marin now. The County needs to seriously start to consider whether there can be Resident requirements for properties to be used as vacation rentals. Is there ANYthing that can possibly be done about third and fourth homes?

Name not available (unverified) April 27, 2015, 11:25 AM

My landlady could get about \$750 more per month for my place because rents have skyrocketed. She wanted to add an increase of \$100 a month for next 7 months. That's legal -- but shocking and frightening. As she said, "Business is business. I hope you understand."

Name not available (unclaimed) April 29, 2015, 1:52 PM

There are too few apartments, and rents are shockingly high. It's a landlord's market. Who can the 99% afford to live here?

Name not available (unclaimed) April 30, 2015, 8:45 PM

Beautiful place to live, however teacher salary does not afford for quality of life to enjoy the beauty and resources. Becoming increasingly difficult to survive as the gap between haves and have not is exponentially increasing.

Name not shown inside Novato (unverified) May 5, 2015, 9:03 AM

Rental prices seem to increase because the rest of the surrounding areas are increasing. No new benefits or updates are done on the apartments to merit such an increase. Increasing rental prices are going to push out all low and middle class families.

Name not available (unclaimed) May 5, 2015, 10:49 AM

It would be helpful if there was one central online resource for affordable housing in Marin and that it was updated regularly. There are currently many local websites on the topic but much of the information about rental opportunities is not updated and is several years old.

Name not available (unclaimed) May 7, 2015, 5:54 PM

I rented in Marin when i was single and biggest issue was lack of rent control, making it unpredictable when there would be an increase and how much that would be. I know that many families get priced out of Marin due to high costs of rent

Name not available (unclaimed) May 12, 2015, 7:04 PM

Haven't needed to worry about it for years, but at some point, I will have to move somewhere. I have no idea where I'll go.

Name not available (unclaimed) May 13, 2015, 6:58 AM

My wife and I moved to Marin 3/2014 finding a one bedroom for 1600. It has gone up to 1750. We have been looking to move for 4 months but rent has increased across the board so much in this area all we can find for less than 1750 is studios. Also housing is at such a premium that units posted on craigslist are usually gone within a day or two which is not enough time for me to request a day off from work to view and turn in applications. Furthermore while crime is low in my neighborhood the yuppie Marin " I am important because I have money attitude" leads to dangerous pedestrian situations. Drivers and Bicyclists run stop signs and do not stop for pedestrians. My wife has had multiple near misses and I myself was clipped by a car as I was legally crossing in a crosswalk.

Name not shown inside Corte Madera (unverified) May 13, 2015, 7:09 PM

We love Marin and are saving to buy home here. However, our rental situation is very tenuous. New owners raised rent twice and will not make any repairs or updates on our apt. stating that they don't have too because it's an "owner's market" and implying they could get even more rent if they turned it over. Other residents already forced out due to rent increases. Our place is very tiny and very outdated but we were making it work to save for a home. Now with the constant rent increases and increasing disrepair it's becoming harder to manage.

Scott Stokes inside San Rafael (on forum) May 14, 2015, 2:59 PM

You simply need to reduce all impediments to home owners who want to rent out rooms or small "apartment" type units in their home and to actively encourage through public announcements such practices! Period. That includes minimizing county/city fees and red tape and delay tactics. It is necessary for a healthy and diversified population.

Name not shown inside San Rafael (on forum) May 15, 2015, 6:13 AM

to live here in any acceptable housing you need to earn at least 80K ...this is unacceptable..not to mention that complete lack of inventory. Landlords have become very greedy...charging what they think the market can bear instead of what is fair.

Name not available (unclaimed) May 15, 2015, 8:34 AM

I wanted to add comments above but that function wasn't working. I received a large rent increase over a year ago. Had received only a few small increases over the 10 yrs I've been here. My income hasn't increased so this is a hardship. The landlord said they were bringing the rent up to market rate which is probably true, but still it was a big jump. I periodically look for other rentals but now mine looks like a bargain. Rents in Sonoma County have increased, too. I would go north if it were more affordable, but most of my activities are in Marin, so I prefer to live here. I live with dread of another increase.

Name not shown outside Marin County (on forum) May 15, 2015, 12:36 PM

My husband and I were forced to move out of our apartment in Aug 2014. We had a one bedroom at \$1500. The rent had already been raised quite a bit over the last 2 years. Then Google apparently offered much higher rent in order to make room for their employees. my new rent would have been \$2550 to stay. a 70% increase. We could not compete for the vacancies available in other properties. When calling to set up appointments to see other rentals, the units were often off the market in less than an hour or the landlord already had enough people to show it to. If you did get an appointment, there was often only a brief opportunity to see the property and maybe 30+ people showed up at the same time. Since we were forced to move unexpectedly we did not have the \$4000 available for the new deposit and rent etc to move into a manufactured home in Petaluma. My family saved us from becoming homeless or living in an unsafe situation by helping us pay it. We had both been a strong part of the middle class until the recession. My business went way down with that and technology changes in photography. We had to start living on social security and declared bankruptcy a couple of years ago. But we were never late on our rent and good tenants. I have worked 60 hours a week always even when not profitable in my business. Its not easy to find work after age 60 either!

Name not shown inside Unincorporated Marin County (on forum) May 15, 2015, 1:11 PM

I have had to move about 5 times the past few years. Either due to house being put on the market, or substantial increase. I have had to live with mold, water issues, you name it, while paying a high rent. Owners are not held liable, but will make the renter pay despite it being there issue, but because of the market it makes you pay. I don't want to live here, but have to because of my son's family. I used to love Marin for the outdoors, but with the cost of living, I can't see how I can ever afford to live here.

Felipe Garces inside San Rafael (on forum) May 15, 2015, 9:05 PM

In my family of 4 people and a 4-pound dog, there was only 1 single apartment that was available in January 2015, at the time I was looking for a place to live.

Name not shown inside Novato (unverified) May 15, 2015, 10:37 PM

Grew up in Marin before it became uber rich (56 yo now). People used to be more live & let live. Uber rich relative newcomers have ironic entitlement attitude. "If you can't afford it - move." God for bid we should be concerned about the health of our social ecosystem. No let's just ride them good for nothing injuns off our land, through some gates up like Black Hawk & enjoy our singularly homogenized "community."

Name not shown inside San Rafael (on forum) May 16, 2015, 8:39 PM

Not everyone who wishes to live here can live here! We don't have enough infrastructure - nearing breaking

point. Quality of life suffers. Too many cars etc

Name not shown inside Larkspur (on forum) May 16, 2015, 9:05 PM

Landlords expect renters to live in dumps while charging super high rents.

Name not shown inside Novato (on forum) May 17, 2015, 1:44 PM

Rent is increasing beyond the speed that the economy allows. It seems to be a Monopoly. They increase b/c if they all do at same time, renters are forced into submission b/c it is across the board. It is making renters poorer & poorer. Living paycheck to paycheck if LUCKY. It's WRONG. Greed to the extreme. It's beyond being profitable, its extreme profitability, causing such HARM on innocent people trying to just survive here in Marin County. There was a firecode violation that my landlord wouldn't resolve after months. I turned it in to fire district. The night is was resolved, I received an increase of \$300 per month as a repercussion. It's unjust, illegal but they CAN get away with it so they do. Saying it was just a coincidence. I don't know HOW I am going to pay it & survive. It goes into effect June 2015.

Name not shown inside Unincorporated Marin County (on forum) May 17, 2015, 3:27 PM

We are very worried that our rent will go up even more at the end of the term and we won't be able to afford it. I don't want to pull my kids out of their schools as this could be emotionally impacting. Wish there was some sort of rent control. Landlords are making a killing on those of us who can't qualify or afford to buy in Marin. Needs some limits!

Tetyana Kletskova inside Unincorporated Marin County (unverified) May 19, 2015, 12:55 PM

My landlord decides to raise rent when the fancy strikes her. I live in a tiny room with the window that does not open. The property has 12 ppl living here... And constant construction is going on.

Name not available (unclaimed) May 20, 2015, 1:41 PM

We need rent control

Name not shown inside Mill Valley (unverified) May 22, 2015, 8:55 PM

There has been a significant decrease in rental stock available in Mill Valley in the past few years. Many one and two bedroom units have been converted to airbnb short term rentals in violation of local housing codes. A glance at the airbnb website confirms this. Zoning laws need to be enforced to keep our community from becoming an enclave for tourists.

Name not available (unclaimed) May 28, 2015, 9:29 AM

Rental costs are extremely high. Although we can afford the monthly payments to buy a home based on what we pay for rent we can't save enough for a down payment. There's also not enough inventory (rental or for sale). Too much land is protected and keeps housing costs high when in reality the homes are not worth it (most are very old and not worth it). Very disappointing and considering moving out of state for a lot of reasons- one of which is high taxes and high property costs.

Name not available (unclaimed) May 28, 2015, 2:15 PM

Landlords have increased monthly rates so high that it is difficult to find any affordable apartment in Marin. Also, demands for deposit, plus two month's rent, as well as requirements that income be at least 200% of rent, make it tough just to move in. It costs so much, it's almost like buying a house.

Name not shown inside Unincorporated Marin County (unverified) May 28, 2015, 5:59 PM

If I were forced to vacate my property because of increases of associated cost; HOA dues and upkeep or my

ability to climb stairs to utilize my restrooms it would force me to seek housing outside of the county because waiting list for assistance/affordable housing are so long and my income can not afford market rents.

Name not available (unclaimed) May 29, 2015, 10:30 AM

I had been out of the rental market for a long while. I was living in my Mom's house, caring for her and raising my son while holding down a full time job. When it came time to vacate and sell my Mom's home, I found a beautiful, and affordable (at the time) townhouse that was still within my son's school district. Yay! After the first year, my rent was raised \$200-\$250. That was okay. The next year, the same. I should have moved, but I wanted my son to finish elementary school at the same school for his need for consistency, and security. By the third year, they wanted upwards of \$300 more. I had taken a personal loan to keep us afloat, plus used my credit cards to subsidize. I made sacrifices, and mistakes by choice. Had they not kept raising the rent in such unreasonable and unjustifiable annual amounts, we probably would have stayed; we would still be there. We LOVED that townhouse. Now we are in a smaller, third floor apartment that has no air conditioning and is a sauna in the summertime. My son has asthma, and our first and second floor neighbors are smokers. Often time when we open the windows, there smoke wafts into our unit. I open the bathroom cabinet, and I smell cigarette smoke. Management did replace our roof, but I am hoping they will replace our windows without a raise in rent. My understanding, but perhaps it has changed, is that the OWNER is responsible for maintenance and upkeep, replacement of critical assets of which there are 8 industry standards. The TENANT should not bear the cost of that maintenance or repair/replacement. The OWNER's Maintenance staff should be performing regular/annual condition assessments, performing corrective, preventive and recurring maintenance on structures, and utilities on a scheduled basis. Nothing should ever fall into disrepair, nor fail nor extend beyond it's design life. Should undergo full component renewal when it reaches the end of its life cycle, but should be at the OWNER's expense. This is why tenants pay rent. Part of what we pay should go into an account specifically for this purpose. I am off topic. Something must be done to limit the percentage that a Landlord can raise the rent annually. Affordable housing should be existent in existing structures and not in new construction which poses a threat to our natural and cultural resources; most specifically place an increased draw/drain our ever dwindling water supply. Place more cars on the road, causing more traffic and raising the potential for an increase in vehicle accidents. Landlords, property owners should cease to be so greedy and taking advantage of the housing market; Those that can't afford to buy, need to rent. But when rents increase at an annual rate of 15% to the housing markets 10%, something is wrong. This situation is unacceptable. It is frustrating and heartbreaking for me when my son asks me if we have to move every time I can't afford where we are living. Until he is 18, he needs stability, he needs a home. That I can't buy right now is for many reasons. Even if my credit rating were stellar, I fear I would still be knocked out of the market by wealthy people and investors offering over the asking price and/or making all cash offers. Certainly their prerogative, but it leaves me out in the cold. Please do all that you can to rectify this perpetual problematic situation. Do not let Marin become a County that is only for a select elite. Thank you.

Name not available (unclaimed) May 29, 2015, 2:17 PM

I would not be in Marin if it were not for The Redwoods, where 60 apts. are for Section 8 people.

Name not available (unclaimed) June 2, 2015, 1:36 AM

I have met several people in my situation. I currently live in a place with two flights of stairs (car ports with two levels of apts over that). I am about to retire and want and need a place where I can live after that -- ground floor with no stairs, preferably with 2 BR so I can have someone live with me to assist me or share rent. Most of the "affordable housing" I have seen in Marin has stairs. My income will drop after I retire so cost of housing is my greatest concern.

Name not available (unclaimed) June 3, 2015, 7:11 PM

Just so expensive

Shauna Harvey inside Novato (on forum) June 4, 2015, 2:42 PM

WE NEED MORE HOUSING THAT ACCEPTS PITBULLS!!!

Name not shown inside Unincorporated Marin County (on forum) June 5, 2015, 12:38 PM

My boyfriend & I have really lucked out in that we have a great landlord who offers us low rent. I have friends & relatives that pay upwards of \$3,000 per month-Which makes it impossible to save for anything. It's forcing a lot of use who grew up in Marin County to move. Marin is a perfect example of gentrification at it's "finest"...It's been going on for decades with no sign of stopping, sadly.

Name not available (unclaimed) June 7, 2015, 9:44 PM

I am a teacher, and my husband is self-employed. We cannot afford to buy a home in Marin. Although we had a very kind and fair landlord for 23 years, who had to ask us to leave because of a family situation, there are too many greedy landlords out there in Marin. Landlords are asking ridiculous amounts for rent and because there is such competition for decent rentals, renters are forced to pay the high amounts if they want to stay here. For those of us with kids in school and stable jobs it's difficult to make the decision to leave and find a more affordable area. When I was searching (for four months) for a new rental I saw properties where the rent was increased by \$200 in one day because there was so much interest from tenants. I asked one landlord why he changed his Craigslist ad by \$200 in one day and he sheepishly told me the realtor had advised him he could get more. This place that I looked at was a tiny 2-bedroom in-law apt on a busy street with no storage, no off- street parking, with two bedrooms that the landlord admitted would not hold bigger than a double bed and a single bed. It went for 2,150 instead of 1,950. Another thing I noticed was the lack of cleanliness. Landlords would show us rentals that were dirty (dirty floors, dirty bathrooms, gross fridges and stoves). We felt we couldn't complain because there were so many other possible tenants that the landlord could choose instead of us. When we left our previous rental we left it clean, but when we moved into our new rental we had to clean the whole place. I feel there should be a standard in place where a rental has to be clean upon move-in, but tenants are powerless to make this happen. We have been priced-out of ever buying a house in Marin, and yet we pay more for our rent than most of our friends who have owned (for over 15 years). We will never have the security of a fixed mortgage like folks who own their homes, because there is no rent control in Marin. I wish every landlord who asks for 2-3-4-5,000 and more per month for their property would ask themselves whether they would pay that amount to live there? I can guarantee most would not pay the amount they are asking. This county is rapidly changing as the middle-class is forced out. It is very discouraging.

Name not available (unclaimed) June 10, 2015, 10:42 AM

this survey is poorly crafted

Name not available (unclaimed) June 10, 2015, 4:00 PM

It is fine. People want something for free. My issue is a one-story level apartment - stairs are hard. You'll get lots of whiners in this survey. I'm fine.

Name not shown inside Larkspur (on forum) June 10, 2015, 4:03 PM

I am fine. YOu will get lots of whiners the way you structured this survey. People want everything for free. I pay my own way, and will work until about age 75 (8 more years). I am fine.

Name not available (unclaimed) June 11, 2015, 10:45 AM

A past 35+yr. Marin resident raising my Son here, I left to caregive a family member for 4yrs. Now back, having to re-establish business; find I'm competing w/high prices or Airbnb for a rental roomshare. Few friends have offered temp spaces, however my posts for a lower price room in a house has received no responses. Marin has become most unfriendly to anyone other than a person with alot of money. Sorry to say, but community is missing & one area I'll be working in; as well as bringing forth innovative products, companies that serve all people. I'm surprised how far behind the sharing concept Marin is compared to the rest of the Bay Area where I've been living; & will be joining Pachamama Marin, UpToUs.org to try & rectify consciousness. Tell me of any new ideas or ways I can help further your work @ Civic Ctr. I'm staying with friends in Marin City.

Name not shown inside San Rafael (on forum) June 11, 2015, 10:46 AM

Lived in Marin 8 yrs and have been shocked by the sudden jumps in rent in the last 4 yrs. What used to be an annual increase of \$20-50 per month is now hundreds. I live in a rental community which has seen such high turnover that it's like a hotel. People come and go - nice families come and stay a year..rent goes up by \$200 and they leave. Landlords will never keep good tenants year over year if they continue to raise rents like this. I think it's better to have a tenant you've known for years vs new ones each year with a huge bump in rent. It's greedy and takes away from the overall community.

Name not available (unclaimed) June 29, 2015, 9:28 AM

The majority of landlords do not accept Section 8. The affordable housing properties have lengthy wait lists and most require a deposit to be added to the list. When a tenant has a limited income, the deposits make it difficult or impossible to apply to all open wait lists. As a result the affordable housing options become even more limited. It would be helpful if the process for renting affordable housing was "standardized" . Collecting 1 deposit per property management company (instead of per individual property) would make the process more affordable. One credit check or background check per property management company should be adequate and definitely more cost effective for the prospective tenant. The tenant could sign a release listing all the properties s/he would like the information sent to.

Name not available (unclaimed) June 30, 2015, 11:12 AM

Rent here is unbelievably unaffordable

Name not available (unclaimed) June 30, 2015, 11:27 AM

Unbelievable. Harsh. Unforgiving.

Name not available (unclaimed) June 30, 2015, 1:14 PM

Landlords, at least in my experience, are unresponsive to needs.

Name not available (unclaimed) June 30, 2015, 1:17 PM

Need rent control AND just cause eviction ordinance

Name not available (unclaimed) June 30, 2015, 1:19 PM

Section 8 voucher holders are stigmatized.

Name not available (unclaimed) June 30, 2015, 1:30 PM

I'm 67, retired and on very limited income. Also, I have an enhanced sense of beauty and require a quiet environment.

Name not available (unclaimed) July 1, 2015, 2:20 PM

Far too much Section 8.

Name not available (unclaimed) July 1, 2015, 2:29 PM
It seems renters have no rights. Legal system favors landlords.

Name not available (unclaimed) July 1, 2015, 2:33 PM
Thank you for this survey for my feedback

Name not available (unclaimed) July 1, 2015, 2:36 PM
it is worse for the elderly as most places do not cater to the needs of 70's and over.

Name not shown inside Larkspur (unverified) July 7, 2015, 12:59 PM
demolishing unique homes dating back 100 years. I grew up here 1964 to present, with many out of state moves. Marin County is my home, I want to live the rest of my life here, but fear I will be priced out eventually, not if, when. Breaks my heart.

Name not available (unclaimed) July 8, 2015, 9:13 AM
Sucks

Name not available (unclaimed) July 8, 2015, 9:34 AM
Expensive.

Name not available (unclaimed) July 8, 2015, 9:50 AM
It is ridiculously high and unaffordable and it is immoral as it is based on greed and is unrealistic and biased toward the wealthy.

Name not available (unclaimed) July 8, 2015, 9:59 AM
Rent is too high for me, who work part time and hourly rate; but I have to live close by to the place I work; otherwise I will pay EXTRA for gasoline and time; for older people like me is not a good idea, especially when I scheduled evening shift.

Name not available (unclaimed) July 8, 2015, 10:30 AM
Too much drug activity
Thefts / homeless people sleeping in lobby / stealing / drugs being sold
Boms etc. Poor poor management
Deplorable
Not save

Name not available (unclaimed) July 8, 2015, 10:39 AM
Rent should be more affordable based on 1/3 of your total monthly income -- More than 50% of my fixed income goes to rent.

Name not available (unclaimed) July 8, 2015, 10:50 AM
I have resided in Marin since 1970 (45 yrs.) and am upset Marin county, per capita, is the most expensive & wealthy county in the USA. It refuses to tear down San Quentin Prison & build affordable housing in Tamal. Marin refuses to allow a BART stop & refuses to allow public transit at night which is a message to lower income citizens especially people of color not to move into a county in which racism prevails! The average Golden Gate Transit bus driver, Marin County public employee, San Quentin prison employee can never afford to reside in Marin & statistics prove it!!! --30--

Name not available (unclaimed) July 8, 2015, 11:21 AM

Thank you very much.

Name not available (unclaimed) July 8, 2015, 1:11 PM

Thank you so much for taking the time to investigate the abysmal renter's market in Marin. I'm disabled, Sect 8... lived at the same address for 14 years until landlord wanted to upgrade the property ... it took me 10 months to find a section 8 apt. Had the help of Nat'l. MS Society, North Bay Elder Care Options & MCIL & there was absolutely NOTHING out there! It was a most stressful time!! I know someone looking for Sec 8 Apt. now (since Jan.!) & she's also found nothing.... Please help those like us! Thank you!!

Name not available (unclaimed) July 8, 2015, 1:53 PM

The rental market in Marin is terrible. The county is aging rapidly and there is a lack of affordable rentals especially for the elderly.

Name not available (unclaimed) July 8, 2015, 1:56 PM

We need affordable housing!

Name not available (unclaimed) July 8, 2015, 2:49 PM

Hamilton Villas has raised my rent \$150 in the last 18 months

Name not available (unclaimed) July 8, 2015, 3:48 PM

We need affordable housing!!

[*Staff note: the following comments were submitted in Spanish and translated to English for this document by the County's translation service, International Effectiveness Centers (IEC).]

Name not available (unclaimed) March 24, 2015, 9:37 AM

The rent is too high, the landlords do not want to fix the apartments, the children have nowhere to play, they rent the apartments with cockroaches, fleas or bedbugs and they don't fumigate, the carpets are in bad shape, the walls have mold, the children get sick, there is nowhere to park all the time. And sometimes they simply discriminate against you, for being Hispanic, or for having children.

Name not shown inside Larkspur (on forum) April 12, 2015, 11:46 PM

There are not many options for a family of four with an income like mine

Name not available (unclaimed) July 8, 2015, 3:55 PM

The abuse that all the landlords are committing, they charge what they want. There is no respect, there is a lot of discrimination by the state legal department [?? meaning not certain]

Name not available (unclaimed) July 8, 2015, 3:58 PM

The apartments are not that good, that they should charge so much for them, and they take no notice of you when something needs to be fixed

Name not available (unclaimed) July 8, 2015, 4:22 PM

There are places that they are not renting to families with children

Name not available (unclaimed) July 10, 2015, 9:03 AM

The rent is too high and we are getting really worried that here in Marin it is getting worse every day.

Name not available (unclaimed) July 10, 2015, 9:16 AM

You can't make ends meet, it's too much to pay, now \$1,925.00 a month. They have raised our rent a lot.

Name not available (unclaimed) July 10, 2015, 9:38 AM

I want rent control!

Name not available (unclaimed) July 10, 2015, 9:46 AM

I only make \$9 an hour, we can't make ends meet, we are low income.

Name not available (unclaimed) July 10, 2015, 9:53 AM

Too much discrimination and abuse by the managers against the tenants, they don't fix things.

Name not available (unclaimed) July 10, 2015, 10:12 AM

The apartments are not that good, that they should charge so much for them, and they take no notice of you when something needs to be fixed, we live with things that need fixing in the apartments

Name not available (unclaimed) July 10, 2015, 11:09 AM

The rent is very expensive in Marin for a family with low income. They should have apartments. Only for families with children and single mothers who really need them, please take into account that many families lie! To get low cost housing! They should investigate them before offering them a home. Thank you very much and take this into account. Families like us who have to make sacrifices to pay the rent. With no help from the government.

Name not available (unclaimed) July 10, 2015, 11:15 AM

The rent is too high

Name not available (unclaimed) July 10, 2015, 11:27 AM

The landlords don't maintain the homes properly, but are very quick to raise the rent.

Name not available (unclaimed) July 10, 2015, 1:02 PM

Could you please stop the rent increases. It's not fair – we can't do it.

Name not available (unclaimed) July 10, 2015, 1:19 PM

The rent is very expensive, and if you find something cheaper the state of the building is not the best, many pests like cockroaches.

Name not available (unclaimed) July 10, 2015, 1:23 PM

There are a lot of cockroaches and the managers don't get rid of them

Name not available (unclaimed) July 10, 2015, 1:38 PM

They increase the rents too much.

Name not available (unclaimed) July 10, 2015, 1:41 PM

Rent too high, you can't find cheap housing.

Name not available (unclaimed) July 10, 2015, 1:44 PM

No parking. Cockroaches. Rent too high.

Name not available (unclaimed) July 10, 2015, 1:54 PM

The parking spaces that are for the tenants - the manager is renting them to others and making that money for you. The manager parks 7 of his cars in the parking lot of the building. They have the tenants' cars towed.

Name not available (unclaimed) July 10, 2015, 3:05 PM
Too many requirements to rent.

Name not available (unclaimed) July 10, 2015, 3:26 PM
They put the rent up very fast.

Name not available (unclaimed) July 10, 2015, 3:58 PM
There are many problems, the rent is expensive and there are a lot of pests – cockroaches....

Name not available (unclaimed) July 10, 2015, 4:12 PM
The managers don't do maintenance or fix what is broken. And if you complain, they put the rent up.

Name not available (unclaimed) July 13, 2015, 9:05 AM
Please, I need you to put the rent down

Name not available (unclaimed) July 13, 2015, 9:22 AM
Everything is expensive in Marin

Name not available (unclaimed) July 13, 2015, 2:11 PM
I have no plans to move - everything is expensive

Name not available (unclaimed) July 13, 2015, 2:36 PM
The housing is not maintained and we pay too much.

Name not available (unclaimed) July 13, 2015, 2:43 PM
Single mother - widow - and permanent resident.

Name not available (unclaimed) July 13, 2015, 2:47 PM
The deposit is too high, they don't repair things, we don't earn much – we are low income and we have nowhere to go, we have to live with cockroaches

Name not available (unclaimed) July 13, 2015, 3:28 PM
In my house I rent an apartment in the Canal area, we pay 1,575 and they made us sign that we wouldn't have more people in, "the owners are right" but it is very difficult to pay the high rent, the apartments are not worth the cost.
Besides, why don't they want many families to live in a single apartment if there is no rent control and the costs are too high. Thanks for your kind interest.

Name not available (unclaimed) July 13, 2015, 3:36 PM
It is very expensive and needs repairs

Name not available (unclaimed) July 13, 2015, 3:40 PM
Rents are increasingly high costs, every year the rent goes up \$100 dollars.

Name not available (unclaimed) July 13, 2015, 3:57 PM
It is very expensive and there are many requirements and a deposit.

Name not available (unclaimed) July 13, 2015, 4:17 PM

The rent is too high

Name not available (unclaimed) July 14, 2015, 9:07 AM

I would ask the people who read this to put a stop to the rent increases, the increases are very frequent now. It isn't fair on those of us who pay rent.

Name not available (unclaimed) July 14, 2015, 9:43 AM

The conditions are not good in the apartments and they charge a lot of money. Conditions in the apartments are unhealthy.

Name not available (unclaimed) July 14, 2015, 10:10 AM

They should make checks on the apartments more often

Name not available (unclaimed) July 14, 2015, 10:12 AM

Rents are too high and hard to find

Name not available (unclaimed) July 14, 2015, 10:23 AM

The supervision is poor, there are cockroaches and they don't try to combat them, nothing is effective

Name not available (unclaimed) July 14, 2015, 10:41 AM

Irresponsible owners, they don't fix the houses when they are in bad shape, the rent is very expensive.

Name not available (unclaimed) July 14, 2015, 10:44 AM

The cheapest places are infested with cockroaches. The rent is too high

Name not available (unclaimed) July 14, 2015, 10:49 AM

No parking, a lot of pests (cockroaches), rent too high.

Name not available (unclaimed) July 14, 2015, 11:20 AM

Rents are too high and there are too many requirements to be able to rent and in many cases the apartments are not in favorable condition for the asking price. I think it's a big problem in this county and the people should have a chance to live better and in better conditions. With the greatest respect we would ask Housing to be aware and support the Latino or immigrant community who are suffering the most in terms of housing, because usually we have to accept the conditions that are put to us out of discrimination, and the too high costs. The conditions our children are growing up in are degrading. We only work in this country and we pay our taxes and it is not fair that our families should suffer these situations.

Please hear our voice. Thank you.

Name not available (unclaimed) July 14, 2015, 3:26 PM

Check what the managers are doing to see how they treat people

Name not available (unclaimed) July 15, 2015, 10:51 AM

I think rents are excessive in such rapid of pace.

Name not available (unclaimed) July 15, 2015, 10:56 AM

The rent is too expensive and you can't save anything.

Name not available (unclaimed) July 15, 2015, 11:01 AM

Rent is continuing to increase, high concerns.

Name not available (unclaimed) July 15, 2015, 11:37 AM

Everything is very expensive in Marin county They put your rent up [?? meaning not certain], you can't make ends meet earning the minimum. The salary, you just make enough for the rent.

Name not available (unclaimed) July 15, 2015, 12:15 PM

The managers don't fix the apartments

Name not available (unclaimed) July 15, 2015, 12:27 PM

My concern is. how is it possible that they can increase the costs of housing so much, and we make \$9 dollars an hour in Marin county, the situation of people on low income is desperate, the salary is very low.

Name not available (unclaimed) July 15, 2015, 12:30 PM

They are increasing the rent too much and people can't make ends meet because we have a lot more expenses and now they have put our rent up 150.00 more, now we have to pay 1,925.00, it's too much money every month.

Name not available (unclaimed) July 15, 2015, 12:33 PM

Every day is worse, the rent is too high and we are concerned.

Name not available (unclaimed) July 15, 2015, 12:38 PM

Too high rents, very little maintenance, deposits too high. They ask for too many requirements, credit.

Name not available (unclaimed) July 15, 2015, 12:42 PM

I want rent control!

Name not available (unclaimed) July 15, 2015, 1:04 PM

The landlords don't maintain the homes properly, but are very quick to raise the rent.

Name not available (unclaimed) July 15, 2015, 1:15 PM

Very expensive, they demand a deposit and many requirements and put the rent up frequently, and if you don't like it they give you a month's notice to move. They don't repair the apartments to get us to move out so they can rent them for more to other people with higher income, and because we have nowhere to go with our children we stay under their conditions which are to pay what they demand and live among the cockroaches or other conditions

Name not available (unclaimed) July 15, 2015, 1:51 PM

what we pay for the house cleans us out, I have been without a stove for two months until [?? I could] pay for a new one.

Name not available (unclaimed) July 15, 2015, 2:15 PM

The owners should be more considerate and stop putting the rent up because it is getting harder and harder to get the money together.

Name not available (unclaimed) July 15, 2015, 2:19 PM

It is getting harder, the rent is too high and sometimes you don't have enough for other payments. I also have to sleep in the living room and even then it is very expensive.

Name not available (unclaimed) July 15, 2015, 2:28 PM

The cost of rent is too high and now I'm sleeping in the living room and I am disabled. Please take seniors and the disabled into consideration.

Name not available (unclaimed) July 15, 2015, 2:48 PM

Cost of the rent.

No attention is paid to the homes

They don't fix things

They don't pay attention to things

Name not available (unclaimed) July 15, 2015, 3:02 PM

The rent is very worrying.

The rent is too high and the increase is a worry.

Name not available (unclaimed) July 15, 2015, 3:05 PM

The manager is abusive towards the tenants, they charge \$60 for a credit check when they know there is no social security.

Name not available (unclaimed) July 15, 2015, 3:54 PM

I do not agree with the rent increases. Wages don't go up and it is impossible to pay the rent.

Name not available (unclaimed) July 15, 2015, 3:57 PM

They have increased the cost of the homes too much, plus the rent deposit.

Name not available (unclaimed) July 15, 2015, 4:01 PM

Marin County has excessive prices for rent.

Name not available (unclaimed) July 15, 2015, 4:47 PM

Everything is very expensive

Name not available (unclaimed) July 15, 2015, 5:01 PM

The rent increase is worrying because rents are too high in Marin county and now I am concerned about the increase because only my husband works. And only reaches us for rent.

Attachment 4
Summary Statistics from 2015 Rental Housing Survey for Property Owners/Managers

Total Responses	Total Count	
	58	
	Total Count	%
1. Are you currently the owner, manager, or agent of a rental property in Marin County?		
Yes	54	93.1%
Skipped	4	6.9%
Totals	58	100%
2. Please identify the name and address of the rental property:		
	Total Count	%
Answered	32	55.2%
Skipped	26	44.8%
Totals	58	100%
3. What year was the rental property originally built?		
	Total Count	%
Answered	54	93.1%
Skipped	4	6.9%
Totals	58	100%
4. What type(s) of housing best describes the rental property?		
	Total Count	%
Multi-family complex with more than two units	18	31.0%
Duplex (two attached units)	11	19.0%
Single-family detached house	23	39.7%
Single-family attached home (i.e. townhomes, not condominiums)	5	8.6%
Condominium(s)	6	10.3%
Mobile Home(s)	1	1.7%
Mixed use (combination of residential units and commercial space)	2	3.4%
Other	9	16%
5. How many units of each size are included in the rental property? (Studio, 1 bedroom, 2 bedroom, 3 bedroom, 4+ bedroom, commercial spaces)		
	Total Count	%
Answered	55	94.8%
Skipped	3	5.2%
Totals	58	100%

**6. What is the average monthly rent of each unit size?
(Studio, 1 bedroom, 2 bedroom, 3 bedroom, 4+ bedroom,
commercial spaces)**

	Total Count	%
<i>Answered</i>	55	94.8%
<i>Skipped</i>	3	5.2%
<i>Totals</i>	58	100%

**7. Is the rental property partially or completely under some
form of rent regulation?**

	Total Count	%
Yes, there are units only available to seniors	3	5.2%
Yes, there are units only available to low and/or moderate income	5	8.6%
No, none of the units at the property are under rent regulation	50	86.2%
Other	1	1.7%

**8. What is the typical lease term offered for tenants of the
rental property?**

	Total Count	%
Month-to-Month	14	24.1%
One year	31	53.4%
Two years	2	3.4%
No lease required	1	1.7%
Other	5	9%

9. Have rents increased in the past year? If yes, then how many times?

	Total Count	%
Yes, rents increased once in the past year	24	41.4%
Yes, rents increased more than once in the past year	4	6.9%
No, rents have not increased in the past year	24	41.4%
Other	4	6.9%

**10. If rents increased in the past year, how much notice was
given to tenants prior to the increase?**

	Total Count	%
30 days	1	1.7%
60 days	16	27.6%
More than 60 days	7	12.1%
Not applicable, rents have not increased in the past year	13	22.4%
Other	8	14%

11. What are the income requirements for potential new tenants for the rental property?

	Total Count	%
Applicant's income must be 2 times the monthly rent	2	3.4%
Applicant's income must be 2.5 times the monthly rent	4	6.9%
Applicant's income must be 3 times the monthly rent	12	20.7%
Not applicable, there are no income requirements for new tenants	24	41.4%
Other	12	20.7%

12. What was the turnover rate at the rental property in the past year?

	Total Count	%
Less than 5 percent	19	32.8%
5 to 9 percent	1	1.7%
10 to 19 percent	3	5.2%
20 to 49 percent	4	6.9%
Not applicable, there was no turnover in the past year	28	48.3%
Other	1	1.7%

13. Is the rental property using any of the following techniques to minimize tenant turnover at the rental property?

	Total Count	%
Rent concessions or reductions	5	8.6%
Increasing the level of maintenance	6	10.3%
Redecorating or upgrading rental units	11	19.0%
Making other improvements to the property	16	27.6%
Improving services to tenants	8	13.8%
None of the above	21	36.2%
Other	14	24.1%

14. If the rental property does not accept Section 8 vouchers, why not?

	Total Count	%
Concern about ability to collect rent from the Section 8 vouchers	3	5.2%
Concern about potential problems with Section 8 tenants	9	15.5%
Too many regulations connected to the Section 8 program	9	15.5%
Too much paperwork and time required to participate in the Section 8 program	6	10.3%
Rents for units at the property are too high to participate in the Section 8 program	12	20.7%
Objection to government involvement in rental subsidies	3	5.2%
Not applicable, the property accepts Section 8 vouchers	14	24.1%
Other	18	31%

15. Please share any additional thoughts about the rental housing market in Marin County:

	Total Count	%
<i>Answered</i>	34	58.6%
<i>Skipped</i>	24	41.4%
<i>Total</i>	58	100%

Attachment 5

Open Comments from the 2015 Rental Housing Survey for Property Owners/Managers

Please share any additional thoughts about the rental housing market in Marin County:

Dave Coury inside Corte Madera (on forum) March 19, 2015, 1:59 PM

Housing is difficult in the Bay Area and it is an emergency in Marin. The County should consider rent control and devote massive resources (\$15 million annually...similar to open space... subsidizing housing for it's workers and for people with disabilities and others in the protected classes.

Name not available (unclaimed) March 19, 2015, 2:23 PM

The rental housing market in Marin County is in serious need of affordable housing to allow for those who provide services to the community to also live near their work, and for seniors in the community to be able to stay there or be near their family.

Name not available (unclaimed) March 20, 2015, 4:21 PM

Tenants stay for long periods. One is 6 years and the other is 17 years. We keep rents low and raise the rent to recoup increases in expenses. Maintenance costs typically increase about 20% a year. For example, a roof that costs \$1000 this year is going to cost \$1200 next year. Insurance costs have the same increases. Property taxes always increase.

Name not available (unclaimed) March 20, 2015, 8:53 PM

ease up on second unit/granny unit requirements and red tape. Offer a reduction in fees to convert more property to second units.

Scott Drotman inside Unincorporated Marin County (unverified) March 20, 2015, 9:16 PM

Rental housing is tight. We are keeping rents low and due to that we are deferring maintenance. Increased regulations are requiring us to raise rents.

Name not available (unclaimed) March 21, 2015, 5:40 PM

County should consider changing zoning to convert large single family for condo, multifamily , house sharing, co housing, and other solutions to elderly and senior housing.

Name not shown inside Unincorporated Marin County (on forum) March 27, 2015, 7:02 PM

There needs to be more rental units available.

Name not shown inside Fairfax (on forum) March 30, 2015, 1:36 PM

Wish we could legalize inlaw units.

Linda Rames inside Unincorporated Marin County (on forum) March 30, 2015, 4:43 PM

In my opinion the rental market in Marin is very healthy unlike the debacle in SF. Except for rent controlled properties in SF, the rents in Marin are more reasonable and will continue to be so unless there is a misguided attempt to institute rent control. As former rental property owners in SF, we left the city when the rent control became too onerous to deal with in a reasonable manner. If there is any idea of trying this in Marin, think again. It is a disaster and totally unfair, benefitting only long time tenants who remain in the rental.

Name not available (unclaimed) March 31, 2015, 3:51 PM

We need more rental units. I think there are areas where 2nd units could be built or converted quite easily if the planning was allowed. I do not think rent control is the answer.

Name not available (unclaimed) March 31, 2015, 6:04 PM

Affordable buildings changing hands should be bought and held for affordable housing.

David Brown inside Mill Valley (on forum) March 31, 2015, 7:02 PM

I own a legal, non-conforming unit. I would like to be able to make it legal conforming so there is no cloud over it. As of now I think that is not possible.

Name not available (unclaimed) April 2, 2015, 10:20 AM

The only way we can afford our place is to rent out the other half. Otherwise, we couldn't afford to live here.

Name not available (unclaimed) April 2, 2015, 10:11 PM

Marin Rental Market is strong - Rental Control would be a problem- - We get a lot of people coming over to Marin from San Francisco with young families. We don't have enough housing for sure

Name not shown outside Marin County (on forum) April 3, 2015, 10:31 AM

If you want to destroy the quality and quantity of rental housing in Marin then institute rent control. To encourage construction of affordable housing (whatever that is), do it through incentives to developers (eg. property tax abatements) and streamlined approval processes.

Bolinas Community Land Trust inside Unincorporated Marin County (on forum) April 3, 2015, 10:47 AM

We gladly accept Section 8 vouchers and see a real need, especially among our senior population, to increase voucher availability.

Name not available (unclaimed) April 3, 2015, 9:22 PM

too many greedy people

Name not available (unclaimed) April 4, 2015, 8:47 AM

It is unfortunate that our rental market commands such a high rent but our living expenses also are high. My rentals are my lively hood.

Name not shown outside Marin County (on forum) April 4, 2015, 2:48 PM

The rental market in Marin is beginning to look like SF as tech workers are driving the property values up at an alarming rate.

Name not shown inside Unincorporated Marin County (on forum) April 6, 2015, 4:33 PM

The San Geronimo Valley Affordable Housing Association is dedicated to increasing the availability of rental housing for low income individuals and families.

Name not shown inside Unincorporated Marin County (on forum) April 6, 2015, 6:08 PM

I offer an affordable rental unit under my home. I'm appalled at the rent increases that are taking place in the past year

Name not shown inside Unincorporated Marin County (on forum) April 7, 2015, 5:18 PM

There is a critical shortage of affordable rentals in Marin County. The County should do whatever is possible, including changing regulations about mixed use, second units, zoning and alternative waste management to address this very serious situation.

Name not available (unclaimed) April 8, 2015, 12:26 PM

none

Name not available (unclaimed) April 8, 2015, 4:56 PM

we don't raise the rent of a good tenant in an effort not to lose such a person. Raising rent and losing a good tenant results in a vacancy that last months plus the expense of redoing the unit --paint, carpet, etc. It's not wise for a pittance.

Name not available (unclaimed) April 9, 2015, 3:44 PM

I am concerned my rent is too low. The unit always rents the same day listed. This causes great distress for applicants and is very stressful to deal with all the disappointment. I am planning a 10% increase in June and my property manager still says that will leave me a minimum of \$200 monthly below what it should go for, and only for a single person at that rate. I have a mother and child and comparable rent is \$465.00 higher per month. I feel a good tenant should pay less but I also fear I am cheating our family out of income we have earned by investing in building a very large in-law apt.

Name not available (unclaimed) April 10, 2015, 11:31 AM

Unfair allocation of sewer charges to multi-unit buildings contributes to the increase in rents.

Name not available (unclaimed) April 12, 2015, 3:08 PM

I believe that high rents in San Francisco have driven the demand up here in Marin. Many people live in Marin with cheaper rents and commute into SF.

Name not shown inside Unincorporated Marin County (on forum) April 13, 2015, 5:14 PM

My first interest is having a tenant who will take care of the property. I would rather not give rent increases in order to keep a compatible tenant on the property. In my case, the tenant was known to me and had worked for me in the past prior to living in the unit.

Mike Rotch inside Mill Valley (on forum) April 22, 2015, 4:47 PM

I am the embodiment of capitalism.

I am Manifest Destiny @ the end of the road. I am the Nina, the Pinta, The Santa Maria. Greed is Good!

Name not available (unclaimed) May 7, 2015, 5:02 PM

we need many more low income rentals

Name not shown inside Unincorporated Marin County (on forum) May 13, 2015, 12:41 PM

Need more, esp. Affordable workforce housing. Also, ability to rent infill housing should be made easy.

Name not available (unclaimed) May 15, 2015, 8:11 AM

Property owners jack up the rent to whatever amount they feel! As, much as \$500 increase! With no added amenities just a good old lease renewal!

Name not available (unclaimed) May 16, 2015, 11:36 AM

I am opposed to the State, through ABAG, mandating the building of housing. When the market will support more housing the developers will build. It is not for the state to force us to build more housing and then have us subsidize it.

Name not shown inside San Rafael (on forum) May 16, 2015, 7:12 PM

Balance between quality housing and fair price is hard to ascertain. Not everyone who wishes to can live here. Infrastructure cannot support many more

Attachment 6
Administrative Record

This attachment includes public correspondence received as of October 6, 2015 for the October 13, 2015 Board of Supervisors workshop. All correspondence received will be posted online at:

<http://www.marincounty.org/depts/cd/divisions/planning/housing/affordable-housing>

Stevenson, Alisa

From: Paul Brunell <paulbrunell@comcast.net>
Sent: Friday, October 02, 2015 2:14 PM
To: Stevenson, Alisa
Subject: affordable vs. Market rate proposals

Dear Ms Stevenson-

I'm writing in hopes that someone at the county level can address or answer my comments below,

While I don't wish to diminish the need for a workshop -- I do need to ask the COUNTY BOS and the county/city planners:

If affordable housing --- TRUE affordable housing -- not just HIGHER low income housing is such a priority, why is the county and city currently accepting applications for TWO MARKET RATE development proposals happening in our zip codes as we speak. One of which is the 200+ unit LUXURY MARKET RATE proposal at the Four Points site in Terra Linda?

If the county BOS were REALLY that invested in affordable housing, they would summarily DISMISS the current MARKET RATE proposals now being brought to the community and ONLY accept affordable housing proposals. It is absolutely mind-numbing to try and wrap logic around this.

Maybe the reason why only market rate proposals are on the table right now is because that's the only way the developers are penciling out a profit big enough to make the projects work. It's taking private money from George Lucas to even consider a work force/senior housing development out at Grady Ranch -- which we all know is a bad location, but it's his land. His "gift." But developers who don't have Lucas-size-budgets and pocket books have to make it work for their investors. The irony here is, maybe "affordable housing" projects just aren't affordable enough to build here and make enough of a profit off of to justify.

Combine that with owners like the ones at Marinwood Plaza who also want to make a profit and aren't willing to sell to companies like Bridge, AND the fact that they now have a toxic liability on their land to clean up... expensive!!! Now add that you actually have a CONFLICT between what different sects of the "affordable housing" proponents want:
1) The affordable housing group that wants "workforce housing" for those who work in Marin -- teachers, etc...
2) The affordable housing group that wants more of what HUD wants, which is social engineering regardless of where they work.
Those are in conflict with each other in many cases.

Instead of taking applications for LUXURY MARKET RATE developments like the one now being proposed at the Four Points in Terra Linda... which could feature \$50,000 parking spaces and a hydraulic lift parking garage... and will provide almost NO affordable housing. Why doesn't the BOS solicit bids for smaller scale affordable/Senior living developments in similar locations?!

So, it seems odd to hold affordable housing workshops when, out of the other side of the county's and city's mouths, they seem to be only willing to accept and consider market rate development proposals.

Please explain?

Stevenson, Alisa

From: Ms Angela Gott <angelagott@yahoo.com>
Sent: Friday, October 02, 2015 3:02 PM
To: Stevenson, Alisa
Subject: Re: BOS Staff Report Renter Survey Results and comments

October 2, 2015
From Angela Gott
Re: Survey Comments 40 pages

I recognized my own comment as I responded to the survey, on Page 3 and it starts off:

Name not available (unclaimed) March 30, 2015, 1:48 PM

"I have always worked since age 18, never married, no kids, always earned minimum wage. . . ."

I plan to speak on October 13th before the BOS--

Marin's Seniors who are languishing on Marin Housing's Wait List to Nowhere , all 11,000 + need to be contacted and a census taken to determine what cities they reside in and /or unincorporated status.

They need to specify their monthly income/resources-- total amount to cover all their living expenses: Rent, Food, Utilities, Medicare expenses: premiums, co-pays, Advantage Program Premium, Prescriptions, outstanding medical bills, etc. and if they are dual eligible (have Medicaid also) which then pays all of the premiums, co-pays, prescriptions, Advantage Program premium too.

Car and insurance and expenses to maintain

If they are employed

If they are receiving any kind of pension, Social Security, SSI, SSDI, VA check, etc. as part of their monthly income/resources

The reason for this is I got on the Marin Housing Wait list to nowhere when it reopened for one week February 2014, having been closed since 2008 and is now closed again to every one else who has reached age 62 since February 2014.

And at the time in February 2014, as a new Expanded Medicaid (Medi-CAL) recipient I had NO Medical expenses at all. I did not have any premiums, no co-pays, no deductible, no prescription cost. All this is determined and controlled by the Federal ACA IRS rules set at 138% poverty level. It has been wonderful and I am truly grateful for it.

But as soon as any senior turns 65 and gets on Medicare-- all this ENDS !!! Expanded Medicaid set at 138% poverty ends upon turning 65.

Our Social Security Full age of Retirement Age is not until reaching age 66 and in some cases age 67 yet you have to sign up at age 65 or pay a lifetime penalty of 10% a year for every year not signed up for Part B and also for Part D.

Added to this: If there is NO COLA, then all those born in 1951 (me) who are just starting on Medicare and/or all those not yet drawing Social Security, also me--because I have to wait until age 66 Full Retirement age or get a reduced check by 25% for life, --all of us estimated to be 30% now face having Part B premium go from \$104.90/ month --where it is now for all Seniors on Medicare to \$160/ month just for Part B! Then there is the Advantage Program Premium which is \$66 for SCAN and \$96/ month for Kaiser and the cost of Prescriptions too. So these are new added monthly expenses Marin's seniors age 65+ face in addition to the RENT and the utilities and food and car expenses. Nationally 19% of Seniors on Medicare can no longer afford to be on Medicare because of what it costs to be on Medicare.

So Marin County needs to determine how many precariously housed its seniors are, based on what cities they reside in and how much rent they are paying and what percentage of their monthly income stream this is and add to this, their cost to be on Medicare. It is in Marin's financial interest to keep its seniors on Medicare and help them maintain their ability to pay their premiums. Advantage Plans have a cap and Fee for Service has no cap at all so these seniors need to be on an Advantage Program and many have no idea what they are on or how it all works.

None of these seniors turning 65 can meet eligibility to be on Medicaid starting at age 65 because the poverty level has been set much lower. They have to spend down all their assets to nothing more than \$2,000 and they can't have an income stream higher than \$1211/ month for 1 person and the rents for a 1 bedroom apartment in Marin are all higher than this cut off amount. Most extremely low seniors have an income around \$1,200 to \$1,400 a month which is higher than the \$1,211/ month and most of their income goes to the rent.

In all of CA, only 430,000 Seniors are dual eligible-- on both Medicare and Medicaid and most of them are legal paupers in nursing homes and board and care facilities. We have thousands of able bodied seniors with extremely low incomes who are too rich for both Food Stamps and Medicaid because the eligibility cut offs are set too low and the rents are way too high.

None of these seniors qualifies for Section 8 because they never had a child, are not disabled, and are not mentally ill. They are just very poor. That's it.

I can't stress enough how much Section 8 --when it is attached to new affordable housing units being developed as part of the incentives to developers, how much this hurts Marin's local extremely low income seniors who do not have these vouchers and never will have these vouchers.

Any planner who pushes Section 8 voucher as part of the density bonus, etc. makes it virtually impossible for Marin's seniors high risk for homelessness to then move into one of these new units, few as they are, being built here and there in infill projects in Marin.

What it does do is open the door to every Section 8 Voucher holder living not only all over other CA counties but other states too. What Marin County and its cities need to do is to build **subsidized housing** which stays with the development not with the person, the recipient. **We want "affordable housing" to go to Marin's extremely low income and precariously housed seniors who are high risk for being evicted from their apartments due to the rising rents they can no longer afford to pay.** Marin's seniors need "seniors subsidized housing" and those are the words which need to be used, not Section 8.

"Low Income" levels have a monthly income set for just a studio of over \$3,600 a month when Marin's extremely low income seniors have half that as their monthly income. Housing for Extremely Low Income needs to be built in Marin.

Marin is sitting on an iceberg of just how many of its seniors are facing eviction and homelessness as these rents continue to rise without any rent control protections.

Also on Craigslist there are foreign nationals now scamming seniors who are not savvy-- A room for rent, shared housing, appeared for San Rafael for one day earlier this week, a master bedroom with bath with all amenities to die for and all the rent was, \$450/ month including utilities. Way down at the bottom was mentioned "across the street from Forest Park Elementary" -- Well this was lifted from an ad in Fremont and when I asked about this they shifted to a new place at 108 Professional Parkway Drive . I called San Rafael Police and they said there are way too many and they can't investigate as they originate from overseas. I have kept all the emails --but they want the senior to wire several month's rent and give all kinds of information and a desperate, un-savvy senior can easily fall for this and give their bank account number or send a check with that number to these crooks, etc.

So this is another danger these already desperate Marin high risk for homelessness Seniors are now facing-- these crooks claim they are working in the Ukraine and we have a lot of low income Seniors from the Ukraine residing here. They wait for food with me every week.

This is reaching critical mass here, the magnitude of many seniors there are in Marin who need subsidized senior housing as soon as possible.

Angela Gott
San Rafael CA 94903

Stevenson, Alisa

From: Linda Rames <ljrames@gmail.com>
Sent: Monday, October 05, 2015 12:58 PM
To: Stevenson, Alisa
Subject: Preserving Housing Affordability

Dear Ms. Stevenson:

We have read your report on housing affordability and wish to comment.

We are long time landlords making the majority of our income from rentals. We originally started in San Francisco but eventually sold our property there and now have rental units only in Marin County. We feel that your report, while it may make readers feel good, is unrealistic in today's economy.

On pg. 2 you comment that many existing homeowners in Marin would likely not be able to purchase their home again at current market rates. This is true not only in Marin but anywhere else in the immediate bay area.

On pg. 3 you state a need to preserve the limited housing opportunities that exist for lower and moderate income households. You then go on to promote ways to accomplish this goal which are totally unrealistic unless Marin County is going to become the largest landlord in the Bay Area. For instance, 'convert existing market rate units to permanently affordable units'. The only way to accomplish this is to buy the units.

On pg. 4 . you consider increasing tenant rental protections by a variety of actions which boil down to rent control. We would advise you to take a look at the situation in San Francisco. A good deal of the housing shortage is directly due to onerous rent control policies.

While it took many years to finally come to a head in the City, prohibiting only certain property owners from making a reasonable profit will force them to take action, which they did and are continuing to do every day by taking their units off the market and selling to owner occupants.

You include a long list of communities which are considering tenant protections. Is this list supposed to justify actions in Marin County? Specifically mentioned is Healdsburg which is contemplating no more than a 10% increase annually. That is how it started in San Francisco and was quickly changed to using the cost of living index which is totally inadequate and does not provide enough income to maintain a property.

On pg. 5 you mention conclusions from the AI report which states that Hispanic, Asian, and particularly African American households view Marin as unwelcoming. This conclusion is patently ridiculous and we wonder where the information was obtained. In the 39 years we have lived here, we have noticed Marin is very welcoming of all who come here. As an example, Marin City, which used to be primarily African American, is now very diverse with residents from many different races including Caucasian. What is deplorable is the current treatment of the residents of Marin City by the Marin Housing Authority (Board of Supervisors).

On pg. 6 there is detailed commentary on the rental housing survey done earlier this year. Having participated in the survey, we found it very slanted. Those who responded indicated that rent was their highest expense. Is that not the case with anyone who has to pay a mortgage or rent? 60% indicated that their rent had gone up in the past year. Most landlords do raise rents once a year so that should not come as a surprise. In our experience, evictions are few and far between and are only done for just cause. We believe most landlords do not evict tenants unless it is really necessary as it is an unpleasant and expensive action.

In conclusion, we do not challenge your figures; however, we think your solutions are unrealistic and, in some cases, would do more harm than good by driving landlords out of the market or by forcing them to dramatically increase rents. It would be good to keep in mind that not everyone can live where they desire if they can't afford it.

Sincerely,

Robert & Linda Rames

Stevenson, Alisa

From: Rita Widergren <som52@comcast.net>
Sent: Monday, October 05, 2015 2:24 PM
To: Stevenson, Alisa
Subject: Affordable housing

Dear Board Members, I have been a resident of Marin County since 1971, and worked in our community as a public health nurse both in the home health field and with the County of Marin's DAAS for more than thirty years. The topic of affordable housing has been discussed and re-discussed across the broad spectrum of services and organizations interested in this idea for decades, with little or no impact on the problem. Unless or until there is willingness to **ACTUALLY START SOMETHING SOMEWHERE**, these discussions will continue right along with the lack of affordable housing in our community in perpetuity. As the founding manager of programs like Project Independence, Transition To Wellness and Opportunity Village Marin, I am aware of the needs of the most vulnerable in our community. Our programs have served their health needs well, but without affordable housing, our community will remain inaccessible them, to our children, & to our fixed income seniors. Respectfully, Rita Widergren, PHN

From: Marsha Hallet
Sent: Tuesday, October 06, 2015 10:07 AM
To: McIntyre, Ashley Hart
Subject: Re: 10/13 BOS Workshop on Housing Affordability

Hi Ashley,

I will be unable to attend the October 13 meeting.

Marin County Supervisors need to review the 2015 Point in Time Census Executive Summary. Non profits are focused on affordable housing, but that does not come up as a top reason for homelessness by the surveyed respondents.

The top 4 reasons respondents gave to what might have prevented homelessness were:

1. Employment assistance - 31%
2. Rent assistance - 21%
3. Alcohol and drug counseling-20%
4. Help assessing benefits - 15%

In the body of the report, the primary cause of homelessness is drug abuse 17% followed by lost jobs 16%, divorce 14% and eviction 14%.

I am not sure why the data is not based on 100% or why a specific question about affordable housing was not included in the survey. In any case, the housing first model should come after offering employment and rent assistance.

Services should be offered using a carrot and stick approach. There are too many freebies that are attracting people who do not contribute. Working people who cannot afford to live in Marin live elsewhere. So should homeless.

Thank you for adding my thoughts to the conversation.

Best regards,
Marsha

Stevenson, Alisa

From: jsever117@gmail.com
Sent: Wednesday, October 07, 2015 9:41 AM
To: Stevenson, Alisa
Subject: CALM told me about the Preserving Housing Affordability meeting

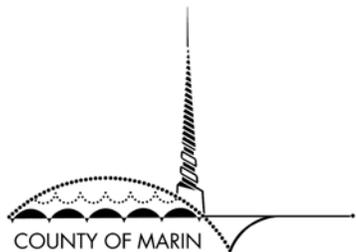
Dear Supervisors,

I support you in moving ahead with ALL housing measures, options, initiatives and actions. We need more affordability an access to safe biking walking and transit. More transit friendly development. More provisions to fix rental rates for lifetimes of seniors needing to downsize out of remote hilltop large homes into walkable centrally located smaller apartments, so seniors can afford to sell and move into rental units that that they can plan for the costs of. No increases in rents.

Thank you.

Jean Severinghaus

Sent from my BlackBerry 10 smartphone.



MEMORANDUM

DATE: October 12, 2015
TO: Marin County Board of Supervisors
FROM: Alisa Stevenson, Planner
RE: Additional correspondence for October 13, 2015 workshop on Preserving Housing Affordability

This packet includes public correspondence received in regard to the October 13, 2015 public workshop on preserving housing affordability in Marin. Contained herein is all additional correspondence received between October 7 and 12, 2015 that was not included in your Board packets. Any further correspondence received after 12:00 PM on October 12 will be distributed to you by the Clerk of the Board. If you have questions, I can be reached at (415) 473-7309 or astevenson@marincounty.org.

Stevenson, Alisa

From: Olivia Beltran <aguazule@yahoo.com>
Sent: Sunday, October 11, 2015 10:54 PM
To: Stevenson, Alisa
Subject: Affordable Housing in Marin County

Follow Up Flag: Follow Up
Due By: Monday, October 12, 2015 8:07 AM
Flag Status: Completed

Hello Alisa,

I won't be able to attend the morning meeting on Tuesday, please present my comment to the Board of Supervisors. I am a resident of San Anselmo and I commend the Board of Supervisors for working on making housing affordable in Marin County. Along with all the great concepts they are considering, it will be important for the Board of Supervisors to create and establish laws in Marin County that would required all landlords to make a certain percentage of their rentable units available at an affordable price; Also, all landlords should be required to have a certain percentage of units available to households that hold Section 8 vouchers.

Thank you, for presenting my comment.

Regards,
Olivia Beltran

From: Sandra G Campodonico
Sent: Monday, October 12, 2015 9:17 AM
To: Thomas, Leelee
Subject: Housing

Hi Leelee,

I have a few ideas for the housing crisis. You know I've been low income landlord for over 20 years now and I have been working with the various organizations in Marin providing housing for the homeless.

1. St. Vincent/Marin should purchase/lease the empty building that housed Cascade Canyon School. That school just moved to St. Rita,s. Many efficiency units can be place there.
2. Purchase Scenic Road home, Fairfax, CA Multi unit property for sale at \$499,000. Two houses, 3 bedroom and studio.
3. Purchase Fred Grange's property in Forest Knolls that includes the Forest Knolls Post Office. That already had rental units and old large restaurant. Needs work, but completely doable.
4. Allow existing and new low income landlords to have second units, convert commercial to residential and allow the third bedroom efficiency units.

All of the above ideas would not displace existing low income tenants because they are vacant at this time.

If you use that 6 million to accomplish the above it would be a large dent or/satisfy this crisis. You know people are losing their section 8 vouchers as we speak. I have been talking to landlords in Marin and advising them to accept the section 8 tenants. I have a list of people that are section 8 that need housing immediately because they are on their last extension for the voucher program. I believe this money leaves Marin if not used.

I would like to help accomplish the above. I am leaving for a week and will be back on the 22nd if you want me to help you make any of the above happen.

Thanks,

Sandy Campodonico

From: Ms Angela Gott
Sent: Wednesday, October 07, 2015 10:20 AM
To: Stevenson, Alisa
Subject: Re: Yes Please !!Safeway no longer giving food donations to Marin -SF Food Bank

Re: Yes Please !!Safeway no longer giving food donations to Marin -SF Food Bank

Marin's Seniors need 3 legs on the stool to survive and prevent falling into homelessness:

Leg 1. Affordable rent, subsidized senior housing requiring 30%, of the senior's monthly resources, not 90% or higher.

Leg 2. Enough money to pay Medicare Premiums, co pays, prescription costs and nationally 19% of the seniors no longer can afford to pay Medicare Premiums or utilize Medicare.

Leg 3. Food and what they generally get, \$1,200 to \$1,300 a month in Social Security makes them too rich for Food Stamps and too rich for Medicaid which would cover those Premiums for Medicare if they were dual eligible but in all of CA only 430,000 meet the income low enough to get Medicaid because the level of poverty is set so low. So if they had subsidized housing, they'd have enough to pay into medicare and to buy food. With the cost or rent sucking everyone dry, they no longer have the 3 legs of the stool in place to prevent homelessness nor any quality of life.

So when the offerings delivered by Marin Food Bank to the Salvation Army are so low consistently over 5 weeks or longer and the response is Albertson's bought Safeway so policies about distributing expired date foods have changed so that Marin -SF Food Bank no longer gets these food products, then yes, it warrants a letter to Albertson's / Safeway Corporate and the letter speaks for itself about my situation and the situation of thousands of Marin's extremely low income seniors similarly situated and relying on Marin Food-Bank for food.

Thank you.
Angela Gott
San Rafael 94903

From: Ms Angela Gott
Sent: Tuesday, October 06, 2015 11:08 AM
To: Wendy Gutshall
Subject: Safeway no longer giving food donations to Marin -SF Food Bank

To: Wendy Gutshall, Public Affairs Safeway Corporate Northern California

From: Angela Gott, age 64, Marin County resident dependent on Marin -SF Foodbank for food

My income last year was \$12, 214.74.

My rent is \$1,265/ month.

My monthly income from a part-time, no benefits job, I am lucky to have at age 64 is too high to qualify for food stamps. It is under 138% poverty which is the cut off for Expanded Medicaid eligibility (\$16,243 in 2015) so at least I have access to health care.

Next year when I turn 65, I am going to have to come up with Medicare Premiums for Part B and Part D (drug plan) or Part C is I do an advantage program. I have no idea how I am going to be able to afford to pay these premiums. Nationally, 19% of the Seniors on Medicare can no longer afford to pay what it costs to be on Medicare so they are no longer able to go to their doctors.

In Marin County, one of the most affluent counties, due to failure to plan, there are over 11,000+ seniors age 62+ who are high risk for homelessness on Marin County's wait list to nowhere for less than 1,700 spaces for subsidized housing.

Gentrifying is taking over Marin County and rents have risen to the point seniors are getting evicted because they can no longer afford to pay the high rents.

The average monthly Social Security benefit is between \$1,200 and \$1,300 a month. Women receive lower benefit checks and more and more women are living out their final years in poverty.

Everything the senior has left is going toward the rent. They are totally dependent on Marin-SF Food Bank for food. The largest demographic dependent on Marin-SF Food bank are the seniors in Marin County.

So I understand Albertson's bought out Safeway and for some reason, it has come down from the new corporate management that perishable foods with expiration dates on breads, sweets, meats, sandwiches, salads, etc. can no longer be donated to Marin -SF Food Bank.

Albertson's is systematically starving thousands of senior citizens all over Northern California. These seniors are doing well just to drag their rolling luggage and carts to the food distribution sites.

I go to the Salvation Army every Tuesday morning. There are over 150 seniors who live in San Rafael, CA who go to this location on Tuesday mornings for their food.

Today we got almost nothing. A lot of these people do not have stoves. I had mine disconnected 10 years ago to lower my gas bill. I get by with a slow cooker and a microwave oven.

We used to get pastries and sweets, all kinds of breads, and sometimes salads, meats, sandwiches, prepared foods in containers and even milk or juices.

For the last 6 weeks we've gotten no breads or sweets and none of the other stuff either except from Trader Joe's and thank the lord for that! But it's not enough. The first 50 people get the best stuff. We are color coded and numbered with assigned times to show up to go through so one color gets what has been obtained from Trader Joe's. The next 100 get only vegetables, fruits, and either 1 doz eggs or frozen chicken or sometimes frozen salmon.

Today I got 4 plums
1 onion
5 potatoes
5 carrots
1 bag of rice
4 apples
1 head of romaine
2 stalks of celery
1 can of yellow corn
1 doz eggs

And I was in the front of the line, maybe number 25 --Food Bank Marin-SF has been devastated by the loss of the food donations from Safeways in the Northern CA area.

Please do something to get Albertson's to change its policies. These seniors have been loyal Safeway and Albertson's customers their entire lives. The seniors of Marin need Albertson's and Safeway's help to survive.

This is tragic what is going on when the need for food for seniors is growing in leaps and bounds.

Thank you.

Sincerely,
Angela Gott
San Rafael, CA 94901

From: Ms Angela Gott
Sent: Sunday, October 11, 2015 10:31 AM
To: Ms Angela Gott
Subject: Just trying to keep you in the loop re: recent email from MAD group

This was posted and sent to 25 neighborhoods urging people to wear the color Red and to attend the Workshop Tuesday October 13th and until others responded and posted their own responses, I was totally taken in, planning to wear Red myself, and was in every sense, "being played" by this group's other agenda and their actual true purpose.

The other posters (I will share their posts below this) set me straight and now I am "educated" and incensed that their email which was then posted contained such misinformation, and was designed to manipulate people into showing support (by wearing Red) for a group which has organized to fight against diversity in housing and to fight against the building of affordable housing for seniors and workforce which can no longer afford to live in Marin.

It is very possible that those who do not read the online Nextdoor.com and who received MAD's email urging everyone to wear RED, will show up in Red without knowing or understanding that MAD's information re: Marin City and razing 600 units is factually incorrect. So I just wanted you to be aware of the trickery and the extent MAD leadership resorts to, to distort, misinform, incite the public to believe stuff which just isn't true.

Sincerely,

Angela Gott, age 64, high risk for homelessness, on Marin Housing's waitlist, in dire need of access to senior subsidized housing, along with 11,000+ other Marin residents.

Contents of the Post:

WHAT: "Preserving Housing Affordability Workshop"
WHEN: Tuesday 10/13, 9:00 am
WHERE: Board of Supervisors Chambers, Room 329, Civic Center, San Rafael
ACTION: Attend this meeting. Send emails to the BOS now.

The purpose of this Workshop is to "discuss issues affecting housing in Marin and potential solutions to prevent displacement and preserve housing affordability."

Marin City is one of the few truly affordable areas in Marin for low-income residents. Unfortunately, the County has designated Marin City as a Priority Development Area (PDA), with the potential for upwards of 600+ workforce housing units which will displace current Marin City's current residents, who will not be able to afford to continue to live there.

The current low-income buildings in Marin City will be razed for this new housing. Marin Housing Authority has allowed them to slip into a state of disrepair (Marin Housing Authority's governing board is the incumbent Board of Supervisors.)

To Do:

1. Attend this workshop to support the low-income residents of Marin City in their efforts to save their housing. Our opponents, who are funded by developers and builders, are waging a campaign to dominate this workshop with huge attendance. **Wear red.**
2. Send emails to the Board of Supervisors this week. Voice your concerns for Marin City's residents who would be displaced. And urge the BOS to find solutions to affordable housing that are consistent with Marin's small town character, e.g., second units, junior units, renovation of existing structures, etc. Building more high density housing is not the solution. Our emails need to outnumber those of our opponents, who are urging their followers to send emails to the Board of Supervisors. Your help is crucial: Marin City and all of Marin County need our help.

Email addresses for the Board of Supervisors:
Supervisor Katie Rice: <krice@marincounty.org>
Supervisor Kate Sears: <ksears@marincounty.org>
Supervisor Steve Kinsey: <skinsey@marincounty.org>
Supervisor Judy Arnold: <jarnold@marincounty.org>
Supervisor Damon Connolly: <dconnolly@marincounty.org>

For further information, read the Staff Recommendations -- <https://static1.squarespace.com/static/5...>

Content of the responses posted to the above post:

from Gerstle Park 2d ago

With all due respect, but this is highly misleading. I have been attending the workshops held in Marin City around this issue and there are no plans at this point. However, there are a set of ... [View more](#) principles which have been adopted by ALL...the County, the Marin Housing Authority, and the Community which commit to a policy of

NO displacement and resisting gentrification. There is a grassroots movement to maintain the existing Golden Gate Village buildings, but the feasibility of that is in doubt and would require a great deal of funding.

The buildings have not been "allowed" to slip into disrepair...the County has not contributed to their maintenance and the Federal budget has been drastically cut.

The county report on preserving affordable housing is excellent; I highly recommend reading it. Attachment 3, a compilation of comments in response to the County survey, will break your heart.

from Lincoln Hill 2d ago

Thank you and Dave for bringing these issues to our attention.

from Sir Francis Drake Firehouse 2d ago

Thanks Dave, we need more knowledgeable people like you on the right side of this battle. Jennifer's post subtly encourages people to attend and wear "red", which is the signature color for MAD ... [View more](#) (Marin Against Density) which should be Marin Against Diversity since that is the true goal of this organization. As Dave points out, the MAD people have a unique way of twisting words and facts which is often the case when one is attempting to mislead others.

I've attended BOS meetings and attempted to speak on behalf of the need for affordable housing in Marin but was booed by the red shirts when I stated that Marin County is not a private county and all people should have options in living here, especially the working people who have to commute long distances to provide services to the elite and entitled who seem to be overtaking this county.

Of course, it's difficult for many working people to attend this meeting since it's set for 9:00 a.m. but please show up if you can (hopefully not in a red shirt).

Edited 2d ago

from Gerstle Park 2d ago

Terry, you are correct. It was a MAD post I got via email. Since I am at work, I just forwarded it on as it is a valuable meeting to attend for those who can. Just for the record, I am not a supporter or member of MAD, just trying to encourage community involvement. Red shirts unnecessary :)

from Lincoln Hill 2d ago

Don't get mad, get glad! <https://www.glad.com>

Angela Gott from Lincoln Hill 1d ago

I am going to the meeting; I have not heard of MAD so I will be sure NOT to wear RED and I did not know this was about Marin City and proposed development down there. I can't believe the county would ... [View more](#) even contemplate getting rid of low income housing when so much is needed to house all of us. There are 11,000+ age 62+ eligible for subsidized housing only there is no housing in Marin for us to move into. We are all waiting to get into less than 1,700 spaces and hundreds more have turned 62 since Feb 2014 when the Marin Housing Authority's waitlist closed after being open just 1 week when 3,000 more jumped on and now you are telling me they are planning to raze hundreds of those spaces down in Marin City? I've read nothing in the Marin IJ or anywhere else about this. This is beyond the pale. Marin's seniors are going to be homeless all over the streets of Marin if this keeps up without building us subsidized housing. This is immoral and unethical. Marin's seniors are defenseless and are victims in all this. This is the worst possible news yet. I am just so depressed over this news, I can't believe it. I was so hoping a miracle would happen and now we are just going to have that many more seniors high risk for homelessness too, on top of the 11,000+. I am in shock.

Stevenson, Alisa

From: Elizabeth Moody <eliz10102@gmail.com>
Sent: Monday, October 12, 2015 8:26 AM
To: Stevenson, Alisa
Subject: Affordable Housing and Bd. of Supervisor's Tuesday meeting

Follow Up Flag: Follow Up
Due By: Monday, October 12, 2015 8:42 AM
Flag Status: Completed

Since 1973 I have lived in Marin County, mostly in Novato where we raised kids and owned housing. Now I live in a Section 8 unit for at least 17 years in The Redwoods in Mill Valley. My 3 kids could not afford housing here and live outside the county. My oldest daughter, whose 4 sons are all married, lives in Rohnert Park although her husband worked here until retired I hope that in your discussion this week in our Board of Supervisors meeting, you will assume roles as much as possible to provide affordable housing in Marin County at least in unincorporated areas under your control. Both for climate change as well as fairness, we need to provide affordable housing most especially for workers. I encourage you to find ways to help.

Thank you.

Elizabeth Moody
The Redwoods Apt. 10102
Mill Valley, CA 94941-5803

Stevenson, Alisa

From: Kari Nordskog <nord4444@comcast.net>
Sent: Sunday, October 11, 2015 4:22 PM
To: Stevenson, Alisa
Subject: Rent increases

Follow Up Flag: Follow Up
Due By: Monday, October 12, 2015 8:08 AM
Flag Status: Completed

My rent went up \$500 in 7 months this year. Very scary!!

Sent from my iPad

Stevenson, Alisa

From: Gary D. Novack, Ph.D. <gary_novack@pharmalogic.com>
Sent: Friday, October 09, 2015 9:23 AM
To: Stevenson, Alisa
Subject: Housing issues in Marin - thank you

Dear County Board of Supervisors,

I appreciate the Supervisors continuing to explore countywide housing issues and solutions to our problems. In particular, I appreciate the offering of the Workshop on Preserving Housing Affordability on 13 October. The staff report objectively provides the problem as well as a number of possible solutions.

Gary Novack

Gary D. Novack, Ph.D.
PharmaLogic Development, Inc.
17 Bridgegate Drive
San Rafael CA 94903
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Fax (415) 472-2183
gary_novack@pharmalogic.com
www.pharmalogic.com

From: Nicholas Reilly [mailto:nicholaspreilly@gmail.com]

Sent: Sunday, October 11, 2015 11:53 PM

To: Stevenson, Alisa

Subject: Rent Control

Alisa,

I just read the article that you are exploring rent control here in Marin County.

I believe this is a terrible idea for the community. Why not look into fixing the traffic problems that are making Marin nearly unlivable for so many. Wide protected bike lanes, speed buses, trains, BART, every solution needs to be explored.

I am a small time landlord. I lost my career in the 08 crisis as an investment advisor. I took a risk with everything I had and bought a duplex in San Anselmo. One of the reasons I picked Marin was because I grew up here and my mother still lives here. I love it here. Marin has nearly always been a place that is very desirable to live. Now through UBER and Airbnb many more have discovered how great it is the last couple years.

Why does the county constantly hire out of county workers? Maybe we could give priority to people who live here instead of promising jobs to people from who knows where.

Rent control in 2016 would be a terrible idea. Landlords like me would raise rates on good tenants. I dont plan on raising the rent next spring on the young couple who leased my unit. Even though they lied to me about their family situation. But if there is even a sniff of this going down I will be forced to try to get whatever rate I can which would be probably 30% higher.

The path to wealth is education. You have to educate yourself as much as possible and that means financially as well. This crazy system we have here in America is ruthless no doubt. I have done real well in some areas of the system and failed in others.

My solution would be to work on traffic.

Then I would build higher green buildings in downtown San Rafael, and Novato.

And by the way why the heck has there been a beautiful vacant nearly burned out victorian in downtown San Rafael on 2nd street. This has been like that for 5 years.

I would love to speak to you sometime if you have a minute. Give me a call at my number below.

Thank you,
Nick Reilly

Nicholas Reilly
(415) 713-8469

Stevenson, Alisa

From: gordon reynolds <gordon@sfdowntown.com>
Sent: Monday, October 12, 2015 8:08 AM
To: Stevenson, Alisa
Subject: Rent stablization

Follow Up Flag: Follow Up
Due By: Monday, October 12, 2015 8:10 AM
Flag Status: Completed

Dear Ms Stevenson,

Unable to attend your Tuesday meeting, I am a 78 year old working senior, obliged to continue my employment to make ends meet.

With 10% per year increases in rent, my tiny one bedroom apartment eats up nearly all of my Social Security, hence the necessity of continuing to work. Moving outside Marin is not an option as nearby rents are also going out of sight and a long commute would wipe out any housing savings.

County rent control offers a practical solution, even if limited to a seven to ten year duration, freezing rents initially, then allowing modest increases in the range of 3% as the market cools.

In my case, as in many others, such early action could forestall numerous hardship evictions -- and the resulting increase in folks entirely dependent on welfare, leaving room and time to consider and implement other solutions to the pressing housing issues.

Please encourage the earliest possible consideration of rent control. It is the only action that offers early and effective relief to this out of control housing emergency.

Sincerely,

Gordon Reynolds



October 12, 2015

Dear Board of Supervisors and County Staff,

Stable homes for those who live or work locally in West Marin has fast become the single biggest issue the community faces with far reaching effects for community health, economic progress, quality of life, and the health of organizations and institutions that serve the population at large - schools, emergency services, medical facilities and local non-profits.

The confluence of a hot housing market priced beyond reach of most everyone who works locally, the significant loss of existing rentals with sales of those homes, and the proliferation of vacation rentals by owner - has meant that our housing landscape has gone through a dramatic refiguring in the past two years that has left hundreds displaced, and those who remain in rental homes are, by definition, "precariously housed".

It would be hard to overestimate the effect this is having on our communities in West Marin, as reflected by the one hundred and thirty letters of support which were submitted to legislators for the reutilization of the Point Reyes Coast Guard site for affordable homes. Attached to this letter is a one-page sample of quotes from those letters describing the effect that the lack of affordable housing options in West Marin is having in our communities.

Responding to the current staff report, "Preserving Housing Affordability" we would like to affirm all options presented, urge the Board to commit to multiple strategies, and state our full partnership, as a Community Land Trust in West Marin, for every decision and strategy to increase housing options for County residents, especially those in the unincorporated areas.

The urgency of the current situation calls for bold solutions, multifaceted strategies that are simultaneously enacted, and new kinds of partnerships that 1) leverage funds, 2) ensure strategies meet the need of local populations, and 3) protect and preserve any affordable housing in perpetuity.

We request the Board's consideration of the following approaches:

1) Capitalize the Housing Trust Fund in new ways.

State and federal sources of funding for affordable housing are being cut at every turn: On October 10th, the Governor vetoed AB 35, which would have increased state housing tax credits by \$100 million/annually for 5 years, and would have brought \$1billion in federal funds to California.

AB 1355 (Atkins), a measure which would create a state housing trust fund and an ongoing source of funding for affordable housing, is currently stalled. At the federal level, the HUD

HOME program is up for a 93% reduction this year, after continuous reduction for more than 5 years.

Meanwhile, with just \$5 million in the Marin County Housing Trust Fund - the bulk of which will be spent on projects currently in the pipeline - there is a priority to generate new sources of revenue to ensure housing options for the diverse incomes of those who live and work in the County. With the Housing Trust funded by a progressive inclusionary zoning policy, ***the general fund allocation of \$250,000 annually should be dramatically increased as other sources of revenue are identified and enacted.***

Please reference the document: ***A Survey of Revenue Tools to Fund Affordable Housing and Services in the Portland Metro Region*** (November 2014), developed by the Welcome Home coalition. This document provides a survey of what cities and counties have done across the country to increase revenue for affordable housing:
<https://www.portlandoregon.gov/phb/article/508254>

2) Investigate a Vacation-Rental-by-Owner ordinance with funds going for affordable housing.

With its commitment to and prevalence of open space and limited land available for development, the existing homes in the County's unincorporated area are ***the*** major vehicle for housing options and must be stewarded with utmost responsibility. By all means, the County must de-incentivize current activity by non-resident owners to use housing as vacation rentals, rather than full-time rentals. This activity displaces local families and individuals by removing rental housing and has the overall effect of increasing rents, as exemplified by the County's Rental Housing survey.

As many in the West Marin community have historically had a "second unit in the back" for a vacation rental that helps pay the mortgage in a high-priced area, CLAM recommends that the County research a new ordinance that:

- Distinguishes between properties that are rented by owner-occupiers vs. those that are not.
- Ensures that all vacation rentals are treated and taxed as businesses, with fees funding affordable housing.

3) CLAM urges the County to partner with community land trusts to ensure that new affordable homeownership and rentals are monitored and utilized as stated in deed restrictions.

More and more, local governments across the country are partnering with community land trusts to develop home ownership and rental options. A great example is the partnership that exists between the Housing Land Trust of Sonoma (a Community Land Trust non-profit) and the municipal governments in Sonoma County. CLT involvement in government programs such as Below Market Rate housing or other forms of deed-restricted or affordable rental housing ensures that:

- Deed restricted homes are rented/sold to income qualified residents, maintaining affordability requirements with successive resale or tenancies.
- Families and individuals living in deed restricted homes are supported in time of financial trouble, minimizing the possibility of foreclosure or eviction. This principal of stewardship is a hallmark of CLAM's work and those of all CLT's.
- In a CLT model of homeownership, a permanent community asset - as well as a wealth-building asset for the homeowner - is created. Through this model, once public subsidy is invested, it never has to be reinvested. This is different than other models of affordable

homeownership, in which a local government, upon resale of the home, has to continue to invest dollars in order to resell it affordably.

Please see **The City-CLT Partnership: Municipal Support for Community Land Trusts**, (2008) by John Emmeus Davis and Rick Jacobus. This report provides examples of the beneficial partnerships that exist between local jurisdictions and CLTs for affordable housing production and stewardship: <http://www.rjacobus.com/wp-content/uploads/2008/06/City-CLT-Policy-Report-final.pdf>

In response to the Staff Report suggestions for Second Unit Regulations, Second Unit Amnesty, expanding the BMR program, and offering incentives to landlords who are willing to rent to low income tenants - we urge the County to partner with CLAM for application of these programs in West Marin. CLAM can provide ongoing monitoring and accountability to ensure that invested funds and equivalent regulations are successfully adhered to. **CLAM is ready to partner with the County to expand the BMR program in West Marin, where few, if any, BMR units exist.**

4) Support a rent stabilization ordinance, as County staff recommends, that could stabilize rents in apartments in the unincorporated area and motivate cities in Marin to do the same. As the Costa Hawkins Act of 1995 prevents rent stabilization for single family home rentals, and these are the sheer majority of rentals in West Marin, work aggressively to find a way to stabilize rents in single family homes, including legislative advocacy.

5) Create an Affordable Housing Advisory Group to work with the County to develop strategies that address the needs and challenges of the unincorporated area.

Throughout West Marin, there is an understanding of the housing issues facing our communities and a willingness to work together with the County in creating viable programs and strategies to address these needs. The complexity of the housing context in the unincorporated areas evokes new partnerships in solution-making.

In sum, CLAM affirms every measure put forward by County staff, emphasizes the need for new revenue streams for affordable housing, encourages research to regulate vacation rentals, and urges partnership with CLAM at the local level to ensure affordability is maintained and people - as well as County assets - are well stewarded.

We stand ready to further our partnership with you to “turn it around” for so many people who are precariously housed in the County of Marin.

Sincerely,

Kim Thompson
Executive Director, CLAM

Maureen Cornelia
Chair, Board of Directors, CLAM

Statement of West Marin Need for Affordable Homes

A few excerpts from letters of support submitted for the Coast Guard project
October 2015

Coastal Health Alliance

The Coastal Health Alliance is a non-profit, full service family healthcare practice with Health Centers in Point Reyes Station, Bolinas, and Stinson Beach. We are one of the largest employers in West Marin, with nearly 50 employees. We find it sadly ironic that despite paying competitive wages in our industry, none of our employees, including our four family physicians, can afford to buy a home in West Marin. We of course know this also applies to sheriff deputies, firefighters, teachers and so many others who create the backbone of a healthy community. Our school census has dropped precipitously over the past generation. West Marin cannot sustain a healthy workforce with local ties who will sustain a robust local culture unless housing for service workers and professionals is made affordable.

-Mike Witte, MD, Medical Director

Perry's Inverness Park Grocery

The dwindling population of work force age means we are having more difficulty finding applicants for entry level employment. There are fewer students in the area and fewer younger people overall who are looking for work.

-Dan Thompson, Proprietor

Marin County Commission on Aging

The MCCOA strongly advocates for affordable housing for older adults and their caregivers. Rural and coastal residents are among the oldest in the county. Data from the last two censuses show that the top five areas where the 60 plus population grew the fastest were Bolinas, Lagunitas, Forest Knolls, Muir Beach, San Geronimo and Woodacre. All of these are rural areas in West Marin.

-Jim Monson, Chair

West Marin-Inverness School

As principal of West Marin-Inverness School, I have witnessed the increasing scarcity of affordable housing in and around Point Reyes Station, which has resulted in more families being forced to pull their children out of our school and relocate to cities that offer available housing. Though this issue affects all of our students and their families, the half of our students who come from low-income families are being disproportionately adversely affected.

-Matthew Nagle, Principal

Point Reyes Animal Hospital

One of the biggest challenges of operating a small business in West Marin is finding qualified employees that live locally. When employees have to commute they tend only to stay a couple years and do not feel part of the community.

-Mary Whitney, D.V.M.

Stellina Restaurant

The biggest struggle we have as business owners in Point Reyes is staffing. Most of our employees have an extremely difficult time finding housing for them and their families. I employ between 30-38 people in downtown Point Reyes Station, the hub of West Marin, throughout the year.

-Christian Ciazzo, Business Owner

From: Christa Burgoyne

Sent: Monday, October 12, 2015 3:31 PM

To: BOS

Subject: Preserving Rental Housing in Marin - and especially in West Marin

christa burgoyne would like information about:

I encourage you to support the creation of more affordable homes in all of Marin but especially to improve the housing situations for people who work - and hope to live - in West Marin. Rental rates have skyrocketed in West Marin where people working in Pt. Reyes Station and Inverness and other communities surrounding Tomales Bay can no longer live where they work and have long commutes. This affects not only low-wage workers but professionals, such as nurses, fire fighters, teachers, etc. Second units that used to be rented full-time to locals, are now VRBOs or B&Bs. Young families, too, leave for lack of housing, the parents facing long commutes and less time with their children; or loss of job. Our West Marin communities can not afford to lose these members of our community who so greatly contribute to it. PLEASE IMPLEMENT YOUR GOAL OF 'BALANCED COMMUNITY: CWP, Policy CD-2.11'.

Christa Burgoyne

long-time CLAM volunteer

and part-time Marin resident

Justin Kai
Cobblestone Drive
San Rafael, CA 94903

10/12/2105

Marin County Board of Supervisors
3501 Civic Center Drive, Suite 329
San Rafael, CA 94903

RE: Preserving Housing Affordability Workshop 10/13/2015

Dear Marin County Board of Supervisors:

Rent control and purchasing million dollar market rate homes to convert into affordable housing with our tax-paying dollars... So who's ready to end their political career?

Apparently the Community Development Agency would be happy for any of you to take that bullet. Since the CDA just tried to impose rent control upon Marin during the latest housing element, I ask that the Supervisors stay consistent with their recent actions and reject rent control once again.

It couldn't be any clearer how out of touch these recommendations are with the homeowners and voting majority of Marin. How long are your constituents going to have our own tax dollars used to continually attack our suburban communities?

The CDA should more appropriately be named as the Health and Affordable Housing Advocacy Agency, or what would otherwise be referred to as HAAHAA, for the unbelievable joke they have made themselves into.

Apparently the CDA hasn't thought either of these recommendations through. We only have to look as far as San Francisco to see the spectacular failure that rent control is. San Francisco exhibits the strictest of rent control, however the city still

has the highest rents in the nation. Rent control is the classic example of “I got mine, now screw the rest of you!” because follow up renters have to subsidize those before them with higher and higher rental costs. Does the CDA also recommend the implementation and hiring of a Marin version of the San Francisco Rent Board? Since residents don’t feel we have enough costs here at the Civic Center, are we to create an entire other agency just to regulate and enforce rent control?

As far as the inane recommendation of using tax-payer funds to purchasing million dollar market rate homes to convert into affordable housing, I don’t believe much needs to be said to demonstrate the folly of that ill-planned idea, other than to point to the mounting debt our county continues to incur due to pensions and healthcare liabilities alone. Simply put, there are more significant and important issues to attend to, to get this house in order.

Which brings me back to the issue of cleaning house; continued recommendations such as these once again demonstrate the need for dismissal and significant change in direction and leadership within the CDA to return to a neutral and moderate planning department that’s not hell bent on becoming San Francisco.

Recommendations should instead protect and preserve Marin communities. This could and should be done through Marin maintaining independence from HUD. Marin should no longer accept any HUD funding since the Supreme Court has ruled disparate impact as legally permissible. Disparate impact now gives HUD the ability to socially engineer communities to their satisfaction if a community does not meet their racial quotas. Natural diversity is great, but forcing diversity is excessively extreme. Bottom line is, HUD will never be satisfied, so **DON’T TAKE THE MONEY!**

Other recommendations should reform ailments in the current affordable housing system. One suggestion, since they greatly impact imposed communities; non-profit affordable rental developments should not be simply exempt from basic property taxes. Instead, they should pay property taxes in relation to the discount given to their residents. For example, a unit renting out at a 20% discount should be taxed at

20% less than the full amount. This model would reflect affordable developments for purchase, which pay property taxes based on the reduced purchase price.

Lastly, for anyone who advocates for affordable housing on the belief that their children will never be able to afford to live in Marin, I have two questions: Do you really wish for your children to have to live in government subsidized housing projects? And what will you say when your children inevitably ask, "Why didn't you believe in me?" "Why did you think that I couldn't be successful enough to afford to live where I grew up?" Don't shortchange your children. Tell them everyday there is nothing they cannot do, as I tell my son everyday.

Sincerely,

Justin Kai

Marinwood resident since 2011

October 12, 2015

Board of Supervisors
County of Marin
3501 Civic Center Dr. Room 329
San Rafael, CA 94903

Re: Housing Affordability and Early Care and Education

Dear Board members,

We would like to use the opportunity presented by your Workshop on Preserving Housing Affordability to bring to your attention some information on how the early care and education field has been negatively impacted by the high cost of housing and the lack of regulations related to rent values in Marin.

Our local child care and education industry is in crisis. The field faces many challenges in order to retain existing programs, such as scarce resources for staff wages, facilities, and parent fee assistance. Some findings from our Marin County Child Care Commission 2014-2019 Master Planⁱ highlight how this crisis is affecting different community members:

- ✓ The majority of child care businesses has been facing great barriers to attract and retain teachers. At both the "high" and "low" end of the salary range, no teachers meet the Self-Sufficiency Standard to support their own family and children.
- ✓ There is a growing concern within Marin County's early childhood community that our providers cannot afford to reside in Marin County. The supply of highly qualified child care providers is falling as newly trained providers elect to not live and work in Marin County.
- ✓ Many families who earn just enough to meet housing costs are deemed ineligible for subsidized child care and agencies receiving insufficient state reimbursement rates are not able to cover the cost of care. The local high Self-Sufficiency Standard means that parents often have to weigh the cost of child care against other vital family needs, especially housing;
- ✓ Child care and early education are essential services in our local social infrastructure. In order to achieve self-sufficiency, in the majority of Marin County families both parents work outside of the home. In more than two-thirds (68%) of families with children under the age of 6, both parents are in the labor force. In families with children ages 6-17, approximately 71 % of families have both parents in the labor force.

The following are some real life examples related to the findings above. These are excerpts from the survey results outlined in the Community Development Agency Staff Report prepared for the workshop:

- ✓ “I am leaving Marin because this situation is just out of hand. As an administrator of a child development program, finding staff is difficult. Many staff live outside the county and have to commute and when they find jobs closer to their home they leave. For jobs with pay at a child care teacher's or aide's salary rate, who can live here?”ⁱⁱ
- ✓ “I work for the Novato Unified School District and I can not afford to live in the city that I work. (...) Rents are increasing so much that there is no way for my family to find housing that we can afford. We are currently a family of three sharing a 1bd cottage.”ⁱⁱⁱ
- ✓ “We make \$120,000 p/year (gross HHI) and can still not afford a house, and can barely afford renting. With daycare (for only 1 child) and health insurance, we eat into our savings a little every month.”^{iv}
- ✓ “They (grandchildren) are unable to live with us due to restrictions by our own landlords against children, and we are under threat of rent raises as it is.”^v
- ✓ “I am a single parent with children here in Marin. I cannot take them out of Marin to live, per family court.”^{vi}
- ✓ “As a single parent, rent took 60-70% of my income. Options in Marin are very limited and very expensive for all types of housing needs”^{vii}
- ✓ “The rent is too high, the landlords do not want to fix the apartments, the children have nowhere to play, they rent the apartments with cockroaches, fleas or bedbugs and they don't fumigate, the carpets are in bad shape, the walls have mold, the children get sick, there is nowhere to park all the time. And sometimes they simply discriminate against you, for being Hispanic, or for having children.”^{viii}
- ✓ “The conditions our children are growing up in are degrading.”^{ix}

Housing affordability is an issue to be directly addressed in order to ensure quality education and a healthy environment to our children. There is an urgent need for action.

If you have any questions or would like more information on the relationship between housing and early care and education, please don't hesitate to contact us.

Sincerely,

Tanya Myers, Chairwoman

ⁱ Marin County Child Care Commission. (2014) 2014-2019 Master Plan Executive Summary. Available at <http://www.marinschools.org/ECE/Pages/Child-Care-Commission.aspx>. Accessed on October 1, 2015

ⁱⁱ County of Marin Community Development Agency. Board Letter for Affordable Housing Workshop – Attachment 3. Page 20. Available at: <http://www.marincounty.org/~media/files/maringov/board-actions/2015/october/1510131cdahousingltr.pdf?la=en>. Accessed on October 12, 2015

ⁱⁱⁱ County of Marin Community Development Agency. Board Letter for Affordable Housing Workshop – Attachment 3. Page 17. Available at: <http://www.marincounty.org/~media/files/maringov/board-actions/2015/october/1510131cdahousingltr.pdf?la=en>. Accessed on October 12, 2015

^{iv} County of Marin Community Development Agency. Board Letter for Affordable Housing Workshop – Attachment 3. Page 6. Available at: <http://www.marincounty.org/~media/files/maringov/board-actions/2015/october/1510131cdahousingltr.pdf?la=en>. Accessed on October 12, 2015

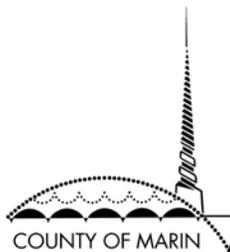
^v County of Marin Community Development Agency. Board Letter for Affordable Housing Workshop – Attachment 3. Page 7. Available at: <http://www.marincounty.org/~media/files/maringov/board-actions/2015/october/1510131cdahousingltr.pdf?la=en>. Accessed on October 12, 2015

^{vi} County of Marin Community Development Agency. Board Letter for Affordable Housing Workshop – Attachment 3. Page 13. Available at: <http://www.marincounty.org/~media/files/maringov/board-actions/2015/october/1510131cdahousingltr.pdf?la=en>. Accessed on October 12, 2015

^{vii} County of Marin Community Development Agency. Board Letter for Affordable Housing Workshop – Attachment 3. Page 1. Available at: <http://www.marincounty.org/~media/files/maringov/board-actions/2015/october/1510131cdahousingltr.pdf?la=en>. Accessed on October 12, 2015

^{viii} County of Marin Community Development Agency. Board Letter for Affordable Housing Workshop – Attachment 3. Page 35. Available at: <http://www.marincounty.org/~media/files/maringov/board-actions/2015/october/1510131cdahousingltr.pdf?la=en>. Accessed on October 12, 2015

^{ix} County of Marin Community Development Agency. Board Letter for Affordable Housing Workshop – Attachment 3. Page 35. Available at: <http://www.marincounty.org/~media/files/maringov/board-actions/2015/october/1510131cdahousingltr.pdf?la=en>. Accessed on October 12, 2015



COMMUNITY DEVELOPMENT AGENCY

Brian C. Crawford
DIRECTOR

November 17, 2015

Marin County Civic Center
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Board of Supervisors
County of Marin
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San Rafael, California 94903

SUBJECT: Policy Options for Preserving Housing Affordability and Preventing Displacement. This workshop is part two of a three-part discussion that began on October 13 and will continue on December 15, 2015.

Building and Safety
Environmental Health Services
Planning
Environmental Review
Housing
Sustainability
Code Enforcement
GIS
Federal Grants

Dear Board Members:

RECOMMENDATION: Staff recommends that your Board continue your review and consideration of options for preventing displacement and preserving housing affordability and provide direction to staff. Policy options related to tenant protections will be discussed at your Board's workshop on December 15, 2015.

BACKGROUND: On October 13, 2015, your Board held an initial workshop to review current housing and income statistics for Marin County, as well as the results of the 2015 Rental Housing Survey (Attachment 3). This data illustrates the growing affordability gap between what most Marin households can afford to pay for housing and the actual cost of housing in today's competitive market. The demand for affordable housing continues to grow while the County's limited supply quickly dwindles leading to housing instability for many in our community.

Over the years, the Board of Supervisors has taken a number of steps to promote the development and preservation of affordable housing in the unincorporated County, including providing a range of funding sources and establishing affordable housing requirements for new development. However, existing options are primarily development-dependent and thus have had incremental impact on addressing the County's housing needs. Given Marin's slow growth rate and community opposition to new development, the County won't be able to build its way out of the current housing crisis.

From 2007 through 2014, the County issued permits for approximately 398 residential units in unincorporated Marin, of which 60% were market rate and 15% were considered affordable to moderate income households. Less than 100 of the units developed during this eight year time period were set aside for lower income households, working out to an average of 12 new units a year. Based on the fact alone that there are more than 1,300 homeless Marin residents and another 5,200

www.marincounty.org/cda

who are precariously housed and at-risk of becoming homeless, it is apparent that more effective solutions need to be implemented to address the County's housing need. The current housing crisis has created an urgency to stabilize housing for Marin's workforce and residents, including seniors, disabled individuals and lower and moderate income families, and to preserve the affordable housing options that already exist.

Policy Options

Staff recommends evaluating a comprehensive set of policy options that together with the measures already being implemented by the County (Attachment 1) would help to prevent displacement and preserve housing affordability. In the 10/13/15 staff report (Attachment 3), proposed solutions were divided into three categories: 1) Preservation & Conversion, 2) New Construction, and 3) Tenant Protections. The options for Preservation & Conversion and New Construction are being presented for further discussion and consideration at your Board's November 17 workshop. The Tenant Protections options will be presented and discussed at a special evening workshop on December 15, 2015 at 5:00 PM.

As requested by your Board, details regarding timing, funding and staffing needs are summarized for each policy option below. Timing is based on staff's preliminary estimate of approximate time needed to implement each policy option. Also included are the potential opportunities and challenges of implementing each option.

- 1. **Acquisition for Preservation and Conversion:** Purchase market rate multi-family housing to preserve the affordability of existing rental units for lower income households. Due to the constraints on new development in Marin, the Marin Community Foundation convened a group of funders to work on an acquisition strategy. The group includes representatives from Tamalpais Pacific Foundation, Marin Housing Authority, the City of San Rafael and the County's Community Development Agency. Two projects are currently being explored for possible acquisition, including a small 8 unit complex in West Marin and a 22 unit complex in an incorporated area of the Ross Valley. Feasibility is being evaluated using grant and loan funds from a combination of the participating funders. Because of its size, the West Marin project would involve only local funding and would require a County investment of approximately \$95,000 per unit. The Ross Valley project would be able to leverage State funding and the County's investment would be approximately \$25,000 per unit. The purchase and conversion of the Forest Knolls Trailer Court is a recent example of where this strategy has been successful.
 - a. **Timing:** 6 months to 1 year for a typical acquisition, depending on funding
 - b. **Status:** In progress; CDA currently working with task force on this strategy
 - c. **Funding:** Based on two recent examples, for every \$1 million invested by the County, between 10 and 40 multi-family rental units could be preserved.

Successful acquisition is subject to availability of other funding sources and market availability of financially feasible properties. Housing Trust funds could be used for this strategy.

- d. **Opportunities:** This strategy would preserve existing affordable housing opportunities for lower income residents of Marin without developing new units, and would likely be met with less community opposition than new construction.
- e. **Challenges:** Limited funding and high market prices could affect the County's ability to make a project financially feasible and could make it difficult to acquire enough units to have significant impact. This strategy would rely more heavily on local funding sources compared to new construction, which can leverage significant State and federal funding.
- f. **Questions for Board:**
 - Fund acquisition of properties countywide, including in cities and towns, rather than just in the unincorporated County?
 - Dedicate additional funds to the Housing Trust for this strategy?

2. **Expand Below Market Rate (BMR) Home Ownership Program:** Expand financial support for the Below Market Rate (BMR) home ownership program to facilitate purchase of existing single-family homes for resale to low and moderate income households. This would complement the "Acquisition" strategy proposed in this report.

- a. **Timing:** 6 months to establish funding and administration for program expansion
- b. **Status:** This would be an expansion of the existing program currently administered by the Marin Housing Authority.
- c. **Funding:** For every \$1 million invested by the County, approximately 3 to 4 moderate income households could be assisted with the purchase of a condominium home. Housing Trust funds could be used for this strategy.
- d. **Opportunities:** This could increase opportunities for moderate income households to stay and invest in their community.
- e. **Challenges:** There are limited opportunities to implement this strategy given the high market prices and limited available supply of the current housing market. This would only help a small number of households per year, but would not help lower income households without additional subsidies.
- f. **Questions for Board:**
 - Invest in expanding this program?
 - Should the County partner with local cities and towns to purchase the most cost-effective properties in Marin, regardless of which jurisdiction they are in?

- 3. Workforce Home Ownership Program:** Provide one-time assistance of up to 10% toward a down payment on a home in Marin County for qualifying applicants employed in Marin. As an example, [Napa County's Proximity Housing Program](#)¹ assists employees who work in Napa with the purchase of a home located closer to their place of work. This program would be open to any qualifying person employed in Marin. Down payment assistance loans would be due upon transfer of the home and a shared equity model would be used.
- a. Timing:** 1 year, depending on funding
 - b. Status:** New program, not in current work plan
 - c. Funding:** For every \$1 million invested by the County, down payment assistance loans for approximately 18 condominium homes could be made. Housing Trust funds could be used for this strategy if an ongoing affordability requirement was applied to the unit. May require additional funding for administrative staff resources.
 - d. Opportunities:** This program would create opportunities for qualifying local workforce members to invest in the community and provide stability and security for those concerned about their ability to remain in Marin due to rising rental prices.
 - e. Challenges:** This strategy would only provide assistance to qualifying households that are approved for the program and are able to find a home within their budget. Because a household would need to earn enough income (~\$100k+) to afford mortgage payments on a market rate priced home, this strategy would primarily benefit moderate income households.
 - f. Questions for Board:**
 - Explore possible funding sources to initiate this program?
 - Fund acquisition of homes countywide, including in cities and towns, rather than just in the unincorporated County?
- 4. Incentives for Landlords:** Offer a variety of incentives to landlords who rent to low income tenants, including those with Section 8 voucher holders. Incentives could include: a landlord assistance fund for damage/repair costs, higher security deposits, advance rent, and lost rent income due to vacancy; a signing bonus for new landlords accepting low income renters; local funds to cover the gap between fair market rents and advertised rents; an emergency service to provide landlords with immediate assistance with urgent tenant issues; and a tenant pre-certification program. Tax incentives or write-offs could also be explored.
- a. Timing:** 1 year, depending on funding
 - b. Status:** New program, not in current work plan

¹ <http://www.countyofnapa.org/ceo/affordablehousing/>

- c. **Funding:** Funding of \$1 million could result in the retention of approximately 285 units available for low income renters including Section 8 voucher holders. Housing Trust funds require long term affordability, so an alternative funding source would need to be identified.
- d. **Opportunities:** This strategy could create additional housing opportunities for low income tenants, including Section 8 voucher holders and other third party renters. This could encourage landlords' ongoing participation in rental subsidy programs.
- e. **Challenges:** No identified funding source. Financial incentives would have to be substantial to compete with the opportunity cost being given up by a property owner to rent to a lower income tenant given current market prices.
- f. **Questions for Board:**
 - Explore possible funding sources to initiate this program?
 - Apply this countywide or only in unincorporated Marin?

5. Short-Term Rental Regulations: Consider regulations and/or limits on short-term rentals, defined as the rental of a private residence for periods of 30 days or less. In response to community concerns voiced at your Board's October 13 workshop, this item has been added to the list of policy options proposed for the Board's consideration.

Currently, operators of short-term rentals are required to register with the County's Department of Finance and apply for a business license within 30 days of starting their rental business. Operators are further required to collect a Transient Occupancy Tax (TOT) from each guest equivalent to 10% of the total rent paid, which is then paid to the County on a monthly basis. There are approximately 480 short-term rental operators in unincorporated Marin who are registered and paying TOT to the County. The County could consider working with online rental forums, such as Airbnb, to establish a direct collection and payment system for TOT revenue.

There are a variety of ways that other jurisdictions address short-term rentals, ranging from total prohibition to minimal requirements similar to those currently applicable in unincorporated Marin. Short-term rentals are prohibited altogether in the cities of Larkspur, Sausalito, Ross and Carmel-by-the-Sea. Other jurisdictions such as Santa Cruz and Sonoma Counties permit some short-term rentals within certain parameters and require compliance with various provisions that regulate potential neighborhood impacts including noise, occupancy, and parking.

- a. **Timing:** 1 to 2 years; implementation in coastal communities would require additional time to obtain certification from the California Coastal Commission
- b. **Status:** Currently only included in the draft Local Coastal Program Amendment; not in the current work plan for the unincorporated area of the County outside the Coastal Zone.

- c. **Funding:** May require funding for additional code enforcement staff, approximately \$65,000 or more annually.
 - d. **Opportunities:** Depending upon the type and extent of rental restrictions a new ordinance may create a financial incentive for property owners to return short-term rentals to the general rental market and make them available to local residents and workers who need full-time rental housing. This could increase the County's supply of rental housing.
 - e. **Challenges:** Enforcement would be time-consuming and challenging, placing additional workload on the CDA code enforcement staff and possibly requiring additional staff resources. Most short-term rentals are not required to list their address for online postings (on forums such as Airbnb, VRBO and HomeAway), so it could be difficult to prove violation of an ordinance once in place. Given current market prices, there is no assurance that units returned to the general rental market would be affordable to low and moderate income households.
 - f. **Question for Board:**
 - Direct staff to pursue an ordinance to regulate and/or limit short-term rentals?
 - Work with online rental forums such as Airbnb to establish direct collection and payment of TOT between the operator and the County?
6. **Adjust Second Unit Regulations:** Amend Development Code regulations to allow more flexibility for second units dedicated as affordable housing for lower income households. This is consistent with Housing Element Program 1.e (Consider Adjustments to Second Unit Development Standards), and could be expanded to include incentives such as reduced impact and service fees in exchange for an affordability deed-restriction.
- a. **Timing:** 2 years
 - b. **Status:** Currently in Housing Element work plan; scheduled for implementation in 2016
 - c. **Funding:** No additional funding required
 - d. **Opportunities:** Easing regulations and lowering costs could encourage increased development of second units and infill development in existing single-family neighborhoods.
 - e. **Challenges:** Affordability deed restrictions would be necessary to guarantee that second units are affordable to lower income households. Without short-term rental restrictions, many second units could be turned into vacation rentals rather than being made available to local residents and workers as long-term rental housing.
 - f. **Questions for Board:**

- Allow maximum size of 1200 sq. ft. in exchange for affordability deed restriction?
 - Create fund to cover service-related fees including water/sewer connections in exchange for deed restriction?
 - Support removal of owner-occupancy requirement?
- 7. Pre-Approved Plans for Small Second Units:** Develop a small residence prototype that offers property owners pre-approved plans for second units in exchange for an affordability deed-restriction.
- a. Timing:** 2 years
 - b. Status:** New program; not in current work plan
 - c. Funding:** May require funding to contract with outside design consultant
 - d. Opportunities:** This could encourage development of second units by reducing the time and costs of the design and permitting process.
 - e. Challenges:** Without a deed-restriction, would not have much impact on increasing the County's affordable housing stock given current market prices.
 - f. Questions for Board:**
 - Initiate this program?
 - Offer in exchange for an affordability deed-restriction?
 - Fund consultant to develop design templates?
- 8. Promote Room Rentals/ “Junior Second Units”:** Clarify the existing Development Code regulations that permit the conversion of bedrooms into independent rental units within existing homes that may currently be underutilized (e.g. one person living in a four-bedroom home). This type of housing is also commonly referred to as “Junior Second Units.” Novato, Tiburon and the County already have municipal code standards that apply to and permit this type of rental unit. Marin’s other nine cities, with the exception of Ross, are either currently considering new standards for junior second units or plan to do so within the next few years.
- a. Timing:** 1 to 2 years
 - b. Status:** New program
 - c. Funding:** Could require additional funding for an education/outreach program.
 - d. Opportunities:** Amending the County Development Code to clarify the process for creating a junior second unit or renting a room could encourage homeowners to incorporate this into underutilized homes, and could create additional housing opportunities without new development. Room

rentals/junior units are typically more affordable than other rental housing options in the County at current market prices.

e. Challenges: Room rentals/junior second units cannot be deed-restricted for affordability. These rentals are typically small and can only accommodate 1-2 persons on average. Without short-term rental restrictions, many room rentals/junior second units could be turned into vacation rentals rather than being made available to local residents and workers as long-term rental housing.

f. Questions for Board:

- Initiate this program as described above?
- Fund an education and outreach resource program administered by subject matter expert(s)?

9. Renew Second Unit Amnesty Program: Renew the second unit amnesty program to legalize unpermitted second units that are brought up to code to improve housing conditions for moderate and lower income households, and to increase affordable rental housing opportunities. An affordability deed restriction could be required to participate in the program.

a. Timing: 6 months to 1 year

b. Status: New program; not in current work plan

c. Funding: Additional temporary staffing may be required due to the staff time necessary to manage the program; additional financial assistance for qualifying homeowners would be necessary to have a greater impact.

d. Opportunities: This would improve housing standards for illegal rental units, and could add units back into the rental market that are currently uninhabitable.

e. Challenges: The amnesty program does not reduce the costs of conditional requirements such as septic upgrades, fire sprinklers, water connections and flood prevention, which serve as a major barrier to bringing a unit up to code (and to development of new second units). Without requiring a deed-restriction, there is no guarantee of affordability for these units. Without short-term rental restrictions, many of these units could be turned into vacation rentals rather than being made available to local residents and workers as long-term rental housing.

f. Questions for Board:

- Renew this program?
 - Offer amnesty in exchange for affordability deed-restriction?
 - Length of time for amnesty period?

- Seek fee waivers or reductions for necessary service upgrades such as septic system improvements, water connections and fire sprinklers? Explore possibility of subsidies in exchange for an affordability deed-restriction?

10. Tiny Home Village for Homeless: Identify appropriate site(s) and funding for a “tiny home village” to house and service the homeless and precariously housed. These villages are typically comprised of up to 20 “tiny home” units on a small lot with common areas and facilities as well as on-site services for residents. Successful models have already been built in recent years in several US cities including Portland, Nashville, Fresno, Ventura, Eugene, Olympia, Madison and Austin.

- a. **Timing:** 3+ years
- b. **Status:** In progress through partnership with CDA, Health and Human Services, and Homeward Bound
- c. **Funding:** Estimated minimum cost of \$1.5 to 2 million for land, homes, public services/infrastructure, and community facilities/services. Housing Trust funds could be utilized for this type of project.
- d. **Opportunities:** This could add to the limited housing stock available for those with the most desperate housing need, and help families and individuals transition out of homelessness. Tiny homes blend in well with the existing character of many residential neighborhoods in Marin.
- e. **Challenges:** Community opposition would likely complicate and extend site selection and approval process. This would likely only create 10-20 new units at a time.
- f. **Questions for Board:**
 - Identify County-owned site for this project?

11. Streamlined Review of Affordable Housing: Establish a ministerial review process for affordable housing development that meets predetermined standards, consistent with Housing Element Program 1.d (Study Ministerial Review for Affordable Housing).

- a. **Timing:** 2+ years
- b. **Status:** In current Housing Element work plan, implementation scheduled for 2020
- c. **Funding:** No additional funding required
- d. **Opportunities:** This could incentivize increased applications for affordable housing development by reducing time and costs of the permitting and review process, since the lengthy, costly and uncertain entitlement process is identified as a major barrier to developing affordable homes.

e. Challenges: Many projects would still require environmental review, which requires significant investment of time and resources. There would likely be strong community opposition to ministerial review given the general lack of support for affordable housing development.

f. Questions for Board:

- Should this program be scheduled for earlier implementation in 2016?

12. Evaluate Multi-family Land Use Designations: Analyze multi-family land use designations to evaluate whether multi-family zoning is appropriately located, consistent with Housing Element Program 1.b. This could include increasing capacity for affordable and multi-family housing development, adjusting zoning maps, and identifying new sites for affordable multi-family, mixed-use, workforce, senior and special needs housing.

a. Timing: 2+ years

b. Status: In current Housing Element work plan; scheduled for implementation in 2016

c. Funding: No additional funding required

d. Opportunities: This could create more opportunities for affordable housing development

e. Challenges: There could be significant neighborhood opposition to new developments and rezoning proposals.

f. Questions for Board: none

13. Re-evaluate Housing Overlay Designation (HOD): Analyze the Countywide Plan's HOD policy for its effectiveness in encouraging the construction of affordable housing, consistent with Housing Element Program 1.c.

a. Timing: 2 years

b. Status: In current Housing Element work plan; implementation scheduled for 2016

c. Funding: May require additional funding to contract with outside consultant if environmental review is required

d. Opportunities: The HOD policy should be analyzed and amended if determined to be necessary to improve its effectiveness by increasing the likelihood of affordable units being developed at qualifying sites. This approach would be most effective if combined with the proposed option to also improve the efficiency of the review process.

e. Challenges: This does not address all of the prohibitive barriers to affordable housing development in Marin including high land prices, limited availability of land and community opposition.

f. **Questions for Board:** none

CONCLUSION

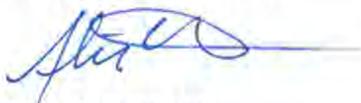
With housing prices at an all-time high, vacancy rates at historic lows, and extremely limited opportunities for development of new multi-family housing, exploring options for preventing displacement and preserving housing affordability is a step toward preserving Marin's community fabric and maintaining an equitable quality of life for all of the County's residents and workers. The land, financing and public support for new multi-family housing is hard to come by in Marin and very few affordable housing projects have come forward in the past decade.

Pursuing the above policy options would not remove opportunities for new housing in the future, but would help ease some of the pressure for those currently living and working in the County, and serve as an essential component to a more comprehensive housing strategy moving forward. Each of the proposed policy options would by itself have an incremental impact at most, but multiple strategies could help improve the County's overall effort to address current housing needs.

This discussion will continue at a third workshop with your Board on December 15, 2015 at 5:00 PM. At that meeting, policy options focused on tenant protections will be presented for consideration, including rent stabilization and just cause for evictions.

REVIEWED BY:	<input type="checkbox"/> Auditor Controller	<input checked="" type="checkbox"/> N/A
	<input type="checkbox"/> County Counsel	<input checked="" type="checkbox"/> N/A
	<input type="checkbox"/> Human Resources	<input checked="" type="checkbox"/> N/A

Respectfully Submitted,



Alisa Stevenson
Planner



Leelee Thomas
Principal Planner

Attachments:

1. Existing County Support for Affordable Housing in Marin
2. 2015-2023 Housing Element Programs, Excerpt
3. 10/13/15 Staff Report to the Board of Supervisors
4. Administrative Record (comments received)

This Board letter and all attachments are available online at:

<http://www.marincounty.org/depts/cd/divisions/planning/housing/affordable-housing>

A full reference copy is available for public review at the Board of Supervisors office, 3501 Civic Center Drive, Suite 329 (8:00 am to 5:00 pm, Monday through Friday) and at the Community Development Agency, Planning Division, 3501 Civic Center Drive, Suite 308 (8:00 am to 4:00 pm, Monday through Thursday, closed Fridays).

Attachment 2

Excerpt: Housing Element Programs

The following programs are included in the 2015-2023 Marin County Housing Element, as adopted by the Board of Supervisors in December 2014 and certified by the California Department of Housing and Community Development (HCD) in March 2015. These programs are referenced in the “policy options” section of the November 17, 2015 Board letter.

- 1.b Evaluate Multi-family Land Use Designations.** Conduct a comprehensive analysis of multi-family land use to evaluate whether multi-family zoning is appropriately located. Possible outcomes of this analysis could include:
- a. Adjust zoning maps as appropriate and redistribute multi-family zoning to locations suitable for multi-family development.
 - b. Avoid designating or rezoning multi-family residential land for other uses or to lower densities without rezoning equivalent land for higher density multi-family development.
 - c. Identify sites for multi-family, mixed-use, affordable workforce, and special needs housing, when undertaking community planning and zoning processes.
- 1.c Evaluate the Housing Overlay Designation.** Analyze the Housing Overlay Designation (HOD) policy in the Countywide plan for its effectiveness in encouraging the construction of housing for lower income workforce and special needs populations. Amend the Countywide Plan if it is determined that changes are necessary to make the program more effective.
- a. Amend Countywide Plan Policy CD-2.3 to remove the requirement that HOD sites shall not comply with the mixed-use criteria.
- 1.d Study Ministerial Review for Affordable Housing.** Study the implications and opportunities for establishing a ministerial review process for affordable housing. A ministerial process could employ multi-family residential design guidelines and incorporate environmental protection measures consistent with the Countywide Plan. Upon completion of the study, consider either permitting affordable housing projects ministerially or through a streamlined process of discretionary design review.
- 1.e Consider Adjustments to Second Unit Development Standards.** Consistent with SB1866, continue to enable construction of well-designed second units in both new and existing residential neighborhoods as an important way to provide workforce and special needs housing. Also pursue the following:
- a. Consider amending Development Code Section 22.56.050.I to permit larger sized second units of up to 1000 square feet to increase flexibility and to provide housing for families and for individuals in need of in-home care services. Consider deed restrictions on units larger than 750 square feet to preserve affordability.
 - b. Reduce fees for second units in recognition of their small size and the low impact of second units. Pursue reductions in road impact and traffic fees, coastal permit fees, and design review fees.
 - c. Develop standards to allow flexibility of second unit parking requirements, such as off-site parking, and curb and shoulder parking along a property’s frontage.
 - d. Consider adjustments in septic standards for second units.
 - e. Consider amending Development Code Section 22.56.050.A to remove the owner occupancy requirement.

Attachment 4
Administrative Record

This attachment includes public correspondence received as of November 10, 2015 for the November 17, 2015 Board of Supervisors workshop. All correspondence received will be posted online at:

<http://www.marincounty.org/depts/cd/divisions/planning/housing/affordable-housing>

Stevenson, Alisa

From: Hobart Bartshire <ebartshire@gmail.com>
Sent: Wednesday, October 14, 2015 12:55 PM
To: Stevenson, Alisa
Subject: input regarding the "homeless" problem

A good friend of mine was evicted from her 2BR rental in San Anselmo cause the landlord wanted his daughter to move in. This single mom was confronting a reality that the rental market was way beyond her ability to pay, and was losing hope. Compounding all this was an ugly bout with diverticulitis that did not get effectively diagnosed. While waiting for a consult with a surgeon about exploratory surgery the next day, her colon ruptured, and she died in the ICU the next day. I cannot avoid the thought her losing hope with living here contributed to her loss of life.

We are experiencing a truly ugly encounter with economic reality. People with big bucks are pricing out all others. Good luck trying to resolve this function of the free market.

I put quotation marks around the word "homeless" in the subject line because there is another ugly reality we are witnessing in Marin County: derelicts bad as Tenderloin characters have moved north and encamped in "liberal" Marin. To label them "homeless" is disrespectful of truly homeless people. You cannot be without a home if you choose to live on the street, which is how these folks live. Leeches. We must discourage such behavior, and try to support the truly needy members of our community.

Hobart Bartshire
19 Hillside Dr
Fairfax 94930
415-456-6540

Stevenson, Alisa

From: Shar Carlyle <shar7@icloud.com>
Sent: Tuesday, October 13, 2015 9:00 PM
To: Stevenson, Alisa
Subject: comments on Marin Housing

Dear Ms. Stevenson,

I saw the article in the IJ yesterday.

This coincided with my turning back my useless voucher to Marin Housing, earlier in the week.

Here is the letter. Hope it helps the supervisors see what it is like from the renter's perspective, who needs affordable housing. You have my permission to summarize it and share it with the powers that be.

- Shar Carlyle

From: Shar Carlyle <shar7@icloud.com>
Subject: Section 8 Voucher Expiration approaching, Please Return me to Wait List Section 8, letter attached in the body of this email
Date: October 8, 2015 at 5:11:13 PM PDT
To: Irene Ayala <iayala@marinhousing.org>
Cc: "Marin Housing: Annetie" <amachuca@marinhousing.org>

Shar Carlyle
PO Box 2862
San Rafael, CA 94912
(415) 457-2211
Email: shar7@mac.com

October 8, 2015

Ms. Irene Ayala
Ms. Annettie Machuca
Marin Housing
4020 Civic Center Drive
San Rafael, CA 94901

Dear Irene and Annettie,

With my voucher expiration fast approaching at the end of this month, I have decided to return to Section 8 wait list. Irene, thank you for your sincere attempt to refer me to an ADA unit at PEP Housing, at Toussin. Unfortunately Mr. Dominic Roybal at PEP Housing said PEP can not do the ADA accommodations due to an undue burden of administration and construction elements.

After hundreds of calls and email contacts to landlords, realtors and potential apartments, I have yet to find one that will both accept Section 8, and come within the pricing guidelines of the voucher of \$1706. My search has been further exacerbated by needing to meet the ADA requirements set forth by Dr. Taylor. I think the central problem is twofold: 1) The vast majority of Marin County landlords do not work within the bureaucratic constraints of Marin Housing. 2) The price point of \$1705 does not come close to market rates for one bedrooms here.

I believe this is due to the “digital gold rush,” which has driven rental prices higher than Marin County has *ever* experienced. It seems evident to me that several things need to change. One, Marin Housing ought to approach HUD for a voucher amount increase. Two, Marin Housing ought to initiate a new approach, and a new campaign to gain the acceptance of landlords who still consider Section 8 recipients to be deadbeats.

We are not. We are nurses, teachers, artists, restaurant workers, educators, non-profit employees, laborers, office workers, just people.

Thank you again for your time, and please confirm by email that I have been returned to the wait list.

Sincerely,

Shar Carlyle

cc: Lisa Ford Hart

Stevenson, Alisa

From: Michael Derrig <hydroguy8@gmail.com>
Sent: Saturday, October 17, 2015 10:41 AM
To: Stevenson, Alisa
Subject: Rent Control Comment

Hello, a brief comment on a proposal to consider rent control as a measure to increase affordable housing in Marin. I own a home in Fairfax which is currently rented. I have not raised the rent in 3 years and with the current tenants have no plans on raising the rent anytime soon. However, consider this scenario. If the Einstein's (BOS) enact rent control I will be very tempted to sell my house (tax free as it was the family house where I was raised). The likely end result will be another current rental removed from the rental market, thus making rentals less available and more expensive. Thanks

/s/ Michael J Derrig

From: Myra Drotman
Sent: Friday, October 30, 2015 6:17 PM
To: Parton, Maureen
Cc: Sears, Kathrin; Alden, Leslie
Subject: Re: Housing affordability workshops

Yes please forward and please keep me posted as to meetings.

I would like to add another point.

I will not be able to afford to update and make the buildings energy efficient under rent control. Insulating a unit costs \$3,000. New double pane Windows cost \$7,000. New energy efficient lighting costs \$1,000 per unit.

Myra Drotman

From: Myra Drotman
Sent: Thursday, October 29, 2015 6:43 PM
Cc: Sears, Kathrin; Parton, Maureen; Alden, Leslie
Subject: Re: This talk about rent control in unincorporated Marin

Kate,

I grew up in NYC and saw the problems with rent control. I own 3 small multi unit buildings . Two of which are in the unincorporated county.

I am vehemently opposed to rent control for many reasons.

Why should the burden of providing affordable housing to random persons be put upon single individuals?

I have an attorney friend who earns \$300,000 a year and has kept his rent control apartment for 30 years! He will not give it up so he bought an expensive country's home.

Why should he be subsidized by his landlord?

A friend's friend lives in a rent control apartment in SF. He will not give it up. So he bought a SF condo which is not rent controlled and he became a landlord . He is now a landlord obtaining full market rent from his tenant while his landlord subsidizes his rent !

This is outrageous !

Rent control creates less available housing !

Rent control creates an expensive and litigious system impossible to navigate and a huge bureaucracy to manage !

Buildings become slums under rent control.

People have to plan for the future .

I have two tenants that wisely moved recently . One retired to Sacramento for affordable living and the other bought a modest condo in Novato .

Now I have two open apartments for housing . This would not be the case under rent control.

I believe this is a way for developers to urbanize a community. Unfairly, new apartments are not under rent control. Unfairly existing apartments are. People do not move which lowers inventory and thereby raises rents .

The developers profit from this.

Rent control is not the solution for Marin county.

Myra

Myra Drotman

[\(415\) 457- 5445](tel:(415)457-5445)



FAIR HOUSING OF MARIN

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www.fairhousingmarin.com ▼ fhom@fairhousingmarin.com

October 13, 2015

To: Marin County Board of Supervisors

RE: Affordable Housing Strategies Presented 10/13/15

I commend the comprehensive approach taken by county staff in wrestling with how to address the lack of affordable housing in Marin County, particularly given the crushing resistance staff and officials have faced when attempting to develop affordable housing.

Low-income people are comprised of a disproportionate number of African-Americans, Latinos, families with children, and people with disabilities, all protected classes under federal and state fair housing law. We allow people of color and immigrants to work for us at a wage that is not livable, and to crowd into substandard housing or move to another county because even the substandard housing is not affordable.

Earlier this year, I submitted comments to the draft of the Marin County Consolidated Plan for FY 2015-2019. Two of the plan's four emphases are to *expand the supply of affordable housing* and to *preserve the existing supply of affordable housing*. The staff has offered a very wide range of options to address the lack of affordable housing in the county, though they fall short of developing new multi-family housing. All of these options contribute to the county's mandate to affirmatively further fair housing, particularly given the barriers identified in the 2011 Analysis of Impediments to Fair Housing Choice. Adopting a multi-pronged approach would at least partially address how to make housing more affordable in Marin County and positively impact people of color, families with children, and people with disabilities.

As noted in the report, Section 8 is currently not included under source of income protection in California, purportedly because it's a subsidy paid directly to the landlord. But this is an arbitrary distinction that was meant to make the law more palatable. In truth, Section 8 should be considered income for the tenant because it's clearly a subsidy FOR the tenant, though the landlord benefits from it in the same way a landlord benefits when a tenant pays rent directly.



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Preserving housing affordability is important and a good interim step. I say interim because ultimately this is not a replacement for building affordable housing. Despite the lack of developable parcels, people continue to develop market rate units in Marin County; it's mostly when affordable housing comes up, there is a huge outcry.

I believe we need to look at the issue of affordability from a place of practicality as well as compassion. When people have lived here all their lives, they shouldn't be forced to move to a different county as they age; so our parents should be able to stay here and our children should be able to move here; parents with children should be able to stay here and not disrupt their children's lives.

From a practical standpoint, when people who provide services to Marin's residents can no longer live here, we see what happens to the traffic patterns — freeways and surface streets clogged as people head out of town and out of the county where they work.

I urge the Board to look at more than just the low hanging fruit — please don't choose only the easiest options. While it may be difficult for elected officials, we should avoid making choices because people are afraid of change.

Sincerely,

A handwritten signature in cursive script that reads "Caroline Peattie".

Caroline Peattie
Executive Director

From: Ms Angela Gott <angelagott@yahoo.com>
Sent: Friday, October 16, 2015 10:02 AM
To: Ms Angela Gott
Subject: St. Vincents de Paul Society does far more than just feed the homeless

I did not realize St. Vincent's did so much outreach to prevent homelessness and to find homes for Marin's residents. They should be put in the loop to receive Marin county emails to come to BOS workshops on homelessness prevention as they are surely documenting how many homes they have found, how many Marin residents have needed help with rent, utility bills, car repairs--bills they have paid for Marin residents asking for help so as to prevent job loss and becoming homeless. I think most people just believe they run a soup kitchen and that's it.

In Marin IJ October 14, 2015 detailing their services to the homeless and high risk for becoming homeless

Marin Voice: Local residents are a big part of St. Vincent's mission



2010 Census Portrait of America Road Tour comes to St. Vincent de Paul dining room in San Rafael Calif. on Tuesday January 12 2010. Their van and trailer are parked outside the institution. (IJ photo/Frankie Frost)

By Christine Paquette

Posted: 10/14/15, 1:45 PM PDT | Updated: 1 day ago

[13 Comments](#)

In light of the recent publicity concerning the homeless population in downtown San Rafael, **the St. Vincent de Paul Society of Marin** appreciates this opportunity to share its mission and to identify who we serve and do not serve in Marin County.

The society's first priority is to prevent Marin residents from becoming homeless.

Each year, **we field 2,000 emergency calls from Marin residents who are on the verge of eviction.** These calls come from Marin residents who are suffering an unexpected, confirmed crisis, such as a sudden illness, a job loss **or a divorce** and are facing homelessness.

Our volunteers visit each person at home to assess his or her situation. **Commonly, our response is to make an emergency rental payment to a landlord. We also help with utility bills, car repair, and other aid to pay a confirmed creditor bill.** Last year, we spent \$584,241, thus preventing 2,609 Marin residents from being evicted onto our streets. Close to half of these Marin residents — about 1,200 — were under the age of 18.

At our **Housing Help Desk**, we help homeless Marin residents (only those with government-issued identification) locate permanent housing. **Last year, 70 homeless Marin residents were able to find permanent housing through the Help Desk.** We also provided transportation for another 105 homeless Marin residents to live with family members outside Marin County.

In addition, the society operates the Rotating Emergency Shelter Team (REST) program for Marin residents (only those with government-issued identification) who are homeless and need a safe place to sleep. Many REST attendees are employed at local businesses and national retail chains.

Last year, we also helped 28 REST participants secure permanent housing.

Finally, **the society runs the Free Dining Room, serving 200,000 meals per year.** Half of our diners are not homeless, but rely on the dining room to help them make ends meet.

The remainder of our diners are homeless, despite the fact that they are employed or living on fixed incomes.

Each diner is required to be respectful in order to access our services. Those who cannot follow our rules or are repeatedly creating problems in the downtown area are not served by us.

We work with the San Rafael Police Department every day to ensure that this is the case. We have come to know these troubled individuals by name and **the vast majority of them are residents who graduated from Marin high schools** and have severe mental health or chronic substance abuse problems.

Although we assist these individuals when we can, only Marin's health and human services and law enforcement agencies have the power and resources to lead these efforts.

We understand the concern of some that Marin is "importing" homeless people. However, **the fact is that the society largely serves your neighbors and prevents thousands of Marin residents from becoming homeless.**

The society also helps hundreds of Marin's homeless access shelter programs and housing outside of Marin, where beds are more available and rents are more affordable.

Restricting access to the society's programs based on residency in Marin and appropriate behavior is easy, and we do it each day. Solving the crisis of homelessness is a far more difficult challenge. In response to the call for both public and private support for societal problems like homelessness and hunger, the society provides a non-governmental, private lifeline for those trying to help themselves.

A larger public dialogue and governmental leadership are needed to address the more difficult issues caused by individuals burdened with mental health and/or chronic substance abuse illnesses. **In the meantime, the society is committed to offering its support to your neighbors in need.**

Christine Paquette is the executive director of St. Vincent de Paul Society of Marin County.

From: Ms Angela Gott
Sent: Wednesday, October 28, 2015 11:12 AM
To: Stevenson, Alisa
Subject: Times for the proposed meetings--really bad

Hi Alisa--

The complaint raised October 13th is that working people couldn't attend the workshop given during a workday.

So 2:30 pm is still a workday and no one gets off work before 5pm anyway and usually it's later and then there is the jam on the 101 too--so both times are not going to help the people who were unable to attend the first one--because of the workday timeframe when it was held.

We all thought they were going to be held at night or on the weekend --that is what people wanted--

So one that started at 6pm or 6:30pm would give people time to get off work and get over there to the Civic Center .

As it is-- I work Tuesdays in the afternoons to 6pm-- (I work Tues/Thur afternoons and all day Friday/Sat/Sun

I have just asked my Manager if I could switch afternoons for a Monday or WED of those weeks so I could attend on the Tuesdays. I am waiting to hear back now.

I really propose that a census is taken of all those seniors who are "high risk for homelessness" in desperate need for subsidized senior housing so that you all can see how many seniors age 62+ there are and what their situations are--and how many can't even get on the closed waitlists for all the housing that exists in Marin for seniors because every day people are turning 62.

Did you see the Alexandra Pelosi documentary San Francisco 2.0? It was just released and HBO carried it for a month and took it away 10/26. But I'm sure it can be found--

It is about all the high tech employees and the high tech corporations which have essentially transformed SF into an upscale playground for young 20 somethings who are extremely well paid and that all the traditional low income seedy areas in SF are now being turned into Yuppodom with highly inflated rents and it covers this man who worked in the financial industry, college graduate with two degrees, who earned enough to maintain an apartment for 20 years in SF on what he made and who now has become homeless and is age 61. He rattled off the names of employment websites like Craigslist, Monster, etc. and said while he has applied repeatedly to jobs on all the job hunting sites, he is never contacted. This was my situation after I lost my full time job as a bookseller at age 60 at Borders Books when it went bankrupt in 2011. I would apply for jobs online all day, every day and it took 4 years to finally find two part-time, barely cover the rent no benefits jobs, and no money left over for anything else--no way to save for retirement, pay back bills on credit cards, or even buy food. I get on Medicare in 2016 and I am now going to have to come up with money for the premiums for that and I am barely covering the rent. I just

gave up having access in my apartment to the internet and I already do not have garbage service, cell phone, or cable TV. Next to go will be the phone.

So Alexandra Pelosi found this guy in a soup kitchen in SF-- like Glide Church and he brought her back to where he was now living in an SRO, so she could see what his world has been reduced to--and which he felt lucky enough to have--because he had been homeless on the streets. This is a senior citizen who lost his job post 2008 economic recession and can't get rehired because of age discrimination. He is computer savvy as a computer user but is not a "coder" and he is not young. Earlier in the documentary she showed a young guy who works in one of the high tech incubators. I personally feel a lot of these geeks/ nerds have personality disorders because while they can "code" and work for hours on high energy drinks, etc. , they are not normal well rounded individuals. They do not care about culture, arts, traditions, diversity-- so this one guy made a snide remark about how great SF was now that there were no old people or kids. SF has opened all these boutiques for eating, drinking, providing what these young people deem as good things to have available and everything else is closing down.

I think it is important that you all as urban planners see this documentary Alexandra Pelosi made because a lot of key people (SF movers, shakers, politicians) are in the documentary talking about what is going on with transforming all the eyesores (Tenderloin, Hunters Point, Dogpatch, Mission District, etc) into upscale housing for the young and wealthy, while making everyone else who has been living in these places for years creating art and culture (musicians, artists, craftspeople, bohemian types, ethnic and racial minorities and elderly) are now displaced and homeless on the streets.

This is what is going on in Marin with the seniors and going on in Fairfax with all ages. The Marin YWCA just started an Advocacy Project. The YWCA in Marin serves women 50+ who lost their jobs, can't get hired due to age discrimination and the jobs they do get, do not pay a living wage so they are high risk for homelessness. The two areas they are going to focus on is to try to get Marin's employers to be willing to hire older workers and to pay everyone a \$15.00 minimum wage-- get it on the ballot for November 2016 election so I am going to be collecting signatures.

I need to know if it will be OK for some of us to collect signatures of registered voters who arrive early for these workshops because all of them will be in favor of raising the minimum wage. Will that be O.K.? But what is happening in San Francisco is spilling over into Marin now too. It's the same mindset as these young self absorbed high paid workers move into Marin with no care in the world that the highly inflated rents they are now paying to live in Gerstle Park, were the homes of normal workers like those who worked at Wild Care and who got evicted so the landlords could triple the rent price.

I really would like to see a census taken so that Marin county and its cities know how many seniors are living like me, barely covering the rent with what they manage to earn each month. Seniors in Marin need subsidized housing to be built to house all of us, thousands of us and the sooner the better. Thank you.

Sincerely,
Angela Gott

From: Ms Angela Gott

Sent: Friday, October 30, 2015 2:46 PM

To: Ms Angela Gott

Subject: This is the latest-- re: "file & suspend" --now have 6 months to do it!

Re: new Congressional Budget with changes to social security and what this means to poor women, divorced women barely getting by:

Yesterday I read Forbes, this morning Bloomberg, and now Investopedia and each one offers more details.

So Forbes said persons not being able to do this at all would turn 62 AFTER 2015 and so everyone else thought they were safe, were grandfathered-- if they were at least 62 already in 2015, but not so.

This morning Bloomberg gave more detail but said people might just have 6 months to implement the strategy. It doesn't work prior to both parties reaching full retirement age--both have to reached age 66 in most cases, the full age of retirement is 67 now for younger boomers-- to do it though. But the SSA already treats the 62 year olds as having deemed, the deeming clause already prevents them if they "retire early". The deeming clause was lifted at age 66 to 70 and now the new legislation extends the deeming clause from age 62 to 70.

At 66 you didn't have the deeming clause but now--in 180 days you will have just 6 months to implement this so if you are 66 now or turning 66 in the 180 days after Obama signs this law, you better act fast to set up the file and suspend and put in a claim for spousal support and suspend your work history claim to grow it further and maximize it upon reaching age 70.

I have already written to Senators Feinstein, Boxer, and Congressman Huffman and I have commented extensively in Forbes and Bloomberg comments/discussions too.

It is appalling what people taking the time to comment do not know about Social Security, their collective lack of knowledge. It is really pathetic.

The worst to be hurt in all this are the women who divorced after ten plus years in marriages who then would have been able to file for spousal support at age 66 while waiting to file on their own work histories, allowing such benefits to grow another 32% to age 70 but have a check coming in to help cover the cost of Medicare Premiums and housing starting at age 66. These women are the real losers here. And many are not going to find out they can no longer do this until the 6 months is over with. There's really such a narrow window here. If they are not 66 yet, they are going to miss out on this opportunity completely.

I honestly do not think it will affect the truly wealthy couples in the way it will effect the divorced women who are squeezed by the inability to find or keep employed, at age 66 and who have to come up with Medicare supplements, rising rents, and endure their "golden years" alone, trying to live on a very low social security check, now cut 32%, if they decide to file for spousal support out of sheer economic necessity. The only way to grow their social security is to wait until age 70 like I am going to have to do since I never married and never would have had this access to spousal support.

The real winner in all this is the stay at home spouse who never worked a day in her life outside the home or who worked very little prior to marriage and not since and who at age 62 can file for spousal support if she wants to. There will be the lifetime penalty for not waiting until her full age of retirement

that is 25% to 30% off the top of the benefit check but maybe this is just "mad money" to spend on frivolous things and have fun with.

The divorced women with marriages of 10 + years will still be able to "step up" to survivor's benefits if they outlive their former spouse so they will still have that -- Congress has not taken that away from them yet. Angel/a in Marin

Am I losing the right to collect spousal Social Security benefits before I collect my own?

By [Investopedia](#) AAA | 

A:

The short answer is yes. The October 2015 budget bill will eliminate a strategy previously approved by the [Social Security Administration \(SSA\)](#) that allowed you to collect [spousal Social Security benefits](#) before you collected your own. This strategy is known as "file and suspend" and requires both spouses to have reached [Full Retirement Age](#) (FRA).

Here's how it worked:

The main beneficiary had to claim benefits before the spouse could claim a spousal benefit.

If the main beneficiary was not ready to file for benefits, he or she could file – and immediately suspend – any receipt of those benefits until some later date.

The spouse could then claim a restricted application that allowed him or her to collect half of the main beneficiary's benefit amount.

Subsequently, the spouse could collect his or her own benefit at a later date.

Using this strategy, both spouses could let their benefits grow until they reach the age of 70. The benefit currently grows at approximately 8%. It did not matter which spouse files and suspends and which spouse files a restricted application as long as both spouses are between full retirement age and 70 years old.

An example is a married couple, Sharon and John, who have both reached full retirement age. John's benefit at FRA would be \$2000. John can file and immediately suspend benefits until a later date when his benefit will grow approximately 8% a year. Meanwhile, Sharon, who has also reached FRA, can file a restricted application for her spousal benefit. She will receive half of her husband's benefit, or, in this example, \$1000 a month. Her benefit will also continue to grow. She too can file for her own benefit at a later date and receive a higher benefit than she would have at FRA.

Beginning 180 days after the bill is signed into law, file-and-suspend filings will not be permitted.

That leaves couples with six months to choose this strategy before it's banned.

Read more: [Am I losing the right to collect spousal Social Security benefits before I collect my own?
http://www.investopedia.com/ask/answers/102814/it-possible-collect-spousal-social-security-benefits-i-collect-my-own.asp#ixzz3q5SZVe90](http://www.investopedia.com/ask/answers/102814/it-possible-collect-spousal-social-security-benefits-i-collect-my-own.asp#ixzz3q5SZVe90)

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November, 1, 2015

3501 Civic Center Dr., Room 329
San Rafael, CA 94903

Dear Supervisor Sears:

There are so many voices in the fair and affordable housing debates, that I've not contributed mine or felt that I had anything in particular to add that isn't already being said, until I saw the Marin IJ article (enclosed) that paraphrased and quoted Melissa Prandi of Prandi Property Management. Assuming she was accurately quoted, she clearly believes that she's carrying out some form of noblesse oblige by limiting rent increases to 10% per year. Whose salary goes up 10% per year? Given the rents in Marin County, for most people that would mean another \$200-\$600 per month, in one year! Then it can go up that much again the following year and the year after that. People can quickly be priced out.

As a life-long renter, who has lived in several U.S. cities and small towns, I have never seen rental deposits that are 1.5 to 2 times the monthly rent. Yet that is standard practice in Marin County. Given this, it can easily require \$15,000-\$20,000 just to move into a rental home, townhouse or condo. I once asked, when considering renting a Sausalito townhouse, that the deposit amount be reduced given my long-term rental references and credit history. I was refused. The reason given: owners charge it "because they can." So in addition to exorbitant rent, they make additional money on investing tenants' funds, depriving renters of such gains on their own savings. In the case of someone who rents the property for many years, this loss could be substantial.

This combination of rent increases and high security deposits, in addition to moving expenses, results in pricing out even middle class people with what, under most circumstances, would be considered a good income.

Further, even tenants who can manage to offer such upfront costs are vulnerable in Marin County's rental market. Again, as a long-term renter, and one who's watching closely rental properties and prices, particularly in southern Marin, it appears to be the stereotypical wild west in the rental market. While property owners certainly have the right to earn what they can from their property, there seems to be no rhyme or reason or consistency other than, let's see how high it can go. On my street, there are 3 townhomes that recently came up for lease. Two are the same size, with the same amenities. The other has one less bedroom. Of the first two, one is asking \$7,200 per month and the other \$5,900 per month. The smaller townhouse was offered at \$4,450 and was leased sight unseen. Further, I have watched some properties offered at these higher prices remain on the market for months then begin to slowly drop in price. In such a market, tenants are vulnerable. Even if we have managed to come up with the \$20,000 needed to secure the property and move, we run the risk of our lives being disrupted and finances drained. If the property owner decided at any time that perhaps the market would bear more, and wanted to test it, we may have to pay the cost of moving again. And without our security deposit having been returned until after our move, we would have to come up with an additional \$20,000. Renting in Marin County feels like a perilous exercise.

Sincerely,


Christina Leimer
cleimer101@gmail.com
Tiburon

le

Source: Marin Independent Journal 10/24/15

"We're estimating that it could impact roughly 4,000 multifamily units immediately just in the unincorporated areas," said planner Alisa Stevenson, who issued the report with Brian Crawford, head of the Community Development Agency.

Neither Marin's municipalities nor its unincorporated areas have rent control for multifamily housing. Novato has a rent control ordinance for its mobile home parks, which include Marin Valley Mobile Country Club, owned by the city, and Los Robles Mobile Home Park.

The residents of Contempo and the city of San Rafael fought a long battle to retain that city's rent control ordinance for the trailer park there.

While Contempo Marin residents own their homes, they lease space from Chicago-based Equity LifeStyle Properties Inc., the owner of the north San Rafael mobile home park. The city's ordinance, enacted in 1989, is meant to keep the mobile home park affordable.

Equity LifeStyle Properties Inc. filed suit against the city about 14 years ago. The suit alleged that the rent control ordinance was unconstitutional and a government "taking" of private property. Equity LifeStyle won that suit.

Advertisement

"It caused a great deal of consternation here," Heine recalled. "The city bravely appealed it to the 9th U.S. Circuit Court of Appeals, and it was overturned." Undeterred, Equity LifeStyle took it to the U.S. Supreme Court.

The Supreme Court hammered the final nail in the coffin in January 2014 by declining to hear Equity LifeStyle's challenge of the ordinance.

"We are very grateful to the city," Heine said. The retiree said Equity LifeStyle would prefer that he pay \$1,925, which it deems market rate, but such an increase is not possible under rent control.

"Rent control gives you protection against unreasonable rent increases," Heine said.

The owner of a longtime Marin property management company agrees that tenants shouldn't endure unreasonable rents, but doesn't believe rent control is the answer.

"The problem is that Marin County doesn't have enough housing, and putting in rent control is not going to give us more units," said Melissa Prandi, proprietor of San Rafael-based Prandi Property Management, a 33-year-old property management firm that handles 450 units in Marin. If rent control were to be enacted, it would not significantly affect Prandi Property Management. The company concentrates on single-family homes, with just a few multifamily units.

Under the state's Costa-Hawkins Rental Housing Act, rent control can only be applied to multifamily units built before 1995. It can't be applied to single-family homes or condos, and when a tenant leaves, there is no limit to how high the landlord can raise the rent.

"Our supply is low and our demand is high," Prandi said of Marin's rental situation. The county had a 94.4 percent occupancy rate in the second quarter of this year, according to Novato-based data service Real Answers.

The average asking rent for large apartment complexes in Marin was \$2,521 a month in the second quarter of this year, up 13 percent from \$2,232 a year ago.

"We need more housing, more of those second units," Prandi said. Easing second-unit regulations was one of the approaches discussed at the Oct. 13 meeting.

"In San Rafael, for instance, people don't like infill. But it's a natural to be able to live and work" in the community," Prandi said. She is hoping to participate in educational programs that would help dispel some of the knee-jerk reactions to ideas like infill-building on vacant lots amid older, existing properties in established urban neighborhoods.

This is reasonable!
"I've been in the business 33 years. I believe in treating people the way I would like to be treated," Prandi said. "We don't raise rents more than once a year, and we don't raise them more than 10 percent." She sees this approach as a sort of gentleman's agreement. Many Marin landlords and property managers are party to this agreement, she said.

"Long-term tenants are what everybody wants," and by keeping rent hikes low, tenants will stay longer, she said.

Rent control has its pitfalls, Prandi said.

"Landlords tend to do less maintenance. They think, 'I'm only getting a small amount of rent, so I'm not going to upgrade or maintain my property,'" Prandi said. "The price of upkeep goes up, but the rent does not."

Stevenson, the county planner, said this could be addressed.

"Most places (with rent control) have an exception to that," Stevenson said.

She said that if a property owner makes capital improvements to their property, say a new roof, they can make an argument to the governing body that they have made an additional investment and should be able to go above whatever is the allowable increase to make up for the cost.

One of the biggest advantages of rent control is that it could be put into place quickly with next to no cost, and have a widespread impact, Stevenson said.

"Marin does not have to have 30 employees dedicated to rent control and a board," the planner said, referring to Berkeley's set-up.

Seven Bay Area cities have rent control. The strongest programs are in San Francisco, Berkeley, Oakland and East Palo Alto, sharply limiting rent increases and forbidding evictions without just

Stevenson, Alisa

From: Nicholas Reilly <nicholaspreilly@gmail.com>
Sent: Friday, October 30, 2015 12:33 PM
To: Stevenson, Alisa
Subject: Re: Rent Control

Alisa,

I am wondering if you can put a cap on my plumber and his \$250 per hour. Or my contractor who charges \$100 per hour. I am not sure you realize how expensive it is to get anything done by a professional.

Can I salary control the guys I hire?

No. Of corse not.

I get charged the San Anselmo price when guys come and bid on a job from me. Its a different price than Sonoma County or Fresno, just as the rents are different in those places.

I still welcome a discussion.

Thank you,
Nick Reilly

Nicholas Reilly
(415) 713-8469

On Sun, Oct 11, 2015 at 11:53 PM, Nicholas Reilly <nicholaspreilly@gmail.com> wrote:
Alisa,

I just read the article that you are exploring rent control here in Marin County.

I believe this is a terrible idea for the community. Why not look into fixing the traffic problems that are making Marin nearly unlivable for so many. Wide protected bike lanes, speed buses, trains, BART, every solution needs to be explored.

I am a small time landlord. I lost my career in the 08 crisis as an investment advisor. I took a risk with everything I had and bought a duplex in San Anselmo. One of the reasons I picked Marin was because I grew up here and my mother still lives here. I love it here. Marin has nearly always been a place that is very desirable to live. Now through UBER and Airbnb many more have discovered how great it is the last couple years.

Why does the county constantly hire out of county workers? Maybe we could give priority to people who live here instead of promising jobs to people from who knows where.

Rent control in 2016 would be a terrible idea. Landlords like me would raise rates on good tenants. I dont plan on raising the rent next spring on the young couple who leased my unit. Even though they lied to me about their family situation. But if there is even a sniff of this going down I will be forced to try to get whatever rate I can which would be probably 30% higher.

The path to wealth is education. You have to educate yourself as much as possible and that means financially as well. This crazy system we have here in America is ruthless no doubt. I have done real well in some areas of the system and failed in others.

My solution would be to work on traffic.

Then I would build higher green buildings in downtown San Rafael, and Novato.

And by the way why the heck has there been a beautiful vacant nearly burned out victorian in downtown San Rafael on 2nd street. This has been like that for 5 years.

I would love to speak to you sometime if you have a minute. Give me a call at my number below.

Thank you,
Nick Reilly

Nicholas Reilly
[\(415\) 713-8469](tel:(415)713-8469)

Stevenson, Alisa

From: Kathleen Swart <kaswart@comcast.net>
Sent: Tuesday, October 27, 2015 2:10 PM
To: Stevenson, Alisa
Subject: Housing

Dear Ms. Stevenson,

Please add my email to most likely many others whose writers are appalled that you and the Board would consider buying market rate houses and renting them (or subsidizing sales) to low income families. If they can't afford to live in a neighborhood then they don't need to be there. As has been said before, I would like to live in Tiburon, however my income won't allow me to live there, and I don't expect anyone to make rental fees or purchasing fees low enough for me to do so.

Why do you wish to punish me and others, taxpayers who, by the way, "pull the cart," by lowering our property values? I also don't like the fact that whenever housing is discussed the Board always seems to use low income and affordable housing interchangeably. There is quite a difference.

Sincerely,

Kathleen Swart

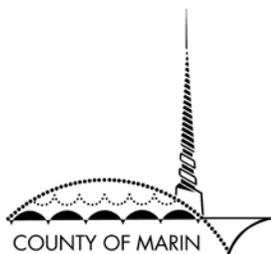
Stevenson, Alisa

From: robertow@gmail.com
Sent: Tuesday, October 13, 2015 7:33 PM
To: Stevenson, Alisa
Subject: Comments supporting affordable housing

Dear Ms. Stevenson,

I was at the meeting this morning where the affordable housing report was presented, and though I was not moved to speak at the meeting wanted to be sure thank County staff for their work on this. I am heartened to hear that the County is working on ameliorating the pressing issue of affordable housing. Any solution will certainly involve compromise, but it is important to stand up to the shortsighted greed of those who want to pull the ladder up after them. We need to work towards solutions that put people and community over profit and stagnation. Affordable housing is a matter that cuts across many different groups in the community.

Respectfully,
Robert Walton



COMMUNITY DEVELOPMENT AGENCY

Brian C. Crawford
DIRECTOR

December 15, 2015

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SUBJECT: Tenant protections policy options for preserving housing affordability and preventing displacement. This is the third workshop of a three-part discussion continued from October 13 and November 17, 2015.

Dear Board Members:

RECOMMENDATION: Staff recommends that your Board review policy options for preventing displacement and preserving housing affordability, and provide direction to staff.

SUMMARY: A comprehensive set of policy options to address the County's affordable housing needs were first presented to your Board at the October 13, 2015 workshop, and were divided into three categories: preservation & conversion, new construction, and tenant protections. The options related to the first two categories were further considered at your Board's workshop on November 17. Policy options related to tenant protections are the focus of the December 15 workshop.

BACKGROUND: Current housing and income statistics for Marin County and the results of the 2015 Rental Housing Survey illustrate the growing affordability gap between what most Marin households can afford to pay for housing and the actual cost of housing in today's competitive market. The demand for affordable housing continues to grow while the County's limited supply quickly dwindles leading to housing instability for many in our community.

Vacancy rates are a traditional tool for measuring the availability of housing, including housing shortages, and can provide a context for public and private organizations to consider new housing policies and programs. Vacancy rates are most useful for measuring the supply of housing in relation to housing demand. Low vacancy rates indicate a shortage of housing while high vacancy rates indicate a surplus. Very low vacancy rates typically drive up housing costs which is more likely to affect low income residents. Vacancy rates are less useful for measuring unmet housing

demands, and do not account for households that may be displaced due to the lack of affordable housing in the neighborhood or community of their choice.¹

In 2010, the rental vacancy rate in Marin was around 5%, which is considered to be an indicator of a “healthy” housing market with enough housing supply to meet demand.² However, by 2013 the vacancy rate had dropped below 3% and remained there throughout 2014. It rose modestly to a rate of 3.8% by July 2015³, however this is well below the 5% “normal” vacancy rate standard, indicating that Marin is still experiencing a housing supply shortage relative to existing demand.

A growing number of lower and moderate income residents, including seniors and families, are struggling to keep up with rising housing costs. Marin’s workforce is facing longer commutes with fewer of those employed by local businesses living in the County. It is estimated that at least 50% of Marin’s workforce lives outside the County and commutes in to their job every day. This equates to more than 60,000 workers commuting into Marin daily⁴.

On average, rental prices in Marin have soared in recent years, impacting thousands of renter households that comprise 30% of Marin’s population. Ten years ago in 2005, the average apartment rental in Marin cost \$1,478 per month. Despite the 2008 recession, this figure had climbed to \$1,673 per month by 2009. As of October 2015, average apartment rents have jumped by 75% since 2005 to \$2,583 per month.⁵ Other data sources state that the median rent for an apartment is even higher at approximately \$3,000 per month and the median rent for a single-family home is \$5,000 per month⁶.

Based on housing affordability standards established by the U.S. Department of Housing and Urban Development (HUD), a household that spends more than 30% of their *take-home pay* (i.e. after taxes/deductions) on rent and other housing expenses is considered cost burdened and may have difficulty affording other necessities such as food, clothing, transportation, medical care and child care. This means that a household would need to earn \$8,610 per month or \$103,320 per year *after taxes* to afford the average rental in Marin right now. According to 2010 Census data, 28% of Marin households are low income and overpaying for housing by spending more than 30% of their income toward housing expenses.

¹ CA Department of Housing and Community Development (HDC): <http://www.hcd.ca.gov/housing-policy-development/housing-resource-center/rtr/chp6r.htm>

² 2010 Census data, U.S. Census Bureau

³ Marin County Rental Statistics:, Michael J. Burke Rental Survey, Summer 2015: <http://www.marinapartments.com/docs/RentalSurvey.pdf>; and real Answers, Marin County Rental Trends, 3rd quarter 2015 report.

⁴ 2010 Census data, U.S. Census Bureau

⁵ Average apartment rents for all unit types and sizes. Marin County Rental Statistics:, Michael J. Burke Rental Survey, Summer 2015: <http://www.marinapartments.com/docs/RentalSurvey.pdf>; and real Answers, Marin County Rental Trends, 3rd quarter 2015 report.

⁶ Zillow Research Rental Data: <http://www.zillow.com/research/data/#rental-data>

The median income for a two-person household in Marin is \$81,500, or \$101,900 for a four-person household for the County’s entire population⁷. However the average income for a Marin-based job was only \$62,408 in 2014⁸, which is below the low-income threshold of \$65,700 for a one-person household as established by HUD. Based on a gross income (pre-taxes) of \$62,408, a person should not be spending more than \$1,014 per month on their rent and utilities. The minimum wage in Marin County is currently \$13 an hour, or \$27,040 a year for full-time employment, just barely above HUD’s “extremely low” income threshold. Based on a full-time minimum wage salary, a person should not be spending more than \$500 a month on housing. With the average rent for even a studio apartment currently at \$1,675, it is clear as to why an increasing majority of Marin workers are being forced to find housing outside the County. Between 2010 and 2014, the average income for a Marin-based job increased by only 8% while the average apartment rent rose by 30%.⁹

A household of two persons is considered “low income” if they earn a combined household income of \$75,100 or less a year, or “moderate income” if they earn \$97,800 or less per year. According to 2010 Census data, 38% of all Marin’s households are low income and another 18% are moderate income¹⁰. Looking at renter households alone, this jumps to 57% low income and 19% moderate. More than 21,000 Marin residents (8.4% of population) are currently living below the federal poverty level, and 1,900 are children under 6 years old¹¹. If measured using the more rigorous California poverty indicator that adjusts for the cost of living, Marin’s poverty rate is closer to an estimated 17-19%. When evaluating how many County residents meet a separate “self sufficiency” standard that also accounts for cost of living, nearly 30% are unable to adequately make ends meet¹². With less than 5% of all the housing in unincorporated Marin currently preserved as affordable housing for lower and moderate income households¹³, it is apparent that the County’s housing stock is not as economically diverse as the population it’s intended to serve.

The lack of affordable rental housing has also contributed to a rise in the local homeless and precariously housed¹⁴ population. The Marin County 2015 Point in Time Count of homeless persons was conducted on January 29, 2015, and revealed

⁷ HUD FY2015 Income Limits: <http://www.huduser.org/portal/datasets/il/il15/index.html>

⁸ U.S. Census Bureau, Center for Economic Studies, LEHD: <http://ledextract.ces.census.gov/>

⁹ U.S. Census Bureau, Center for Economic Studies, LEHD: <http://ledextract.ces.census.gov/>; Average apartment rents for all unit types and sizes. Marin County Rental Statistics:, Michael J. Burke Rental Survey, Summer 2015: http://www.marinapartments.com/_docs/RentalSurvey.pdf;

¹⁰ 2010 Census data, U.S. Census Bureau: <http://www.census.gov/>

¹¹ Poverty in the Bay Area, Marin Economic Consulting, March 2015: <http://www.marineconomicconsulting.com/whitepapers.php>

¹² <http://www.marinij.com/general-news/20150404/study-stirs-marin-poverty-rate-surprise>

¹³ 2015 Affordable Housing Inventory, Marin County Community Development Agency. Includes all public housing units, and Below Market Rate rentals and ownership units dedicated as affordable housing through an affordability deed-restriction agreement.

¹⁴ A person is considered precariously housed and at risk of homelessness if they are about to lose housing and have no other place to live, or are housed but living temporarily with friends or family because they lack the resources and/or support networks to retain or obtain permanent housing and/or are housed but have moved frequently due to economic reasons and/or are living in severely overcrowded housing.

a total of 1,309 homeless persons, an increase of 38% since January 2013.¹⁵ The 2015 homeless count included a total of 57 families with children, accounting for 15% of the overall homeless population. Of those surveyed for the 2015 count, 35% shared that this was their first time experiencing homelessness, and 51% said they've been homeless for a year or more.¹⁶

In 2013, an additional 4,388 persons were found to be at risk of homelessness and considered precariously housed. In 2015, this number jumped by 19% up to a total of 5,222 precariously housed persons. Last year, Marin County Health & Human Services tracked in real time the number of households (either individuals or families) who requested assistance with a housing crisis. Over a one-week period in late 2014, they received 587 requests for assistance from households experiencing a housing crisis (at least 225 of which were families and 286 were individuals).¹⁷

2015 Rental Housing Survey

The results of the 2015 Rental Housing Survey conducted by the Community Development Agency in March – July further illustrated that more needs to be done to prevent displacement of the County's low and moderate income community. The survey received more than 800 responses from renters, the majority of who indicated that their rent has been raised in the past twelve months and that the cost of monthly rent is the most challenging and prohibitive factor to living in Marin. The survey results revealed a number of significant challenges that face residents attempting to maintain their rental homes:

- When asked about monthly rent increases, 498 of the 829 respondents (60%) indicated that their rent has gone up by some amount in the past year. To be more specific, 135 respondents (16%) said their rent increased by \$200 or more per month in the past twelve months; 172 (21%) by \$100 to \$199; 142 (17%) by \$51 to \$99, and 52 (6%) by less than \$50.
- Two hundred sixty one (32%) of respondents are spending more than 50% of their income on housing, and 382 (46%) indicated that they are paying 30 to 50% of their income toward housing costs.
- Three hundred seventy two (45%) of respondents have a month-to-month agreement and are living without the security and stability of a longer term lease.
- Fifty-nine percent of respondents indicated that they have plans to move, citing the cost of their rent payment and concerns about rent increases and/or eviction as their primary reasons.
- Seventy-seven percent of respondents state that the cost of monthly rent is by far the most significant challenge to renting in Marin, followed by the cost of

¹⁵ Marin County Health & Human Services: <https://www.marinhhs.org/point-time-count-marin>

¹⁶ According to Marin County Health & Human Services, improved methodology was used for the 2015 Point in Time Count compared to that used for the 2013 count, which may account for some of the increase to the number of homeless persons accounted for in 2015.

¹⁷ Marin County Health & Human Services, August 2015.

rent deposits at move-in time (36%), and concern about rent increases and/or eviction (27%).

In the open comments at the end of each survey, participants provided details of their personal struggle to find or maintain housing in Marin that they can afford. By way of example, parents can't afford to stay in Marin to keep their kids in the county's high performing school districts. Seniors can't afford to transition within their own community as their daily life needs and incomes change. Young people new to the workforce can't afford to live in the area they grew up in. And many of the locally employed people who serve Marin's residents and add significant value to their communities are being displaced due to the affordability gap between their respective wages and current housing prices.

Fair Housing

Under state and federal fair housing laws, it is unlawful to restrict housing choice on the basis of race, color, disability, religion, sex, familial status, national origin, sexual orientation, marital status, ancestry, age, and source of income. In 2011, the Board adopted an Analysis of Impediments to Fair Housing Choice (AI) which broadly identifies the actions, omissions, and conditions in the County that may have the effect of restricting housing choice for people protected under state and federal fair housing laws. The AI not only identifies impediments to fair housing choice, but also makes recommendations to overcome the effects of those impediments in an Implementation Plan. The AI is intended to serve as the basis for fair housing planning, providing essential information to County staff, policy makers, housing providers, lenders, and fair housing advocates, and to assist with garnering community support for fair housing efforts.

The AI concludes that substantial impediments to housing choice exist across the rental, sale, and lending markets throughout Marin County. For example, Hispanic, Asian, and particularly Black households are not moving into Marin County in appreciable numbers in part because Marin is viewed as an unwelcoming place for racial minorities; and those minorities who choose to live in Marin may face differential treatment that limits housing choices. Families with children also experience discrimination and are limited in their housing choices that have unit sizes that can accommodate families. People with disabilities face barriers ranging from housing providers' unwillingness to rent to tenants in need of reasonable accommodations to physically inaccessible housing. As the generation of baby boomers ages, demand has increased for a limited number of beds in residential care facilities for the elderly (RCFEs). Studies have shown that people with disabilities, particularly people of color, have unequal access to senior housing, RCFEs and continuing care facilities. Although fair housing and affordable housing are not synonymous, affordable housing can serve the needs of a diverse community, including those who historically have faced discrimination in finding a place to live.

Marin Countywide Plan

The 2007 Marin Countywide Plan has a goal of maintaining balanced communities that house and employ persons from all income groups and provide the full range of needed facilities and services. In order to promote diverse and vibrant communities and economies, there is a need to preserve the limited housing opportunities that exist for lower and moderate income households. The following policies of the Countywide Plan and 2015-2023 Housing Element exemplify the County’s goal of supporting a diverse housing stock that offers opportunities for households of all income levels to be an integral part of the local community:

CWP Goal CD-2: Balanced Communities. Maintain balanced communities that house and employ persons from all income groups and provide the full range of needed facilities and services.

CWP Policy CD-2.1 Provide a Mix of Housing. The range of housing types, sizes, and prices should accommodate workers employed in Marin County. This includes rental units affordable to lower-wage earners and housing that meets the needs of families, seniors, disabled persons, and homeless individuals and families.

Housing Element Policy 2.2 Housing Choice: Implement policies that facilitate housing and preservation to meet the needs of Marin County’s workforce and low income population.

Housing Element Policy 2.4 Protect Existing Housing: Protect and enhance the housing we have and ensure that existing affordable housing will remain affordable.

Housing Element Program 2.i: Increase Tenants Protections

Explore providing rental protections, such as:

- Noticing of rental increases
- Relocation costs
- Just-cause eviction
- Rent stabilization
- Rent control

One of the primary goals that guides the Countywide Plan states: **“A Creative, Diverse, and Just Community.** *Marin will celebrate artistic expression, educational achievement, and cultural diversity, and will nurture and support services to assist the more vulnerable members of the community.*” The policy options presented for the Board’s consideration offer a range of measures aimed at making the County an equitable, healthy and safe place to live, regardless of background or income level.

New Policy Options

The County has a number of provisions in place that help to support the preservation and development of affordable housing in the unincorporated County, including a range of affordable housing funding sources and affordable housing requirements for new development. However, existing options are primarily development-dependent and thus have had an incremental impact on addressing the County's housing needs. Based on the limited opportunities for new development of affordable multi-family housing, the County has been considering a broader range of policy measures aimed at preserving the affordability of existing housing and different ways of creating new opportunities for affordable housing.

At the November 17th workshop, the Board signaled their agreement with this approach by supporting an acquisition strategy involving the purchase of existing multi-family rental developments for long-term preservation as affordable housing. The Board also expressed an interest in amending existing land use regulations to encourage second units and exploring incentives for landlords to rent to lower income tenants.

For the December 15 workshop, staff recommends that the Board consider several tenant protection policy options, including rent stabilization, just cause for evictions, relocation assistance, and source of income protection. Tenant protections serve the same overall affordability goals as the policy options considered by the Board to date while having a targeted benefit to renters who may be forced out of their home if rent increases are significant and frequent enough to outpace their budget. Together, these policies could provide thousands of Marin renter households with housing stability and secure their ability to remain part of the County community.

In the Bay Area region, the cities of San Francisco, Oakland, Berkeley, San Jose, East Palo Alto, Hayward, and Los Gatos have established comprehensive rent regulation programs administered by a rent board, which include rent stabilization, just cause evictions, and other tenant protections. This past August, the City of Healdsburg adopted rental housing guidelines to encourage landlords to limit rent increases to no more than 10% annually and provide 90-day notice for rent increases when possible. Several other local jurisdictions have recently begun the process of considering tenant protections including San Mateo County, and the cities of Richmond, Alameda, Mountain View and Santa Rosa. A total of 22 cities have rent regulation in place specifically for mobile home parks, including both San Rafael and Novato. The cities of Campbell, Fremont, Gardena and San Leandro offer tenant/landlord mediation service, and the cities of San Diego and Glendale currently implement just cause eviction ordinances.

As requested by your Board, details regarding timing, funding and staffing needs are summarized for the tenant protections policy options below. Timing is based on staff's estimate of approximate time needed to implement each option. Pursuing multiple options concurrently may add to the overall timeframe for implementation.

Direction from the Board regarding specific policy options will be brought back to the Board in the Community Development Agency's performance plan and proposed budget in March 2016. Also included are the potential opportunities and challenges of implementing each option.

- 1. Rent Stabilization:** Allow moderate annual rent increases to stabilize the multi-family rental market while providing a reasonable regular return on investment for property owners. Annual rent adjustment rates are typically tied to a specific percentage (e.g. 5%) or to inflation through the Consumer Price Index. Currently, there is no local regulation of rent increases in unincorporated Marin. State law requires a 30 day notice for rent increases of 10% or less per year, or 60 days for an increase of more than 10%.¹⁸

The Costa-Hawkins Rental Housing Act ([CA Civil Code §1954.50 et seq.](#)) places significant limitations on the applicability of rent stabilization policies established by cities and counties in California. It exempts the following housing types from any local rent stabilization ordinance: single-family homes, condominiums, and any residential rental units (including multi-family developments) that received a certificate of occupancy after February 1, 1995. Because of these limitations, any rent stabilization policy pursued by the County could only be applied to multi-family rental units built and occupied prior to February 1995 that are not already protected by an existing affordability agreement. Costa-Hawkins also includes a provision known as vacancy decontrol, which allows a property owner to raise rents to market rate once a unit is vacated by the existing tenant.

There are several concerns frequently voiced about rent stabilization. One of the most common concerns is that it will lead to dilapidated housing conditions due to diminished rent revenue and a disincentive to improve rental properties. However, rent stabilization programs can be structured to allow for higher rent increases relative to any investments made for capital improvements and maintenance needs to allow property owners to recoup costs associated with upkeep of their properties. These special increases are typically in addition to the standard annual rent increase allowed by an applicable rent stabilization ordinance. Furthermore, since a unit can be returned to market rate upon vacancy, there is a considerable incentive for property owners to keep their units in a condition acceptable to new market rate renters.

Another concern is that rent stabilization could serve as a disincentive to new development, however as referenced above, rent stabilization cannot be applied to new development due to the limitations of the Costa-Hawkins Act. As referenced above, Costa-Hawkins exempts all housing built since 1995 from any local rent stabilization ordinance. Some property owners further argue that this distinction can create an unfair burden on owners of multi-family property built prior to 1995. However, in unincorporated Marin only a handful of multi-family

developments have been built since 1995, all of which are already deed-restricted as affordable housing.

Rental property owners also argue that rent stabilization results in an unconstitutional taking of personal property rights. However, the courts have thus far not found rent stabilization to result in a regulatory taking, and rent stabilization programs are required to allow for annual rent increases, thus providing property owners with an increased return on investment every year.

Finally, opponents of rent stabilization argue that such policies do not help the housing situation but in fact worsen it by further limiting supply of market rate housing and thereby driving up market rate prices. To this point, it's important to note that housing prices throughout the Bay Area region have risen dramatically in recent years, both in jurisdictions with and without rent stabilization. Areas without rent stabilization, such as Marin County, are experiencing the same steep increases in housing costs where rent stabilization ordinances are in place, including San Francisco, Berkeley and Oakland.

As reflected by recent housing and income data, a stronger case can be made that rising housing prices are a result of the recent economic recovery, which has brought an influx of high income renters and homebuyers into the region that have in turn put more pressure on demand in a market with an already limited housing supply. The imbalance between limited supply and growing demand is further impacted by the slow rate at which new housing is developed in the area and the growing disparity between local wages and increasing housing costs.

The County would have considerable flexibility to design a rent stabilization program for unincorporated Marin. In general, there are two models of rent stabilization programs: complaint-based and rent certification. A select few jurisdictions including Berkeley, East Palo Alto and West Hollywood have a rent certification program in place, which is the more resource intensive of the two models. This type of program involves the detailed registration and tracking of all rental units subject to the ordinance, investigation of complaints or petitions related to the ordinance, as well as in-house counseling services and extensive outreach and education for both tenants and landlords. These programs require a considerably higher per unit annual registration fee to cover the extensive program costs.

Alternatively, most local jurisdictions with rent stabilization (e.g. Oakland, Hayward, and Los Gatos) have implemented a "complaint-based" system, meaning that the onus is on tenants to file a complaint or petition that the ordinance has been violated and to demonstrate evidence of the violation. Complaints are then reviewed by a hearing examiner and usually resolved through the mediation process. In some cases, an arbitration hearing before an Administrative Law Judge is required. This type of program typically is funded by a modest annual registration fee anywhere between \$2 to \$30 per unit that can be wholly or partially passed on to tenants.

Both program types involve the establishment of a rent board or commission that can enact and amend applicable regulations, and hear petition appeals regarding select issues related to the ordinance. This board or commission typically addresses issues with related tenant protection policies when applicable, such as just cause for eviction or relocation assistance.

To test the effectiveness and impacts of implementing rent stabilization in unincorporated Marin, the County could consider a pilot program with a built-in expiration tied either to a specific timeframe (e.g. 5 years) or to the market (e.g. rental vacancy rates or the rate of rental increases). Upon expiration, the results of the program would be evaluated and the County could consider whether or not to continue the program from that point forward. The County could also explore applying further exemptions to rent stabilization for small multi-family developments of 2-3 units that are owner-occupied.

Option A: Rent Stabilization. The County could consider adopting a regulatory requirement that limits rent increases to once per year and to a percentage equal to the Consumer Price Index (CPI) for that year. This regulation would apply to multi-family rental units built prior to February 1995 in unincorporated Marin.

- i. **Timing:** 1 year, depending on scope of program
- ii. **Status:** New policy
- iii. **Funding:** A detailed budget and program would be developed should the Board choose to further consider this policy, including the ability of existing staff to handle routine tasks and the need for additional staff resources to administer the program. The cost of an outside hearing examiner to adjudicate administrative law disputes typically runs between \$1,000 to \$2,000 per case.
- iv. **Opportunities:** This could stabilize rents for more than 3,300 existing households in unincorporated Marin, and would help prevent further displacement of low and moderate income households. Property owners are provided a reasonable increased return on investment, and rents can return to market rate upon vacancy of unit.
- v. **Challenges:** Per existing limitations of Costa-Hawkins, this would only provide stability for tenants as long as they reside in an applicable unit since "vacancy decontrol" allows a unit to return to market rate once it is vacated. Costa-Hawkins further established that rent stabilization cannot be applied to single-family homes or condominiums, nor can it be applied to any housing built since February 1995 (including multi-family rentals). Without a just cause for evictions ordinance, rent stabilization is less beneficial to the renter community since tenants could continue to be evicted "at-will" if property owners wanted to take advantage of the "vacancy decontrol" provision of Costa-Hawkins.

Option B: Voluntary Rent Guidelines. Alternative to the regulatory approach of “Option A” above, the County could consider adopting an interim set of voluntary rent stabilization guidelines, similar to those adopted by the City of Healdsburg in August 2015 and by the City of San Rafael in 2001. This non-regulatory approach could be established as an initial or interim step while the County further considers if and how to structure a rent stabilization program appropriate for unincorporated Marin. Both the Healdsburg and San Rafael guidelines are completely voluntary and non-binding, established as a “good faith” commitment to fair rental practices. These guidelines encourage landlords to limit rent increases to once per year and to a maximum of 10%, to provide a 60-90 day rental increase notice to tenants, and to maintain properties in good repair and consistent with health and safety standards. Because the guidelines are voluntary and therefore not subject to statutory or case law, there is flexibility in setting the recommended annual rental increase and noticing time frame. For example, the recommended limit on rental increases could be lower than the 10% figure adopted by the Cities of Healdsburg and San Rafael.

- i. **Timing:** 6 months
- ii. **Status:** New advisory
- iii. **Funding:** Additional funding is not expected to be required at this time.
- iv. **Opportunities:** Voluntary rent guidelines would signal the County’s request for rental property owners to commit to fair practices regarding rent increases, noticing periods, and housing maintenance.
- v. **Challenges:** Because rent guidelines are voluntary in nature rather than mandated, their effectiveness in preserving affordable rents is entirely dependent upon the willingness of rental property owners to adhere to the advisory. It should be noted that the City of San Rafael rental guidelines have been in place for 14 years; however, the rental prices in the City, which has the largest share of rental property in the county, have risen as dramatically as the rest of the county in recent years with current median rents on par with countywide rental rates.

2. Just Cause for Evictions: Landlords currently can terminate a periodic tenancy for any or no reason as long as they provide a 30-day written notice to the tenant to vacate, or 60 days if the tenant has lived in the rental unit for a year or longer.¹⁹ Landlords can also serve tenants with a 3 day written eviction notice for any reason consistent with [CA Code of Civil Procedure §1161](#). The County could pursue a “Just Cause for Eviction” ordinance to require that a landlord establish and verify that an eviction is based on a valid reason (i.e. “just cause”) such as owner move-in, non-payment of rent, nuisance to landlords/other tenants, damage to unit/building, illegal activity, or any other violation of a lease

¹⁹ Pursuant to [CA Civil Code §1946.1](#)

agreement. This type of ordinance is often combined with other tenant protections including rent stabilization, and relocation assistance.

- i. **Timing:** 6 months
- ii. **Status:** New policy
- iii. **Funding:** A detailed budget and program would be developed should the Board choose to further consider this policy, including the ability of existing staff to handle routine tasks and the need for additional staff resources to administer the program. The cost of an outside hearing examiner to adjudicate administrative law disputes typically runs \$1,000 to \$2,000 per case.
- iv. **Opportunities:** This would prevent "no-fault" eviction of responsible tenants, providing them with greater security and stability. Can help to eliminate evictions pursued for increased profits alone, and is not subject to the limitations of the Costa-Hawkins Act. This provides protection to tenants on short-term (month-to-month) leases who do not have the security of a longer-term lease agreement.
- v. **Challenges:** This policy would have less impact without rent stabilization, since property owners could simply raise rents to an unaffordable level for the applicable tenant, thereby leaving them no choice but to move out.

3. **Relocation Assistance:** Pursuant to [CA Health and Safety Code §17975 et al](#), tenant relocation fees are required to be paid by a landlord when a local enforcement agency orders the unit vacated due to an immediate threat to the tenants' health and safety. Increased requirements for relocation assistance established by the County could help lower income households find replacement housing and could reduce displacement rates. The County could consider an ordinance similar to the City of Mountain View's model, which requires a landlord to provide the following for all eligible low income households who are displaced due to no fault of their own: a full refund of a tenant's security deposit; a 60-day subscription to a rental agency; the cash equivalent of three months median market rate rent for a similar sized rental unit; and an additional \$3,000 for special-circumstances tenants, which are households having at least one person that is either over 62 years of age, handicapped, disabled, or a legally dependent child under 18 years of age. Alternatively, the County could consider a more complex model, such as the one implemented in [West Hollywood](#). Relocation assistance requirements would have more impact if coupled with other tenant protections policies such as rent stabilization and just cause for evictions.

- i. **Timing:** 6 months
- ii. **Status:** New policy
- iii. **Funding:** A detailed budget and program would be developed should the Board choose to further consider this policy, including the ability of existing staff to handle routine tasks and the need for additional staff resources to

administer the program. The cost of an outside hearing examiner to adjudicate administrative law disputes typically runs \$1,000 to \$2,000 per case.

- iv. **Opportunities:** This would help displaced and disadvantaged tenants with the cost of relocating to new housing, and could help prevent these individuals/families from becoming homeless after losing their existing housing. This could help reduce the number of “no-fault” evictions.
- v. **Challenges:** Displaced tenants would likely still be forced to leave Marin to find new housing elsewhere, due to the lack of affordable housing options currently available in the County.

4. **Source of Income Protection:** Source of income protection prevents landlords from advertising or stating a preference for certain sources of income, from charging a higher deposit based on a person’s source of income, and from treating a person differently based on their source of income. It also establishes that an income requirement can only be applied to the tenant’s portion of the rent. These protections apply to all housing except a home in which the landlord lives and rents out only one room.²⁰ [California Government Code §12921](#) prohibits housing discrimination based on a person’s source of income, and [§12955\(p\)\(1\)](#) defines “source of income” as “lawful, verifiable income paid directly to a tenant or paid to a representative of a tenant. For the purposes of this section, a landlord is not considered a representative of a tenant.” Case law (*SABI v. Sterling*, 183 Cal.App.4th 916 (2010)) has established that California’s source of income discrimination law described above does not protect Section 8 voucher holders. However, the law has not prevented the adoption of ordinances in several California cities, including Los Angeles, San Francisco, East Palo Alto and Woodland that prohibit Section 8 voucher discrimination.

The County could consider adopting an ordinance to recognize Section 8 vouchers and other third-party housing subsidies as a “source of income,” thereby prohibiting discrimination against potential tenants with such subsidies. This policy could be reinforced by combining it with a program establishing incentives for landlords to rent to lower income tenants, as considered by the Board at the November 17 workshop (see Attachment 3), as well as the just cause for evictions option described above in Item 2.

- i. **Timing:** 6 months
- ii. **Status:** New policy
- iii. **Funding:** No additional funding required; would utilize existing staff time and resources as needed.
- iv. **Opportunities:** This would prohibit property owners from advertising "No Section 8" in rental listings, and would prohibit discrimination against voucher

²⁰ Poverty & Race Research Action Council (PRRAC), May 2014: *State, Local, and Federal Laws Barring Source-of-Income Discrimination*.

holders and other third-party subsidized renters. This could increase available housing opportunities for subsidized renters.

- v. **Challenges:** Property owners could effectively still decide not to rent to subsidized renters based on other factors such as total income, credit score, etc. Most market rate rents in Marin are currently too high to qualify for Section 8 and other subsidy programs, so without an additional subsidy, property owners have to rent their unit below market rate to participate in these programs.

CONCLUSION

With housing prices at an all-time high, vacancy rates at historic lows, and extremely limited opportunities for development of new multi-family housing, exploring tenant protections is consistent with the County's interest to help prevent displacement and preserve housing affordability. Tenant protection measures are most effective when combined, such as rent stabilization with just cause for eviction laws; however, each policy option discussed above can also be considered individually on its own merits.

REVIEWED BY:

<input type="checkbox"/> Auditor Controller	<input checked="" type="checkbox"/> N/A
<input checked="" type="checkbox"/> County Counsel	<input type="checkbox"/> N/A
<input type="checkbox"/> Human Resources	<input checked="" type="checkbox"/> N/A

Respectfully Submitted,


 Alisa Stevenson
 Planner


 Leelee Thomas
 Principal Planner

Attachments:

1. Existing County Support for Affordable Housing in Marin
2. 10/13/15 Staff Report to the Board of Supervisors
3. 11/17/15 Staff Report to the Board of Supervisors
4. Administrative Record (comments received)

This Board letter and all attachments are available online at:
<http://www.marincounty.org/depts/cd/divisions/planning/housing/affordable-housing>

A full reference copy is available for public review at the Board of Supervisors office, 3501 Civic Center Drive, Suite 329 (8:00 am to 5:00 pm, Monday through Friday) and at the Community Development Agency, Planning Division, 3501 Civic Center Drive, Suite 308 (8:00 am to 4:00 pm, Monday through Thursday, closed Fridays).

Attachment 4
Administrative Record

This attachment includes all public correspondence received as of December 9, 2015 for the December 15, 2015 Board of Supervisors workshop.

From: Allen Appell

Sent: Wednesday, December 02, 2015 10:04 AM

To: Clark, Susannah; Callaway, Chris; Laird, Sandy; Vernon, Nancy; Parton, Maureen; Alden, Leslie;
lacrosse@marincounty.org; Escobar, David; Albert, Tanya; Weber, Leslie

Subject: Research on Why Rent Control hurts the very tenants it is trying to help

Most tenants think they benefit from Rent Control. Actually it hurts them in a variety of ways.

A higher price of rent is the signal to investors that there is high demand for apartments. The result is more apartments will be built which increases vacancy and rent prices drop or stabilize as a result.

The reverse is also true. If politicians fix rent prices lower than market prices the result will be fewer units supplied. Existing tenants will benefit in the short run but they will be locked in to units and be reluctant to leave, thereby creating a shortage of apartments for new tenants. This shortage will drive up rental prices in surrounding areas as well. When a rent control tenant's family size increases, wants a better apartment, or work location changes so a new apartment is needed that tenant will face higher rental prices as well due to artificially created shortages.

Landlords of rent controlled apartments have little incentive to improve or even maintain their properties in good condition. Taxes, water rates and maintenance expenses go up each year especially for older buildings that require more maintenance. No investor invests in a losing proposition. New apartments that are currently exempt from rent control will experience even higher rents due to the shortage created by rent control AND landlords know that at some time in the future they too will have their units rent controlled so they raise rents as high as possible.

Rent Control has hurt both tenants and landlords everywhere it is attempted. San Francisco and Berkeley are classic rent controlled cities. Does anyone actually believe rents are cheap there?

Rent control always requires a "just cause eviction" board creating a ponderous bureaucracy. No landlord evicts good tenants. It is the bad tenants who turn to drug abuse and terrorize other tenants or destroy the property who can appeal to a Rent Control Board to delay or stop an eviction. Both landlords and good tenants suffer.

As a retired Professor of Business at San Francisco State University and a long time landlord with 60 apartments in California, I have a good grasp of these issues. I am sorry to see Rent Control raise its ugly head. I have specifically avoided investing anywhere there is Rent Control having heard the horror stories of other landlords dealing with it. Rent Control is a short term political palliative and a long term disaster for both tenants and landlords. Please don't make the mistake of implementing it in Marin.

The case I have presented is supported by personal experience and research. The classic research project on Rent Control is by the Cato Institute, a highly respected think tank of neither the Left nor the Right. It is titled "How Rent Control Drives out Affordable Housing." It analyzes economic and human behavior in depth on this issue. Subsequent research continually supports its findings that Rent Control is a significant detriment to tenants, landlords and society in general. [1] Of course, the significant reduction in property values, 45% to 50% in the 2014 study of Cambridge, Massachusetts resulted in a tremendous loss of tax revenue. [2]

Rent Control hurts everyone!

1 <http://www.cato.org/publications/policy-analysis/how-rent-control-drives-out-affordable-housing>

2 http://object.cato.org/sites/cato.org/files/pubs/pdf/research_brief_no9.pdf

Sincerely yours,

Allen L. Appell

--

Allen L Appell, Ph.D.

415-308-9565

alappell@gmail.com

Village Apartments
36 Ross Ave
San Anselmo, CA 94960

December 7, 2015

Dear Supervisor

As a long time rental property owner and manager I'm opposed to any type of Rent control. Rent control is not the solution to the shortage of affordable rental housing.

Rent control will only increase rental rates. Any property owner under rent control will increase rents when an apartment becomes available, Property owners will hold out for the largest amount that he can receive knowing that he will be unable to raise the rent amount in the further and only what the rent control board allows.

Rent controls discriminate between property owners. State law Costa-Hawkins Rental Housing Act, states "rent control can only be applied to multifamily units built before 1995." It can't be applied to single-family homes or condos and when a tenant leaves, there is no limit to how high the landlord can raise the rent. It discriminates between building before 1995 and building built after 1995. This is discrimination.

Rent control prevents remodeling building. Housing build before 1995 will be unable to upgrade, remodel their property because of the restrictions placed on rental rates due to Rent Control. It's not cost effective. In a normal rental market, no rent control, when a property changes ownership or the current needs to upgrade, they can afford to do so knowing that they can gradually raise the rent to help pay for remodeling cost. Everyone wins. Resident gets a new upgraded modern apartment, the property is revalued by the county assessor and property taxes go up.

Rent control is a subsidy for wealthy renters. Mayor Koch of NYC bragged of living in a rent controlled apartment and paying only \$700 a month. Won't everyone like only to pay only \$1500 a month for an apartment in Marin, rather than incur the cost of home ownership?

Rents will always be high for low income earners. We live in a highly desirable area of the world. No matter how many apartment are build there will never enough low cost housing. Look at San Francisco, it's one of the highest density cities in world and still they don't have affordable housing for low income earners. We could build out Marin and there still wouldn't be an adequate amount of low income housing in Marin.

Low income earner already get a rent subsidy from most old time property owners Ask any property owner and they will tell they feel it's immoral to raise rents on long time residents to market rents. They only raise the rent to market rents when the apartment becomes available during turn over, and then they only rent to a new resident who is qualified to afford the new rental rate. Remember this is high income area.

So what's the solution? Most low income workers work in Marin because they make higher wages in Marin. If the government wants more housing for low income workers then the government will have to build more public housing. Read suggestions from the Marin Property Owners Association.

Sincerely yours

Karl Baeck
415 459-6370

From: Alisa Arquilevich Bauer
Sent: Sunday, November 29, 2015 12:27 PM
To: Parton, Maureen
Subject: No on Rent Control in Marin County!

Hello

I am writing to express concern about rent control in Mill Valley. We are a family of 5 who rent a property and also live in Marin. We rely on the rental income to be able to continue living here.

Please consider this perspective

thank you so much for all you do

Alisa

From: Aram Danesh
Sent: Wednesday, December 02, 2015 12:23 PM
To: Parton, Maureen
Subject: Rent Control and Housing Concerns - Marin County

Dear Kate,

I was informed that the Marin County Board of Supervisors is analyzing the pros and cons of a rent control ordinance in Marin County. I humbly submit to you my opinions and hope that these will be helpful. Quick background on me: I moved to SF/Marin in 1984. I am an immigrant. I left my country because of political turmoil and moved to many countries before settling in SF/Marin. I have been a renter for the vast majority of my adult life. I have been a musician all my life, worked in bars, cooked in kitchens and now work in real estate. I have never been extremely rich nor have I personally ever been a landlord. Most of my friends are renters. Here is why rent control does not work:

- San Francisco's strict rent control ordinance has done nothing to bring down rent prices....same goes for Santa Monica, LA and now even Oakland among other cities in CA, not to mention New York or Chicago.
- Rent control results in the changing of the natural moving patterns of the residents of a community. Restricting this natural turnover actually reduces the availability of the for-rent housing stock. There is a shortage of housing stock with more people moving into the Bay Area because of jobs (Yay for us!). Restricting some of the housing where people don't move or can't move just makes the remaining amount of rental units even more expensive (making a bad situation worse). If the only way you can stay in your current rental unit is to be dependent on the artificially capped low rents it makes it impossible for you to move within your community and forces you to move far away from your family or your job. This becomes a very complicated decision for the aging population and lower level service workers and contract employees whose jobs may change locations often.
- Renters are forced to stay in units that are often extremely dated (old dirty carpets, appliances that may have outlived their utility, dingy paint and old bathrooms) and landlords are not motivated nor required to modernize units at tens of thousands of dollars of expense and keep the same below market tenants (keep in the mind that the rising costs of labor and materials are market/demand driven so the better the economy gets the more monetary loss for a landlord to upgrade a unit that needs to be rented at rent controlled pricing). The only way to do this is to penalize property owners with rental units to forcibly upgrade units just to lose money. This would dramatically reduce investments in real estate. By taking away the profits and some of the competition you are essentially perpetuating more "slum lords".
- If you imposed rent control today, you would have to cap rents at the highest point in the market because there is no way that you can force landlords to go back and cut rents on their investment properties which would make them susceptible to foreclosure or financial loss. So essentially everyone who is unhappy now with high rents will remain unhappy and nothing would have been accomplished. Without a crystal ball you won't know how high rents will go in the future and a market correction or tech bubble burst would undermine these efforts all together. A tech bubble burst combined with a RE bubble burst is not a good combination.

Possible solutions:

- The SMART train is smart! Employment is one of the main factors for demand on housing and if people can get to job centers from areas that have more affordable housing, then that's a good thing, and a natural way for everyone to participate in a good economy.
- Build more affordable housing. Help developers to build more work force housing. Open up suitable public land for development.
- Encourage landlords with tax benefit or subsidies to rent to artists and musicians.
- Companies already have and will allow for more "telecommuting" in the future. Less traffic, less pollution. Work on programs with both the public and private sector to encourage this.
- Help/encourage larger employers to move some of their subsidiaries or satellite offices to where there is more work force housing

Thank you in advance for taking the time to read this.

My best to you in your efforts

Aram Danesh

November 23, 2015

Marin County Board of Supervisor
3501 Civic Center Drive, Room 329
San Rafael, CA 94903

Dear Mr. Connolly, Ms. Rice, Ms. Sears, Mr. Kinsey and Ms. Arnold:

I am writing to provide my opinion related to Preserving Housing Affordability. Please do not vote in favor of adopting the tenant protections outlined in the document prepared by Ms. Stevenson and Mr. Crawford and published on October 13, 2015. Rent control and the protections outlined by Ms. Stevenson and Mr. Crawford will result in fewer available units, less upkeep from landlords, hire rents because of a more constrained supply and is unfair to property owners. Only a select few people benefit from rent control and adopting these policies will only drive rents *higher* in Marin County. All one needs to do is look at what's happened to rents in San Francisco and it is easy to understand, a lack of supply, drives up prices. Please do not vote in favor of it.

To address our housing affordability problem, the Board of Supervisors should adopt programs that assist moderate income families (80% - 150% of AMI), through short-term (3-7 year) housing subsidies, bridge loans and loan guarantees that promote home purchase, enabling people to develop equity, not live as renters the rest of their lives. Be thoughtful of the big picture.

Where will my teenaged daughters live in 10 years? In the rent controlled apartments that are almost NEVER vacant or the even higher priced units because of the lack of supply?

Thank you for listening/reading.

Sincerely,



Darin J. Delagnes

c: Brian Crawford, Director, Community Development Agency
Alisa Stevenson, Planner, Community Development Agency

From: Ingrid Evans

Sent: Monday, December 07, 2015 4:26 PM

To: Parton, Maureen; Alden, Leslie

Cc: Connie McKeown Evans (connyme@sbcglobal.net); Nate Evans (biomecheng@gmail.com)

Subject: RE: We object to rent control in Marin County

We object to rent control being imposed in Marin County and wished to express our concerns as property owners and landlords in Marin County. Mortgages are extremely expensive in Marin County, and by forcing rent control you will cause a chain reaction for landlords to increase rents dramatically so that they are not penalized in the future. This does not help renters. Please note the following as well, we would like this email and the following to be included in the record/hearing on this matter.

<http://fee.org/freeman/the-case-against-rent-control/>

Rent control reduces the supply of rental units through two different mechanisms. In the short run, where the physical number of apartment units is fixed, the imposition of rent control will reduce the quantity of units offered on the market. The owners will hold back some of the potential units, using them for storage or keeping them available for (say) out of town guests or kids returning from college for the summer. (If this sounds implausible, consider just how many people in a major city consider renting out spare bedrooms in their homes, as long as the price is right.) In the long run, a permanent policy of rent control restricts the construction of new apartment buildings, because potential investors realize that their revenues on such projects will be artificially capped. Building a movie theater or shopping center is more attractive on the margin.

There are further, more insidious problems with rent control. With a long line of potential tenants eager to move in at the official ceiling price, landlords do not have much incentive to maintain the building. They don't need to put on new coats of paint, change the light bulbs in the hallways, keep the elevator in working order, or get out of bed at 5:00 a.m. when a tenant complains that the water heater is busted. If there is a rash of robberies in and around the building, the owner won't feel a financial motivation to install lights, cameras, buzz-in gates, a guard, or other (costly) measures to protect his customers. Furthermore, if a tenant falls behind

on the rent, there is less incentive for the landlord to cut her some slack, because he knows he can replace her right away after eviction. In other words, all of the behavior we associate with the term “slumlord” is due to the government’s policy of rent control; it is not the “free market in action.”

In summary, if the goal is to provide affordable housing to lower-income tenants, rent control is a horrible policy. Rent control makes apartments cheaper for some tenants while making them infinitely expensive for others, because some people can no longer find a unit, period, even though they would have been able to at the higher, free-market rate. Furthermore, the people who remain in apartments — enjoying the lower rent —receive a much lower-quality product. Especially when left in place for decades, rent control leads to abusive landlords and can quite literally destroy large portions of a city’s housing. Taken/Cited from the Foundation for Economic Education website

Ingrid M. Evans
Attorney

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☎ (888) 891-4906 ✉ Ingrid@evanslaw.com 🌐 www.evanslaw.com





FAIR HOUSING OF MARIN

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www.fairhousingmarin.com ▼ fhom@fairhousingmarin.com

To: Marin County Board of Supervisors
From: Craig Schechter, o/b/o Fair Housing of Marin
Re: Preservation, Conversion, and New Construction policy options
Date: November 17, 2015

Fair Housing of Marin (“FHOM”) is a non-profit civil rights advocacy organization dedicated to ensuring equal housing opportunity and educating the community on the value of diversity. Since 1984, FHOM has provided services to tenants, home-seekers, the housing industry and members of the general public in Marin County. We assist clients in challenging discriminatory housing practices and preventing foreclosures. Our clientele represents the most marginalized members of the Marin community – African Americans and Latinos, people with disabilities, the poor and the homeless. As housing prices in Marin County continue to climb, our clients are faced with increasing barriers to security.

As reported yesterday in the Marin Independent Journal, rental prices in the county have gone up 11% in the last quarter, the third consecutive quarter to see double-digit increases. The average asking rent in Marin is \$2,583, up from \$2,329 one year ago. And experts predict that there is no plateau in sight. As demand for rental housing growing steadily, and seemingly no appetite to meet this demand by increasing supply, it is imperative that the Board of Supervisors act swiftly yet prudently to address this problem.

FHOM applauds the Board’s effort to hold today’s hearing and consider means to combat displacement and support affordable housing in Marin, so that our county can continue to be an



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inclusive community. Many people who work in Marin and who would like to live in the communities where they work cannot afford to do so, because rents and home prices are outpacing wages. This means that a large part of our workforce has to commute long hours to their jobs, which has a detrimental impact on traffic, as well as safety, and erodes our sense of community.

Additionally, because HUD's fair market rents for Marin don't match the actual price of rental housing, many Section 8 vouchers holders must port their vouchers outside of the county. Despite the fact that Section 8 tenants guarantee that landlords will get paid, many landlords believe negative stereotypes of voucher holders and simply refuse to rent to them.

We support the staff's comprehensive approach, with its proposals to provide down payment assistance to home seekers who work in Marin, provide incentives to landlord to rent to tenants with Section 8 vouchers, and encourage the development of small and junior second units. If enacted, these proposals have the potential to expand housing opportunities to our most vulnerable residents.

From: Susan Girtler
Sent: Monday, November 30, 2015 11:30 AM
To: Parton, Maureen; Alden, Leslie; elam@elamproperty.com
Subject: Marin County Rent Control

Dear Ms. Sears:

I am emailing today to let you know my feelings about rent control for Marin County. I am a property owner of four rental properties in Marin that have been owned by my family for many years.

We have always had below market rents because we like to select and keep good tenants, while having sufficient income to make sure that the units are kept in good repair and in good condition.

My family has also owned a building in San Francisco since 1975. Rent control has been a real problem for us. We have one tenant who has been there for 31 years and another for 21 years.

Their rents are so low, and the process for adding additional rent for capital improvements is so restrictive, that making even the most basic improvements to the building is difficult. The result is the building continues to deteriorate, and the value of the investment goes down.

I urge the Board of Supervisors not to impose rent control in Marin County. I understand that people need affordable housing, but restrictive rent controls on owners is not the way to accomplish it.

Thank you for the opportunity to express my concerns,

Susan Girtler
Attorney at Law

From: Ms Angela Gott <angelagott@yahoo.com>
Sent: Wednesday, November 18, 2015 11:40 AM
To: Ms Angela Gott
Subject: Marin's seniors need a law like Seattle's and the sooner the better !

11/18/15

Seattle law requires developers to pay for affordable housing

Reuters 16 hours ago

SEATTLE (Reuters) - Seattle Mayor Ed Murray signed an ordinance into law on Tuesday he says will add 6,000 living units for low-income residents over the next decade to be paid for by fees on private developers.

The measure aims to address an overheated real estate market fueled partly by the growth of Seattle-based Internet retailer Amazon.com and other companies, which is pricing out low- and middle-income residents.

The new ordinance, part a set of proposals that could add 20,000 units of affordable housing over 10 years, will provide 6,000 units paid for by private residential and commercial developers, the mayor said.

The law imposes a special fee on commercial developments ranging from \$5 to \$17 per square foot, based on a building's size and location.

A separate resolution, passed by the City Council, requires that up to 8 percent of multifamily dwellings be set aside for residents earning no more than 60 percent of the area's median income - \$37,680 for an individual or \$53,760 for a family of four. Alternatively, developers could pay a fee to help finance off-site affordable housing.

The measures signed by the Democratic mayor were passed by the City Council on Nov. 9.

Affordable housing has been a top political issue in Seattle, a city of 650,000 residents, especially in gentrifying neighborhoods.

A lack of affordable housing, combined with stagnant or falling wages, has been cited by analysts as a contributing factor to homelessness in a number of U.S. cities.

Opponents of the measures, including the Real Estate Investors Association of Washington, have said looser zoning and permitting, rather than mandates and fees, would increase inventory and lower prices.

Murray is also calling for a bigger property-tax levy in 2016 and for state lawmakers to grant the city the authority to expand a real estate excise tax to fund affordable housing.

(Reporting by Eric M. Johnson in Seattle; Editing by Peter Cooney)

From: Ms Angela Gott <angelagott@yahoo.com>
Sent: Tuesday, November 24, 2015 4:29 PM
To: Ms Angela Gott
Subject: Some States use Medicaid Money to House Homeless People

Huffington Post

States To Use Medicaid Money To House Homeless People

"We used to underestimate the stabilizing impact that housing has."

Stateline

By Michael Ollove

Posted: 11/23/2015 06:28 PM EST

Communities with big homeless populations are increasingly turning to a strategy known as housing first. The idea: helping chronically homeless people to find a permanent home—and stay in it—is the best way to help them lead stable, healthy lives.

The approach has been used in cities like Chicago and Cleveland, as well as in several states, such as Massachusetts, Minnesota and Washington, as local nonprofits have worked to provide both housing and health care to homeless people.

And it got an important endorsement in June, when the Centers for Medicare & Medicaid Services (CMS) told state Medicaid offices around the country that Medicaid dollars, usually reserved for clinical services and medications, could be used to help chronically homeless people and others with long-term disabilities to find and maintain permanent housing.

That means a fresh source of funds for everything from helping homeless people apply for housing and understand the terms of their lease to teaching them how to get along with neighbors and make healthy food choices.

The CMS policy statement comes as many states continue to struggle with large homeless populations. The U.S. Department of Housing and Urban Development (HUD) **reported** Thursday that while the overall number of homeless in the U.S. dropped by 2 percent, or by 11,742 people, this year over last, it increased in 17 states. New York had the largest increase, of 7,660 people, followed by California with 1,786 more homeless.

Advocates for the homeless have welcomed the CMS move, which will allow states and localities to spend more on other services for the homeless, including the construction of more housing. Thus far, no opposition has surfaced to using Medicaid money this way.

“The more we can offset supportive services through Medicaid, the more we can reallocate [federal housing] dollars and private dollars to rent more units,” said Ed Stellon, interim director of Heartland Health Outreach, a nonprofit focused on helping the poor access health care in the Midwest. “If I can pay for even one of the case managers through Medicaid, I might be able to pay rent for a dozen units and expand the number of people with housing with existing resources.”

Earlier approaches to homelessness focused on helping the homeless take transitional steps toward permanent housing as they acquired the skills needed to live independently. That philosophy has gradually given way to the idea that it is more effective to move the homeless to permanent housing as soon as possible, while still giving them the support services they need to survive on their own.

“Frankly, we used to underestimate the stabilizing impact that housing has,” said Joe Finn, president of the nonprofit Massachusetts Housing and Shelter Alliance. “If we can keep people housed, some of these other things tend to work out better.”

Homelessness advocates say the CMS announcement came in response to requests from California and New York, which had urged the agency to allow that Medicaid money be used to build housing or pay rent for the homeless. CMS refused to go that far. Even without federal support, New York has taken action, using state Medicaid funds on housing projects and other efforts.

Nonetheless, state Medicaid officials are pleased with **CMS’ commitment to pay for supportive housing services.** “I think it was a signal that the federal government gets it—that they see the relationship between housing and health,” said Elizabeth Misa, deputy director of New York Medicaid. “This is going to be a very helpful tool for New York and the rest of the country.”

California and Washington already have signaled an interest in using Medicaid funds for supportive housing.

Supportive Housing

The chronically homeless, many of whom suffer from mental illness or addiction, are a particular problem for states and localities. After significant drops the previous two years, the number of them who remain on the streets and not in shelters leveled off somewhat in the past year, according to HUD. And they often need a variety of services to get off the street and remain in a home.

Housing-first programs encompass many such services: help in identifying appropriate housing, assistance with the application process and understanding the terms of a lease, and aid in moving into and furnishing a home. Some programs provide intervention services if a person’s tenancy becomes

jeopardized (which often occurs with the mentally ill), coaching in maintaining relationships with neighbors and landlords and in shopping for healthy food, and crisis intervention services.

The programs also generally provide coordinated health care to beneficiaries, including help with keeping medical appointments and taking prescribed medication.

The federal government has paid for such supportive housing services in the past, typically through grants from HUD, which in 2014 sent about \$1.8 billion in grant money to states for homeless services.

Medicaid, a health plan financed jointly by the federal government and the states to provide medical care for 72 million poor or disabled Americans, typically pays for clinical care and medication. But the CMS bulletin indicates that, at least when it comes to the chronically homeless, the Obama administration interprets health care more broadly.

“CMS is making the clear statement that the way to improve the health of homeless people is to ensure that people have stable housing,” said Richard Cho, deputy director of the U.S. Interagency Council on Homelessness, an independent federal agency that coordinates the government’s approach to homelessness.

Technically, the CMS bulletin only clarified existing policy, but just a few states, including Louisiana, Massachusetts and Texas, had been using Medicaid money to pay for supportive housing services. More often, Cho said, state Medicaid programs were paying for supportive housing services for the severely mentally ill **and the elderly**. The bulletin made it clear that the chronically homeless qualify for the same services.

To begin using the funds that way, states will have to hop through several bureaucratic hoops. Most will have to apply for a CMS waiver, but the bulletin signals that they will get a friendly reception from the Obama administration. CMS is also offering to advise states on how to devise effective supportive housing programs, which it says should involve coordination among numerous state and local health, mental health, social service and housing agencies.

While homelessness advocates have applauded the Obama administration’s move, some states had hoped the administration would go farther. **In recent years, New York and California urged CMS to allow Medicaid to pay for construction of housing for the homeless and for rent subsidies, in addition to the support services.** While the administration was unwilling to go that far, those conversations prompted CMS to issue last summer’s bulletin, Cho said.

CMS’s resistance to using Medicaid money for housing construction didn’t stop Democratic Gov. Andrew Cuomo. This year, New York spent \$34 million of state-only Medicaid dollars on capital housing projects for the homeless and other targeted groups. “We’re convinced this is going to prove to be a cost-effective use of our Medicaid dollars,” Misa said.

Homelessness and Health

In many ways, homelessness itself contributes to poor health. With little access to healthy food, frequent exposure to severe weather and vulnerability to violence, homeless people are generally in far **worse health** than the rest of the population. They have much higher rates of mental illness, addiction, diabetes, high blood pressure, asthma, HIV and many other conditions; the homeless often ignore easily treatable symptoms until they become debilitating and far more expensive to treat. What health care they receive is usually by way of the emergency room.

Historically, few of the homeless have had health insurance. But the 2010 Affordable Care Act changed that, targeting nearly \$1 billion over five years to specialized clinics for the homeless, out of \$11 billion earmarked for community health. And, while Medicaid traditionally was available to the poor, to pregnant women, to children and to the disabled, the health law extended Medicaid benefits to all Americans earning an annual income under 133 percent of the poverty line, or \$15,654 for an individual. So far, 30 states, plus the District of Columbia, have chosen to **expand** eligibility under the new law.

Homeless agencies say thousands of homeless have been enrolling in Medicaid, and early **studies** have demonstrated significant increases in the number of homeless with health insurance since states began to expand Medicaid in accordance with the health law, in 2014.

Still, advocates for the homeless say health insurance is not enough to ensure that homeless people access the health care they need. For that, advocates insist, they need permanent housing and help staying there.

As Finn, of the Massachusetts Housing and Shelter Alliance, put it, “What we found that helps the most is just having someone dropping by regularly to ask, ‘Is there anything you need?’ ”

Even without the Medicaid funding, cities and states have successfully moved many of their homeless into housing and surrounded them with support services, including medical care. Although HUD has provided funding for those services, much financial support has also come from private sources.

The programs typically select as participants frequent users of emergency rooms and those who’ve been hospitalized often, in hopes that providing supportive housing will help them stay out of the hospital and reduce overall health care costs. Misa said New York Medicaid is currently collecting data to determine if that is the case.

Several programs have been established around the country:

- **In Ohio:** Housing First, in Cuyahoga County, comprises several antipoverty nonprofits in the Cleveland area and has provided 584 homes for single adults and 76 for families since 2006. Residents are linked to health care at a specialized clinic for the homeless. A mobile medical clinic staffed by a nurse practitioner and psychiatric specialists also visits patients.
- **In Massachusetts:** Since 2005, various state agencies and local nonprofits have provided a panoply of services to help chronically homeless adults to live independently, including teaching

them living skills, coordinating case management, crisis support and directing them to peer-support and self-help groups.

- **In Minnesota:** Hearth Connection, allied with other local poverty and health agencies, provides supportive housing services to 85 formerly homeless Medicaid beneficiaries.



GEORGE ROSE VIA GETTY IMAGESCHICAGO, IL - OCTOBER 10: A homeless man begs for money in front of the Wrigley Building on October 10, 2015 in Chicago, Illinois. Chicago, the third largest city in the United States River, continues to draw millions of international and domestic tourists each year.

Communities with big homeless populations are increasingly turning to a strategy known as housing first. The idea: helping chronically homeless people to find a permanent home—and stay in it—is the best way to help them lead stable, healthy lives.

The approach has been used in cities like Chicago and Cleveland, as well as in several states, such as Massachusetts, Minnesota and Washington, as local nonprofits have worked to provide both housing and health care to homeless people.

And it got an important endorsement in June, when the Centers for Medicare & Medicaid Services (CMS) told state Medicaid offices around the country that Medicaid dollars, usually reserved for clinical services and medications, could be used to help chronically homeless people and others with long-term disabilities to find and maintain permanent housing.

That means a fresh source of funds for everything from helping homeless people apply for housing and understand the terms of their lease to teaching them how to get along with neighbors and make healthy food choices.

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“The more we can offset supportive services through Medicaid, the more we can reallocate [federal housing] dollars and private dollars to rent more units,” said Ed Stellon, interim director of Heartland Health Outreach, a nonprofit focused on helping the poor access health care in the Midwest. “If I can pay

for even one of the case managers through Medicaid, I might be able to pay rent for a dozen units and expand the number of people with housing with existing resources.”

Earlier approaches to homelessness focused on helping the homeless take transitional steps toward permanent housing as they acquired the skills needed to live independently. That philosophy has gradually given way to the idea that it is more effective to move the homeless to permanent housing as soon as possible, while still giving them the support services they need to survive on their own.

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KEVORK DJANSEZIAN VIA GETTY IMAGES LOS ANGELES, CA - SEPTEMBER 23: A homeless man rolls down the street to a soup kitchen in skid row September 23, 2015, in Los Angeles, California. Mayor Eric Garcetti and City Council members declared public emergency, the first city in the nation to take drastic step in response to increase in homelessness and that they're ready to spend \$100 million per year to fight it.

Homelessness advocates say the CMS announcement came in response to requests from California and New York, which had urged the agency to allow that Medicaid money be used to build housing or pay rent for the homeless. CMS refused to go that far. Even without federal support, New York has taken action, using state Medicaid funds on housing projects and other efforts.

Nonetheless, state Medicaid officials are pleased with CMS' commitment to pay for supportive housing services. “I think it was a signal that the federal government gets it—that they see the relationship between housing and health,” said Elizabeth Misa, deputy director of New York Medicaid. “This is going to be a very helpful tool for New York and the rest of the country.”

California and Washington already have signaled an interest in using Medicaid funds for supportive housing.

Supportive Housing

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jeopardized (which often occurs with the mentally ill), coaching in maintaining relationships with neighbors and landlords and in shopping for healthy food, and crisis intervention services.

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The federal government has paid for such supportive housing services in the past, typically through grants from HUD, which in 2014 sent about \$1.8 billion in grant money to states for homeless services.

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“CMS is making the clear statement that the way to improve the health of homeless people is to ensure that people have stable housing,” said Richard Cho, deputy director of the U.S. Interagency Council on Homelessness, an independent federal agency that coordinates the government’s approach to homelessness.

Technically, the CMS bulletin only clarified existing policy, but just a few states, including Louisiana, Massachusetts and Texas, had been using Medicaid money to pay for supportive housing services. More often, Cho said, state Medicaid programs were paying for supportive housing services for the severely mentally ill and the elderly. The bulletin made it clear that the chronically homeless qualify for the same services.

To begin using the funds that way, states will have to hop through several bureaucratic hoops. Most will have to apply for a CMS waiver, but the bulletin signals that they will get a friendly reception from the Obama administration. CMS is also offering to advise states on how to devise effective supportive housing programs, which it says should involve coordination among numerous state and local health, mental health, social service and housing agencies.

While homelessness advocates have applauded the Obama administration’s move, some states had hoped the administration would go farther. In recent years, New York and California urged CMS to allow Medicaid to pay for construction of housing for the homeless and for rent subsidies, in addition to the support services. While the administration was unwilling to go that far, those conversations prompted CMS to issue last summer’s bulletin, Cho said.

CMS’s resistance to using Medicaid money for housing construction didn’t stop Democratic Gov. Andrew Cuomo. This year, New York spent \$34 million of state-only Medicaid dollars on capital housing projects for the homeless and other targeted groups. “We’re convinced this is going to prove to be a cost-effective use of our Medicaid dollars,” Misa said.

Homelessness and Health

In many ways, homelessness itself contributes to poor health. With little access to healthy food, frequent exposure to severe weather and vulnerability to violence, homeless people are generally in far **worse health** than the rest of the population. They have much higher rates of mental illness, addiction, diabetes, high blood pressure, asthma, HIV and many other conditions; the homeless often ignore easily treatable symptoms until they become debilitating and far more expensive to treat. What health care they receive is usually by way of the emergency room.

Historically, few of the homeless have had health insurance. But the 2010 Affordable Care Act changed that, targeting nearly \$1 billion over five years to specialized clinics for the homeless, out of \$11 billion earmarked for community health. And, while Medicaid traditionally was available to the poor, to pregnant women, to children and to the disabled, the health law extended Medicaid benefits to all Americans earning an annual income under 133 percent of the poverty line, or \$15,654 for an individual. So far, 30 states, plus the District of Columbia, have chosen to **expand** eligibility under the new law.

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Even without the Medicaid funding, cities and states have successfully moved many of their homeless into housing and surrounded them with support services, including medical care. Although HUD has provided funding for those services, much financial support has also come from private sources.

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- **In Ohio:** Housing First, in Cuyahoga County, comprises several antipoverty nonprofits in the Cleveland area and has provided 584 homes for single adults and 76 for families since 2006. Residents are linked to health care at a specialized clinic for the homeless. A mobile medical clinic staffed by a nurse practitioner and psychiatric specialists also visits patients.
- **In Massachusetts:** Since 2005, various state agencies and local nonprofits have provided a panoply of services to help chronically homeless adults to live independently, including teaching

them living skills, coordinating case management, crisis support and directing them to peer-support and self-help groups.

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GEORGE ROSE VIA GETTY IMAGESCHICAGO, IL - OCTOBER 10: A homeless man begs for money in front of the Wrigley Building

on October 10, 2015 in Chicago, Illinois. Chicago, the third largest city in the United States River, continues to draw millions of international and domestic tourists each year.

Communities with big homeless populations are increasingly turning to a strategy known as housing first. The idea: helping chronically homeless people to find a permanent home—and stay in it—is the best way to help them lead stable, healthy lives.

The approach has been used in cities like Chicago and Cleveland, as well as in several states, such as Massachusetts, Minnesota and Washington, as local nonprofits have worked to provide both housing and health care to homeless people.

And it got an important endorsement in June, when the Centers for Medicare & Medicaid Services (CMS) told state Medicaid offices around the country that Medicaid dollars, usually reserved for clinical services and medications, could be used to help chronically homeless people and others with long-term disabilities to find and maintain permanent housing.

That means a fresh source of funds for everything from helping homeless people apply for housing and understand the terms of their lease to teaching them how to get along with neighbors and make healthy food choices.

The CMS policy statement comes as many states continue to struggle with large homeless populations. The U.S. Department of Housing and Urban Development (HUD) **reported** Thursday that while the overall number of homeless in the U.S. dropped by 2 percent, or by 11,742 people, this year over last, it increased in 17 states. New York had the largest increase, of 7,660 people, followed by California with 1,786 more homeless.

Advocates for the homeless have welcomed the CMS move, which will allow states and localities to spend more on other services for the homeless, including the construction of more housing. Thus far, no opposition has surfaced to using Medicaid money this way.

“The more we can offset supportive services through Medicaid, the more we can reallocate [federal housing] dollars and private dollars to rent more units,” said Ed Stellan, interim director of Heartland Health Outreach, a nonprofit focused on helping the poor access health care in the Midwest. “If I can pay

for even one of the case managers through Medicaid, I might be able to pay rent for a dozen units and expand the number of people with housing with existing resources.”

Earlier approaches to homelessness focused on helping the homeless take transitional steps toward permanent housing as they acquired the skills needed to live independently. That philosophy has gradually given way to the idea that it is more effective to move the homeless to permanent housing as soon as possible, while still giving them the support services they need to survive on their own.

“Frankly, we used to underestimate the stabilizing impact that housing has,” said Joe Finn, president of the nonprofit Massachusetts Housing and Shelter Alliance. “If we can keep people housed, some of these other things tend to work out better.”



KEVORK DJANSEZIAN VIA GETTY IMAGES LOS ANGELES, CA - SEPTEMBER 23: A homeless man rolls down the street to a soup kitchen in skid row September 23, 2015, in Los Angeles, California. Mayor Eric Garcetti and City Council members declared public emergency, the first city in the nation to take drastic step in response to increase in homelessness and that they're ready to spend \$100 million per year to fight it.

Homelessness advocates say the CMS announcement came in response to requests from California and New York, which had urged the agency to allow that Medicaid money be used to build housing or pay rent for the homeless. CMS refused to go that far. Even without federal support, New York has taken action, using state Medicaid funds on housing projects and other efforts.

Nonetheless, state Medicaid officials are pleased with CMS' commitment to pay for supportive housing services. “I think it was a signal that the federal government gets it—that they see the relationship between housing and health,” said Elizabeth Misa, deputy director of New York Medicaid. “This is going to be a very helpful tool for New York and the rest of the country.”

California and Washington already have signaled an interest in using Medicaid funds for supportive housing.

Supportive Housing

The chronically homeless, many of whom suffer from mental illness or addiction, are a particular problem for states and localities. After significant drops the previous two years, the number of them who remain on the streets and not in shelters leveled off somewhat in the past year, according to HUD. And they often need a variety of services to get off the street and remain in a home.

Housing-first programs encompass many such services: help in identifying appropriate housing, assistance with the application process and understanding the terms of a lease, and aid in moving into and furnishing a home. Some programs provide intervention services if a person's tenancy becomes

jeopardized (which often occurs with the mentally ill), coaching in maintaining relationships with neighbors and landlords and in shopping for healthy food, and crisis intervention services.

The programs also generally provide coordinated health care to beneficiaries, including help with keeping medical appointments and taking prescribed medication.

The federal government has paid for such supportive housing services in the past, typically through grants from HUD, which in 2014 sent about \$1.8 billion in grant money to states for homeless services.

Medicaid, a health plan financed jointly by the federal government and the states to provide medical care for 72 million poor or disabled Americans, typically pays for clinical care and medication. But the CMS bulletin indicates that, at least when it comes to the chronically homeless, the Obama administration interprets health care more broadly.

“CMS is making the clear statement that the way to improve the health of homeless people is to ensure that people have stable housing,” said Richard Cho, deputy director of the U.S. Interagency Council on Homelessness, an independent federal agency that coordinates the government’s approach to homelessness.

Technically, the CMS bulletin only clarified existing policy, but just a few states, including Louisiana, Massachusetts and Texas, had been using Medicaid money to pay for supportive housing services. More often, Cho said, state Medicaid programs were paying for supportive housing services for the severely mentally ill and the elderly. The bulletin made it clear that the chronically homeless qualify for the same services.

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From: Ms Angela Gott
Sent: Tuesday, December 01, 2015 10:14 AM
To: Ms Angela Gott
Subject: Homelessness Prevention articles

These articles are from the NY Times that were in Yahoo News today

In CA it is very difficult for most very low income seniors to be eligible for Medicaid though. It has to do with how CA designed and maintains their medicaid eligibility for people on Medicare.

People in CA have to spend down all their assets and have nothing higher than \$2,000. Yes, if you own a home, you can keep it but then how do you even maintain it? But most low income seniors are renters so the exemption for owning a home is meaningless. Income level is out of touch with reality. A single senior can't have income or resources higher than \$1,211/ month but most apartment rents are higher than this and most very low income seniors have a Social Security check higher than this amount too. They can't afford to cover what it now costs them to be on Medicare and they can't afford their high rents and they can't afford food either but they are generally "too rich" for SNAP (food stamps) and "too rich" for Medicaid which would cover their Medicare premiums and also cover supportive housing so they could age in place, stay in their rising rent apartments because Medicaid would cover the gap between what they have in monthly resources each month and what their rent actually costs. Homelessness would be prevented.

Cities and counties need to make the State of CA aware of the situation hundreds of thousands of elderly Californians are experiencing now and make it easier for very low income seniors to meet Medicaid eligibility standards by raising the monthly income limits so that then Medicaid can cover what it costs to be on Medicare and what it costs to stay in their high rent apartments until affordable subsidized housing can be built for all these seniors. Once seniors were put in subsidized housing then their rent each month would just take 30% of their monthly resources and everything else would fall into place and they'd have money for food, utilities, medicine, Medicare premiums and not be high risk for homelessness or falling into homelessness. But until cities and counties can build enough senior subsidized housing to meet the demand for the hundreds of thousands of very low income seniors who need it, then CA needs to step in and change their eligibility requirements so that these seniors can experience relief via Medicaid funding for supportive housing.

Angela Gott, age 64 in San Rafael CA and high risk for homelessness due to the high rents.

Medicaid Can Provide Funding for Support Services for the Homeless

[Nan Roman](#) is the president and C.E.O. of the National Alliance to End Homelessness.

UPDATED DECEMBER 1, 2015, 3:22 AM

The United States is [some 7 million units short](#) of having enough rental housing affordable to low-income people. In some of the highest-cost housing markets, this gap drives homelessness up. According to the Department of Housing and Urban Development, in the past year, even as homelessness decreased nationally, [it increased by](#) 11 percent in New York City, 20 percent in Los Angeles and 8 percent in Chicago.

It's a win-win: Government funds are freed up to be invested in housing and Medicaid saves money on acute and inpatient care of the homeless.

Creating more affordable housing is expensive. But not housing homeless people with disabilities is also costly. A landmark study from 2002 showed that, in New York City, homeless people with mental illness cost hospitals, jails and shelters [more than \\$40,000 per person per year](#) — and that's in 1999 dollars. Housing the homeless, and giving them access to services through supportive housing, can cost less and produces a far better outcome.

Medicaid is one tool that may help high-cost rental markets address the housing crisis for homeless people with disabilities. According to [guidance](#) released this past June,

Medicaid funds can be structured to [cover the cost of supportive housing services](#), freeing up the support services funds to be used for housing. Though Medicaid dollars can't go toward housing itself, it can cover housing search and application, landlord negotiation, eviction prevention and treatment that people with disabilities may need to stay housed. In other words, Medicaid can help vulnerable people secure a place to live, and help them stay there.

This is a win-win for state and local governments, and for Medicaid. Government funds are freed up to be invested in housing and Medicaid saves money on acute and inpatient care because once housed, homeless people's health improves.

But this smart use of resources is not automatic. The states must design their Medicaid programs to incorporate these services. And states and localities need to commit to shift the savings from services into housing.

People who are housed are not homeless. Medicaid can help, but until federal, state and local policy makers get serious about creating more affordable housing, millions of vulnerable people with disabilities will continue to face homelessness every year.

ROOM *for* DEBATE

UPDATED DECEMBER 1, 2015 3:22 AM

How to Help the Homeless in New York and Other High-Cost Cities

INTRODUCTION



A homeless man on the streets of New York City on Nov. 20. Spencer Platt/Getty Images

Even as rates of homelessness [decline nationally](#), the number of homeless continues to rise in many cities with high-cost housing markets, [like New York City](#). While the cost of living in these cities has skyrocketed, wages [remain stagnant](#) for many low- and middle-income residents — so much so that [half of New York City residents](#) say they can barely make ends meet.

How can cities with high-cost housing markets, like New York, better serve the homeless?

[We Know What Works, Now We Need More Funding](#)

Mary Brosnahan, Coalition for the Homeless

Many low-income New Yorkers are a victim of the city's newfound success. They need access to affordable, or supportive, housing.

Ease Regulation to Free Up Affordable Housing

Howard Husock, Manhattan Institute

As more units come on the market, upward pressure on market-rent costs would ebb, and supply would be adjusted to demand.

Prevent Families From Being Driven Out of Their Homes

Barika X. Williams, Association for Neighborhood and Housing Development

We can't build our way out of the crisis. Low-income renters need legal and social help in the face of abusive landlords and illegal rent hikes.

Medicaid Can Provide Funding for Support Services

Nan Roman, National Alliance to End Homelessness

It's a win-win: Government funds are freed up to be invested in housing and Medicaid saves money on acute and inpatient care of the homeless.

Support Community Land Trusts for Affordable Housing

William S. Burnett, Picture the Homeless

Large-scale solutions have to provide permanent stability for at-risk residents, as well as respect for the autonomy of individuals and communities.

From: Ms Angela Gott

Sent: Wednesday, December 02, 2015 10:26 AM

To: Ms Angela Gott

Subject: This pattern with HUD and Housing authorities is repeating all over the country

Over the weekend I came upon an article about what has been going on in Washington DC. First of all "the District" is not that big. There were actual "homes" scattered around and managed as public housing that poor people lived in and over the years fell into disrepair and the tenants managed to somehow get the repairs done to fix them from leaking and keep the water running etc. for homes they rented and would not ever own. HUD created Housing Authorities to manage public housing and deferred maintenance became the norm and in the wake of the economic implosion, someone in HUD realized the market value of these addresses as the economy recovered and came up with a plan to sell these old homes for profit and then create funds for newer and better "affordable housing". The tenants were supposed to be able to make an offer to buy these homes before they were put on the market but evidently were not told and had no ability to buy the homes at all. Many were lived in by elderly who had raised their families and had lived in these homes for decades. Many were quickly moved out, so quickly that all their appliances and possessions were just thrown out without compensation. Then the homes were never rehabbed after all and just set vacant for years because the next step in funding never happened or the person running the program left and it was not continued. But what you have in DC is a lot of homeless, a lot of empty public housing homes, still dilapidated, and displaced elderly who are very unhappy where they were put. They lost their communities and neighborhoods and are now in much more dangerous areas and their lives are much harder.

So that was the first article. Below is what has been going on in Los Angeles and it seems to be a familiar HUD pattern. I have heard mention in Marin BOS meetings with the public speakers that there seems to be a movement in Marin City to do the same thing-- There's been deferred maintenance and the places are run down and need of repairs and now there's talk of having outside developers come in and rehab them and then rent the new places for affordable but much higher rents and meanwhile the people living in these places have lost their homes. When you already have thousands of Marin seniors precariously housed with no quality in their lives at all, not even the basics, because every cent they manage to have is put on the high rents, and now they no longer have money for food, utilities, a car, the internet, TV (cable) or even to cover their Medicare premiums either-- to then talk about taking away homes from other poor people who will then add to the number of elderly residents in Marin who need housing, it seems totally illogical. But this seems to be a pattern with HUD and Housing Authorities all over the country. I am so glad the LA County BOS put a stop to this madness in their county. I hope Marin County's BOS will do the same. We have to build housing for seniors, not destroy housing which still exists and houses poor seniors. We need more subsidized housing and need it now.

Angela Gott in San Rafael, age 64 and high risk for homelessness.

L.A. County supervisors vote against selling 241 public housing units

Abby Sewell Contact Reporter

Low-income tenants got a reprieve Tuesday when Los Angeles County supervisors voted to hold on to 241 units of public housing at sites dispersed around South L.A. that housing officials had planned to sell.

The county has been running a deficit for years on maintenance of the so-called South Scattered Sites, which are set aside for extremely low-income families. The housing authority had proposed selling the units to a nonprofit or other private buyer, on the condition that they would be maintained at affordable rents for a mix of incomes for the next 55 years. The projected sale proceeds of \$32 million would have then gone to building about 126 units of county-owned housing concentrated in one to three sites.

But in the face of increased concern about homelessness and the lack of affordable housing in Los Angeles, county officials decided Tuesday to hang on to the apartments.

The tenants pay 30% of their income — an average of \$360 a month, a spokeswoman for the county's Housing Authority said. The U.S. Department of Housing and Urban Development chips in an additional \$262 per unit, on average, but county officials said that's not enough. The housing sites have been running a \$425,000 annual deficit for the last five years.

With El Niño looming, L.A. has little to show in city's 'war on homelessness'

Housing Authority officials said in a report to the supervisors in May that the units are more difficult and expensive to maintain because they are geographically dispersed across 38 sites. Many of them are also in disrepair and need an estimated \$6 million for deferred maintenance over the next 10 years.

Tenants and housing advocates raised concerns that the housing units would become less affordable once they were sold. Currently, the apartments are set aside for extremely low-income households, but nonprofits and affordable housing developers told county officials they would not be able to sustain renting only to those tenants and would have to take a mix of incomes, Housing Authority Deputy Executive Director Emilio Salas said.

Where are L.A.'s homeless? Almost everywhere.

And although current tenants would be offered vouchers to find other housing, there is no guarantee they would be able to find it, said Fernando Gaytan, an attorney at Legal Aid Foundation of Los Angeles, which works with tenants.

"Public housing really is the housing of last resort for many families that would otherwise end up homeless," Gaytan said.

Supervisor Mark Ridley-Thomas, who represents South L.A., asked his colleagues to put the brakes on the sale Tuesday.

"The bottom line is that we are in the midst of a regionwide housing crisis," Ridley-Thomas said. "This is not the time to dispose of 241 units of affordable housing anywhere in the county of Los Angeles."

The supervisors agreed in a 3-1 vote to halt the potential sale and keep the housing public, giving priority to homeless families and domestic violence victims.

It was not immediately clear where the money would come from to continue paying for the shortfall, or whether the county officials would be able to prevail on the federal government for more money.

Supervisor Michael D. Antonovich voted against the proposal, citing concerns that the county's general fund would end up on the hook, and Supervisor Don Knabe was absent.

abby.sewell@latimes.com

From: lee greenberg
Sent: Wednesday, November 25, 2015 3:54 PM
To: BOS
Subject: Fw: LETTERS TO THE EDITOR

Subject: LETTERS TO THE EDITOR

SYNERGISTIC HOUSING / WORKING /TRAFFIC SOLUTION.

Build affordable /senior housing ABOVE existing shopping centers like Marin City, Strawberry, Bon Aire, Town Center, etc.

- *Zero land acquisition costs.
- *No removal of existing housing necessary.
- * Built in employee pool and customer pool for shopping center below.
- *Unused night parking utilized.
- *Zero commute for seniors, non drivers etc. for essential services like prescriptions, food, etc.
- *New construction is one floor above any flood zone.
- *Zero additional landscape water demand.
- *Does not contribute to suburban sprawl.

Marin County, with a tiny fraction of the occupants of NYC, has traffic problems equal to that city.
Why? Because residences in NYC are stacked, and first floor commerce makes car ownership largely unnecessary.

Lee Greenberg

Rancho Shazam

Greenbrae

415 302 0131

From: Diane Hoffman

Sent: Saturday, November 28, 2015 12:41 PM

To: Weber, Leslie; Weber, Leslie; lacrosse@marincounty.org; Escobar, David; Parton, Maureen; Alden, Leslie; Laird, Sandy; Vernon, Nancy; Clark, Susannah; Callaway, Chris; Rice, Katie; Arnold, Judy; Kinsey, Steven; Sears, Kathrin; Crawford, Brian

Subject: Letter to the Board Members: RENT CONTROL

Dear Board Members,

The sad thing about proposing rent control is that those proposing it do not understand how it works and who it hurts. Almost 25 years ago I purchased a duplex with help from a family member as I couldn't afford a single family home in Marin. Many duplexes are owned by people who use the income from the second unit to pay their mortgage. I personally know 4 women who own duplexes in Marin and charge under market rents. Rent control hurts people like us, those who already have the lower rents in place. It also hurts people who might want to rent in Marin in the future, as our tenants will never leave with rents locked in at such low rates. Those who are currently charging the highest rents will not be hurt at all.

A friend in Berkeley, where there is rent control held on to her place for 25 years, even though she lived in Santa Rosa the last 10 years....only last year did she finally give it up. Her rent was so low she could afford to do that. A few years ago a couple from San Francisco bought a home in Marin, they did not give up their San Francisco rental as they would, "use it for parties and weekends, since our rent there is so low".

It is my decision to charge my tenant low rent, I do not want the government involved in this. If I need to raise the rent I should be able to do so. There are many items on my property tax bill such as the sewer charge that I pay double what one would pay who owns a single family home. While I haven't been passing the yearly rate hikes onto my tenant I should have the right to do so.

If any of you wanted to sell your Marin homes, how would you like the government to put a cap on what you could sell your home for? Just as there are more people wanting rentals than there are places available to rent, the same is true for those wanting to purchase homes here, why only penalize those who offer the service of making rentals available. Buying income property in Marin will become undesirable, meaning less property becoming available as rentals. Anyone who votes for rent control should take a pledge that they will sell their home for a price lower than market rate.

All the new development is automatically protected from rent control by state law...how corrupt is that?!

Sincerely,

Diane Hoffman

33 Porteous Ave.

Fairfax, Ca. 94930

Diane Hoffman

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hoffman_diane@yahoo.com

www.MarinHomeReview.com

Stevenson, Alisa

From: nlwedding11@gmail.com
Sent: Wednesday, November 18, 2015 10:18 PM
To: Stevenson, Alisa
Subject: Affordable Housing

Natasha L. would like information about:

I agree that many options would help assist the community with this situation. I have listed in order of importance based on the information I have gathered Marin County has some of the highest median incomes by city then most counties in the Bay Area. Therefore, tenants that have been able to live in these cities earn the median or higher. To keep these tenants/residents, owners have to be able to justify a rental price that no longer is relevant to the average citizen in the Bay Area, the average household income has not caught up to this rise in the market and will not anytime soon.

- considering tenant protection options (using SF as a model maybe a good idea)
- providing incentives for affordable second units
- building new units for a variety of income levels

Thank you!! Let's hope for the best!

From: Richard Musalo
Sent: Friday, November 27, 2015 8:01 PM
To: Parton, Maureen
Subject: Rent control

Hi, Kate, My wife and I are retirees whose only income is the rental unit in our home.

Without the income from this unite, we would be forced to leave Marin.why would it be appropriate to force us out of our home which we spent our life acquiring, to bring in people who have not earned the right to drive us out? Please say no to this tremendous disparity. Sincerely Richard Musalo 1785 Centro West St. Tiburon

From: COLETTEOBRIEN11
Sent: Friday, November 27, 2015 2:20 PM
To: Parton, Maureen
Subject: no rent control

Please let my vote of NO be known at the meeting as I am unable to attend. I am a Marin County homeowner.
Colette O'Brien
70 Cypress Ave.
Mill Valley 94941

From: Mike Piro

Sent: Monday, November 30, 2015 3:28 PM

To: Mike Piro

Cc: Connolly, Damon; Rice, Katie; Sears, Kathrin; Parton, Maureen; Alden, Leslie; Kinsey, Steven; Arnold, Judy

Subject: NO rent control in Marin County

Dear Marin Board of Supervisors:

I am a property owner in Marin County, and the General Partner in many other cities (over 2,000 apartment units), including rent control locations such as San Francisco, and Los Angeles. I also operate in many non-rent controlled areas as well. I understand that you have an upcoming meeting on December 15th to address the possibility of implementing controls on rent levels in Marin County. I urge you NOT to do this.

I am writing to you today, because I am a responsible owner that believes in quality, because I believe in raising rents in a slow and reasonable manner, and I am opposed to implementing a rent control ordinance, because it is bad

policy. Fortunately, or maybe unfortunately, I just closed escrow on a new rental property in Novato last week. I have plans to operate it in at the same way I've always operated in the past, as described above. However, if rent control is on the horizon, my planned operating parameters will need to change. I certainly hope you will not be putting my property, and the entire housing stock in this position – where landlords will immediately stop maintaining their assets in a normal and usual manner.

As stated before - Ultimately, rent control only hurts the housing stock, and causes many owners to neglect their properties. Even though I do not neglect any of my properties, I can share with you the following. Most buildings in San Francisco, Los Angeles and other rent controlled cities have below market rents, and therefore many of my neighbors have buildings that have fallen into disrepair. This is because regulated rents creates a disincentive for owners to spend money. The classic example would be..... Patch the roof..... and continue to patch it, again and again, even if it is past it's useful life. Don't replace it. Why ??? - Because the rent can't be raised to compensate the owner.

This is misguided public policy, as such measures, and other forms of rent control, ultimately restrict the renovation of housing stock, create a culture of antipathy between building owners and tenants, and ultimately result in the unintended consequence of causing rents to rise even more than they would under normal market conditions. This latter consequence occurs when tenants receive the benefit of rent control but know they would lose it if they left their apartments, and stay in their units longer than they would otherwise, therefore restricting the number of units turning over in a given market, and putting additional upward pressure on the rent of the fewer units that do turn over. One only has to look at San Francisco, and its misguided attempt to hyper-regulate the housing market, to see all the consequences I mention, plus many more (illegal subletting, escalated use of the Ellis Act to remove units from the rental market, etc.).

Please don't go down this path, it's a dead end.

This is not something we would want to see in Marin. Please..... I speak from experience. Rent control is bad. Please find other more reasonable solutions to our Bay Area housing crisis. Incentivizing more building, and backing low income properties, would be a good place to start.....

I promise, personally, to do my part, and will act in a responsible manner as a landlord. I appreciate you doing your part and voting NO on any proposed rent control initiative.

Thank you in advance.

Most respectfully,

Michael R. Piro, Vice President

***MONTGOMERY PARTNERS**

100 Shoreline Hwy. #160B

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*NOTIFICATION: Montgomery Capital Management, Inc. (MCM) performs all brokerage and property management related matters for its affiliate and General Partner, Montgomery Partners, Inc. BRE license affiliated with MCM.

From: Margaret Schlachter
Sent: Sunday, November 29, 2015 11:35 AM
To: Parton, Maureen; Alden, Leslie
Subject: NO TO RENT CONTROL IN MARIN

Please protect us from rent control in Marin! I am a single retired woman in my late 60s who worked very hard all my life to acquire 2 rental units in Marin. I am keeping my rents hundreds of dollars below market rate because I am too soft hearted to raise them on my tenants, one of them a single mother and the other a man in his 90s on social security. When the time comes when I can't afford anymore to subsidize my tenants, I will need to know that I can raise the rents as needed. If I thought rent control would come, I would immediately raise the rents now to protect myself from rent control.

Thank you for your consideration.
Margaret Schlachter

From: Eve van den Bol

Sent: Monday, November 30, 2015 6:47 PM

To: Clark, Susannah; Callaway, Chris; Laird, Sandy; Vernon, Nancy; Parton, Maureen; Alden, Leslie;
lacrosse@marincounty.org; Escobar, David; Albert, Tanya; Weber, Leslie

Subject: Rent Control

Dear Members of the Board of Supervisors of Marin County

I am writing to you as a rental property owner in the city of San Rafael. I am asking you to oppose the calls for Rent Control and stricter rent regulations. Rent Control does nothing to add to the supply of affordable housing. In fact, it actually decreases the amount of affordable housing available because those who benefit from it are discouraged from ever moving, even if their incomes rise to a level where they could afford market-priced accommodations. It is a one-time benefit for existing tenants, but a disaster for future ones, particularly young people just out of college. I lived in New York City for 15 years as a renter myself, using half of my monthly paycheck to rent a shoebox sized apartment, so I saw the disaster it created first hand, yet since the early 1990s even New York City has acknowledged that it has not worked and has moved toward decontrol as a way to encourage supply. Rent control has never worked to increase the supply of affordable housing in any city that has tried it. In fact, the opposite is true—the supply of affordable housing decreases with rent control as the natural turnover in apartments grinds to a halt and new construction dries up.

Marin faces a housing supply issue. As an elected official, you need to promote the building of more rental housing, including affordable housing, so that supply and demand are in balance, which will stabilize prices. Rent control will only stifle the creation of new housing that is desperately needed to satisfy growing demand in the North Bay, making the problem even worse in the future.

You may think that I am just another ‘evil landlord’ out to maximize profits. I am not. I am very concerned about the lack of affordable housing in Marin, as my building consists of 17 entry-level one-bedroom apartments in San Rafael. While I have been forced to raise rents to address several major capital projects at our aging building along with rising tax, insurance and utility bills, I have done so in a very careful manner. For the past few years, rents for existing tenants, many of whom have been with me for over 10 years, have risen each year by only \$100 per month (less than 10% per year). Through regular communication, my tenants know that their rent will only rise by \$100 per year until I reach the market rent. Unfortunately, each year, market moves higher, and I am still behind, but I have kept my promise to them. Why? I, like most landlords, want to keep good, long-term tenants as turnover is very expensive. Most of my current tenants pay \$1,250 per month, which is at least \$500 per month below market even though I am within my right to raise rents at any time with 60 days notice as all my tenants are on month-to-month leases. I only raise rents to market levels when tenants move out, and then only after investing \$17,000+ per apartment to completely renovate them. Your consideration of rent control has me worried that I will be punished for taking care of my tenants and having kept rent increases to a minimum. Consequently, I am now considering raising all my rents to market level this month to protect my investment and the income I need to send my two kids to college. This will be devastating to my existing tenants, but this building is the largest asset I own and my main source of retirement income once my kids are out of school (8.5 years from now).

If rent control comes to pass, I will no longer bother to renovate apartments or buy upgraded replacement appliances or otherwise keep my building in tip top shape. Like all property owners under rent control, I will have no incentive to reinvest in my building as I will have no return on that investment. If you want to create run down rental properties in Marin, then pass rent control. If you want to solve the affordable housing problem, think about making 2-family and basement/supplemental apartments legal. Work with your planning department to encourage development of multi-family housing on vacant properties, or consider rezoning areas to allow for multi-family housing. Offer property tax incentives to developers willing to offer a percentage of their apartments at below market rents to Section 8 tenants or for those employed in the police, fire and EMS services or teachers, nurses and the like. In summary, please think about using a carrot to improve the supply of housing, not a stick.

Thank you for your consideration.

Sincerely,

Eve van den Bol
21 Merrydale Road
Apt 14
San Rafael, CA 94903

December 1, 2015

Supervisor Katherine Sears
3501 Civic Center, Room 329
San Rafael, Ca. 94903

Dear Supervisor Sears:

It is my understanding that you will be discussing rent control at your meeting on December 15, 2015.

I am opposed to rent control.

It has not produced more affordable housing and the shortage of available apartments will only get worse.

Expenses of managing apartments have risen substantially but I have kept my monthly rents below market rates.

Sincerely yours,

Klaus W. Werner

Klaus W. Werner, owner of 48 units in Larkspur and San Anselmo.

From: Roy Woolsey
Sent: Tuesday, December 08, 2015 11:06 AM
To: BOS
Subject: Comments on Rent Control

Roy B. Woolsey would like information about:
Dear Members of the Board of Supervisors,

I am a modest investor in residential rental properties in the Bay Area, and expect to have more funds to invest in a year or two. I am writing this message to express my opposition to rent control. There are many reasons why rent control is a bad idea:

(1) Since purchasing the few rental properties I own, I have put a lot of the rental income back into them for repairs, maintenance and improvements, including replacement of dry rot with good new wood, painting, replacing older fencing, repairing/replacing roofing, replacing carpet with nice wooden floors, and other expenses, to keep property in top-notch shape. If there is rent control, I would expect to have less funds available to maintain and improve property, so it would end up not being as nice a place for tenants to call their home. There would be more "deferred maintenance." I would expect other landlords to experience the same situation, so that rent control would cause a general deterioration in the quality of rental units.

(2) If Marin County imposes rent control, or if it appears that there is a serious threat of rent control, I would absolutely not consider making any investment in Marin County. Other investors would surely act in a similar way, and with less investors purchasing rental properties, builders will have less incentive to build new units, and the housing problem in the area will only get worse. I would expect to see a situation after a period of rent control when there would not be any increase in the number of rental units, and the housing situation would therefore reach crisis proportions, with even less vacancies than there now are.

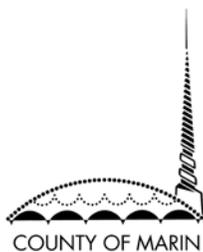
(3) I have found it preferable to keep any rent increases reasonable and actually rent my units for slightly below "market", to improve tenant retention and minimize turnover, because there are expenses associated with getting an apartment ready for a new tenant, as well as the lost rental income when a unit is vacant. If there were rent control, with its lower vacancy rate as discussed above, I would be more inclined to raise rent by the maximum allowed amount, and may actually end up with higher rents than in the absence of rent control. In general, rent control distorts markets and makes housing less rather than more available.

(4) I would expect that rent control would be difficult and costly for Marin County to implement, with the expense of more employees to administer any plan and with the expense of almost endless litigation. It seems to me that the funds could be more profitably spent with other programs to address the housing situation, such as funding voluntary programs to help keep rents stable and encourage the construction of more affordable housing.

For all of the above reasons, please vote AGAINST rent control.

Yours very truly,

Roy B. Woolsey



COMMUNITY DEVELOPMENT AGENCY

Brian C. Crawford
DIRECTOR

February 9, 2016

Marin County Civic Center
3501 Civic Center Drive
Suite 308
San Rafael, CA 94903
415 473 6269 T
415 473 7880 F
415 473 2255 TTY

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Board of Supervisors
County of Marin
3501 Civic Center Drive
San Rafael, California 94903

SUBJECT: Confirm direction to staff on policy options for preserving housing affordability and preventing displacement. This is the fourth meeting to continue the discussion from previous workshops held on October 13, November 17 and December 15, 2015.

Dear Board Members:

RECOMMENDATION: Staff recommends that your Board confirm the timing and next steps for policy options for preventing displacement and preserving housing affordability.

SUMMARY: A comprehensive set of policy options to address the County's affordable housing needs was first presented to your Board through a series of three public workshops between October and December 2015. At the December workshop the Board provided direction to staff as to which policy options should be pursued.

The purpose of the February 9 hearing is to confirm the timing and next steps for the policy options selected by your Board including: Acquisition for preservation and conversion, just cause for evictions, source of income protection, second unit amnesty, landlord incentives, voluntary rent guidelines, short-term rental regulations, and Development Code amendments, including those for second units and junior second units.

Policy options are proposed for implementation in three phases, based on staff's estimate of the time and staffing necessary for each option. Phase one includes options that can be implemented in the short term, i.e. 6 to 8 months, phase two includes options that could be implemented within 8 to 12 months, and phase three includes options that would take 12 to 18 months to implement. Also included here for reference is a summary of the steps necessary to implement each option.

Phase One (6 to 8 months to implement):

- A. Acquisition of multi-family rental properties for preservation as affordable housing.** This strategy is already in progress. The Community Development Agency (CDA) is collaborating on a task force with the Marin Community Foundation, Marin Housing Authority, Tamalpais Pacific Foundation, and the City of San Rafael to seek out opportunities for acquisition of multi-family rental properties in Marin’s cities and the unincorporated area. This strategy will require ongoing funding and support from the Board of Supervisors.
- B. Development Code amendments for junior second units.** CDA staff will draft Development Code amendments to improve and enhance the implementation of existing regulations allowing room rentals otherwise known as “junior second units.” The proposed code amendments will be presented to the Planning Commission followed by the Planning Commission’s recommendation being presented to the Board of Supervisors. If adopted, the amendments will apply to junior second units in unincorporated Marin County.

Phase Two (8 to 12 months to implement):

- A. Landlord incentives program.** Marin Housing Authority (MHA) staff will draft a “landlord incentives” program offering a variety of incentives to landlords who rent to low income tenants, including those with Section 8 vouchers. The proposed program will be presented to the Board of Supervisors for consideration at a public hearing. If approved by the Board, the program will managed by MHA.
- B. Voluntary rent guidelines.** MHA staff will begin by collaborating with stakeholders in the community to draft a set of voluntary rent guidelines. The proposed guidelines will then be presented to the Board of Supervisors for consideration at a public hearing. If approved by the Board, the guidelines will apply as a voluntary policy for the unincorporated county.
- C. Ordinance to require just cause for evictions.** CDA staff will draft an ordinance establishing criteria that constitute a “just cause” for eviction of rental housing tenants. The proposed ordinance will be presented to the Board of Supervisors for consideration. If adopted by the Board, the ordinance will apply to all rental housing in the unincorporated county.
- D. Ordinance to establish source of income protection.** CDA staff will draft an ordinance establishing source of income protection for renters with third-party rental subsidies, including section 8 voucher holders. The proposed ordinance will be presented to the Board of Supervisors for consideration. If adopted by the Board, the ordinance will apply to all rental housing in the unincorporated county.

Phase Three (12 to 18 months to implement):

- A. Development Code amendments for second unit regulations.** CDA staff will draft Development Code amendments to help improve the approval process for second units. Concurrently, the CDA will collaborate with the Department of Public Works to conduct a parking study to evaluate parking needs for second units and other types of housing, so that any resulting recommendations can be incorporated into the proposed amendments. The proposed amendments will be presented to the Planning Commission followed by the Planning Commission’s recommendation being presented to the Board of Supervisors. If adopted as an ordinance by the Board, the amendments will apply to second units in the unincorporated county.
- B. Short-term rental regulations.** CDA staff will draft an ordinance regulating short-term rentals (i.e. “vacation rentals”) initially for the Marin County Coastal Zone. The proposed ordinance will be presented to the Planning Commission followed by the Planning Commission recommendation being presented to the Board of Supervisors at a public hearing. If adopted by the Board, the regulations will be filed with the California Coastal Commission (CCC) for review and certification. If certified by the CCC, the regulations will be brought back to the Board to be considered for applicability to the non-coastal area of unincorporated Marin. If adopted by the Board, the regulations will apply to rental housing in the unincorporated county.
- C. Second Unit Amnesty.** CDA staff will draft an ordinance re-establishing the second unit amnesty program to create opportunities for existing, unpermitted second units in unincorporated Marin to be brought into compliance with County standards and to become a legal, permitted unit. The proposed ordinance will be presented to the Board of Supervisors for consideration. If adopted by the Board, the program will commence and CDA staff will begin outreach to communities throughout unincorporated Marin.
- D. Evaluate multi-family land use designations** (Housing Element Program 1.b, scheduled for 2016). CDA staff will analyze existing multi-family land use designations in unincorporated Marin County, consistent with Housing Element Program 1.b. If opportunities for rezoning are identified, then any proposed changes will be presented to the Planning Commission followed by the Planning Commission’s recommendation being presented to the Board of Supervisors for consideration. The Board will review the recommendation and provide staff with direction on next steps.
- E. Re-evaluate the Housing Overlay Designation (HOD) policy** (Housing Element Program 1.c, scheduled for 2016). CDA staff will analyze the effectiveness of the Housing Overlay Designation (HOD) in the unincorporated county, consistent with Housing Element Program 1.c. If opportunities for amending the HOD policy are identified, then any proposed changes will be presented to the Planning Commission followed by the Planning Commission’s recommendation being presented to the Board of Supervisors for consideration.

The Board will review the recommendation and provide staff with direction on next steps.

CONCLUSION

The timeframes for implementation provided in this report are based on staff's estimate of approximate time needed to complete the implementation of each policy option. However, the actual amount of time needed to complete the initiatives may be affected by various factors, such as the extent of community engagement and the number of public hearings for ordinances and code amendments, possible changes in staff resources, opportunities to complete work ahead of schedule and competing workload demands associated with the CDA's performance plan to be considered by the Board in March 2016.

REVIEWED BY:

- | | |
|---|---|
| <input type="checkbox"/> Auditor Controller | <input checked="" type="checkbox"/> N/A |
| <input type="checkbox"/> County Counsel | <input checked="" type="checkbox"/> N/A |
| <input type="checkbox"/> Human Resources | <input checked="" type="checkbox"/> N/A |

Respectfully Submitted,



Leelee Thomas
Principal Planner



Brian C. Crawford
Director

Attachments:

1. Administrative Record (comments received)

This Board letter and all attachments are available online at:

<http://www.marincounty.org/depts/cd/divisions/planning/housing/affordable-housing>

A full reference copy is available for public review at the Board of Supervisors office, 3501 Civic Center Drive, Suite 329 (8:00 am to 5:00 pm, Monday through Friday) and at the Community Development Agency, Planning Division, 3501 Civic Center Drive, Suite 308 (8:00 am to 4:00 pm, Monday through Thursday, closed Fridays).

Attachment 1
Administrative Record

This attachment includes all public correspondence received as of February 2, 2016 for the February 9, 2016 Board of Supervisors hearing.

Stevenson, Alisa

From: Jacqueline Bernardi <Jacq.B@outlook.com>
Sent: Monday, January 25, 2016 4:39 PM
To: Stevenson, Alisa
Subject: Tuesday, February 9, 2016 'solutions'

To Whom It May Concern,

Thank you for looking for solutions to prevent displacement of existing residents and preserve housing affordability.

I have lived in the same apartment now for 25 years, and now at the age of 64 am on a fixed income. With rent going up yearly, I would find myself 'priced out' of my 'home'.

I have been actively looking for low income housing for seniors with no success. I would like to stay in this apartment for it is 'my home'.

I have no solutions, yet beg of you and honor all of you who are able to find a solution for us aging good people.

Thank you,
Jacqueline Bernardi

jacq.b@outlook.com

Stevenson, Alisa

From: Jacqueline Bernardi <Jacq.B@outlook.com>
Sent: Monday, January 25, 2016 7:26 PM
To: Stevenson, Alisa
Subject: Tuesday, February 9, 2016 solutions to conclude

To Whom It May Concern,

Thank you for being involved in this meeting.....Marin must begin to explore practical means to prevent this 'disaster' of senior citizens being priced out of their homes...

Respectfully,
Jacqueline Bernardi

jacq.b@outlook.com

Stevenson, Alisa

From: Jacqueline Bernardi <Jacq.B@outlook.com>
Sent: Thursday, January 28, 2016 4:39 PM
To: Stevenson, Alisa
Subject: Tuesday, February 9, 2016 ... Implement Assembly Bill #1229

To Whom It May Concern,

Please would you consider implementing into Marin County the Assembly Bill #1229 ... Introduced by Assembly Member Campos 2/27/2015.

AB 1229, as amended, Campos...Senior Citizen Rent Increase Exemption Program...Existing Law, the Costa-Hawkins Rental Housing Act (SCRIE) to help prevent senior citizens from being priced out of their homes...in Marin County.

I am 64 with an annual income of \$10,000.
The public housing waiting list for this area is closed.
I am on the waiting list with Section 8 housing.
I have been a good citizen of San Rafael for 35 years.
Thirteen years ago I had become disabled.
All my doctors are in this area around San Rafael. Life has been hard.
Eighteen of us live in separate apartments here and we share the bathroom and showers. Rent keeps going up as you know.
I do not want to become homeless. I would prefer to remain in this present dwelling. The Landlord is great and so are the other people who live here.

Respectfully,
Jacqueline Bernardi

jacq.b@outlook.com

From: Dave Coury

Sent: Monday, January 25, 2016 11:43 AM

To: Rice, Katie; Arnold, Judy; Sears, Kathrin; Connolly, Damon; Kinsey, Steven

Cc: Nancy Johnson; Raphael Durr; Cathy Cortez; Kim Stafford; Darby, Liz; Jeff Jackson; Mary Ruth Gross; Crawford, Brian; Thomas, Leelee; Stevenson, Alisa; Caroline Peattie; Vinh Luu; Eli Gelardin; Alexandra Danino; Cesar Lagleva; Ricardo Moncreif; Barbara Clifton Zarate

Subject: schedule

President Kinsey & Honorable Supervisors,

It's a good thing that the fourth affordable housing workshop is on the books!

However, I write to urge you to reschedule the workshop to the evening. After the tremendous turnout at the evening workshop in December, it is clear that timing is a critical aspect to achieving genuine community input.

In addition, Unfortunately, this hearing conflicts with the first Ten Year Plan meeting of 2016 (February 9, 2-4 p.m.).

I hope you will make this change in the interest of achieving the maximum involvement from those who work during the day and are therefore in greatest need for the policies supporting affordable housing your Board will be considering.

Best regards, Dave

415-717-7770

PO Box 278

Corte Madera, CA 94976

One person, one story, matters.

<http://fairshakeca.org/>
brilliantcorners.org/

From: Myra Drotman

Sent: Sunday, January 24, 2016 11:46 AM

To: Arnold, Judy; Kinsey, Steven; Connolly, Damon; Sears, Kathrin; Rice, Katie; Clark, Susannah; Callaway, Chris; Laird, Sandy; Vernon, Nancy; Parton, Maureen; Alden, Leslie; Kinsey AId 1; Escobar, David; Albert, Tanya; Weber, Leslie

Subject: RESPECT & SUPPORT THE LANDLORDS OF MARIN COUNTY WHO PROVIDE SAFE HOUSING FOR THE TENANTS OF MARIN COUNTY!!!! NO TO GREATER BUREAUCRACY! NO TO BIGGER GOVERNMENT & HIGHER COSTS!

Honorable Marin County Supervisors,

I am very concerned about the direction the supervisors gave to the staff regarding moving forward with tenant protections.

The last report and list of recommendations the staff wrote was totally one sided and anti-property owners. They did not speak to landlords to represent our problems, concerns and needs. I fear without good guidance from you, our supervisors, that the staff will once again come up with one sided representation and no understanding of the business landlords operate. Without your guidance they will create larger and more expensive government.

The landlords in Marin County create thousands of jobs and spend millions of dollars in this county. The landlords in this county are responsible for providing safe dwellings to their tenants.

Marin County is a very expensive place to do business. Salaries, supplies, insurance, workman's comp, property taxes, additional assessments on the tax bill, high sewer fees, high permit fees, variable rates on apartments building loans, etc. make the cost of providing safe housing expensive.

Increasing the costs to operate housing, as the staff has suggested, will not help the situation.

There will always be a housing crunch. If anything, a living wage is in order so artificial, expensive punitive laws are not needed. A healthy housing environment has people moving. Home owners move on the average every 7 years.

California State is the entity to create tenant protections. It already has and will continue to do so.

Trying to create a new wheel locally will create havoc. There are already huge tenant protections and great penalties if landlords trod on tenants rights.

The tenant protections under discussion (Relocation Assistance & Just Cause Eviction) involve the creation of more bureaucracies, new budgets, more staff, more pensions, outside hearing examiners and so on. More government, bigger government, more costs to the taxpayer are exactly what the residents of this county do not want. The candidates running for the 3 seats are all running on smaller government and less waste of taxpayer money. Many letters to the editor all state the desire for smaller and less wasteful government.

Landlords do not want tenants to move! They are our customers.

Realistically there are few cases of no cause eviction. A vast majority of the time when a tenant is asked to vacate, it is because of a breach in the rental agreement. With our old housing stock and in the earthquake venue we live in, occasionally there are buildings in such bad shape that it is not feasible to make improvements while occupied. As a realtor, I have been at inspections and listened to the inspectors and it is a daunting task to make housing safe for occupancy. And it costs hundreds of thousands of dollars. Buildings in our county need seismic retrofitting, re-plumbing of the entire building to get rid of galvanized pipe, new electrical, new windows etc. Rarely, a

landlord may need an apartment for a friend or family member. This is because they do not have other financial means to support that friend or family member.

In regard to Source of Income, I have 3 Section 8 tenants currently (13% of my apartments are Section 8 occupied). I do not believe that landlords purposely not rent to a good paying customer. However, it is my experience that it is not the source of income that is problematic. It is the time and effort navigating the with the Housing department that is often problematic. Meet with landlords to discuss these issues to understand them.

Because there is a housing crunch and the voters of Marin want to keep Marin the way it is, it seems that your staff wants to punish mom and pop landlords like myself. And they are trying to do this without even talking to us about our business and problems we face. I suggest that you meet with a group landlords to understand our business of providing safe dwellings to the public. I would like to be part of the discussion.

I ask you to not make the cost of managing apartments more expensive by enacting the above two mentioned concepts. That will not help the situation. Lastly, as a taxpayer of this county I ask you to not make government bigger with more jobs, more pensions, more costs and a bigger bureaucracy that costs taxpayers even more money.

Respectfully,
Myra Drotman
Vice President Marin Income Property Association
Realtor Bradley Real Estate

Proud Landlady who cares about my tenants
415-457-5445 (home)

Stevenson, Alisa

From: Ms Angela Gott <angelagott@yahoo.com>
Sent: Friday, January 22, 2016 7:33 PM
To: Ms Angela Gott
Subject: Tiny House Villages article re: solution for homelessness

Follow Up Flag: Follow Up
Due By: Tuesday, January 26, 2016 8:00 AM
Flag Status: Completed

USA USA UPDATE

Tiny-house villages: An innovative solution to homelessness?

A growing number of US cities are offering homeless people homes in tiny-house villages, providing residents with privacy and a measure of dignity.

By **Husna Haq**, Correspondent JANUARY 21, 2016

Save for later



Steve Ringman/The Seattle Times/AP

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As the size of the average American family home has ballooned over the last half century – homes are now two-and-half times larger than they were in 1950 – so too has the homeless population. Although counts vary widely, one study estimates 3.5 million people experience homelessness in the United States each year.

Which is why more cities are turning to tiny homes as part of an innovative solution to curb homelessness. The latest city to join the tiny house movement is Seattle, which is preparing to

open its first tiny house village, a collection of 14 petite homes built on a plot of land owned by a local Lutheran church.

Each 8-by-12-foot home offers residents insulation, electricity, and oil heat. A central building offers flush toilets, hot and cold water, and showers. More importantly, however, the new village offers previously homeless people dignity, privacy, warmth, and safety.

Recommended: What is your social class? Take our quiz to find out!

Each house cost about \$2,200 to build – paid for by donations and built by volunteers – and residents will pay \$90 a month for utilities. The idea is that residents will stay in these micro homes until they can transition to more permanent affordable housing.



TAKE OUR QUIZ What is your social class? Take our quiz to find out!



IN PICTURES Shared housing: Under one roof



PHOTOS OF THE DAY Photos of the day 01/21

“It’s a lot less stressful,” Dennis McCrea, a volunteer helping to install the homes, and also their first resident, [told a local FOX TV station](#). "You can think about what you have to do to move forward not where you are going to sleep every night."

With its first tiny house village, Seattle joins a national movement of micro-homes, an alternative approach to housing the homeless that's being replicated in cities across the country.

More than **3.5 million people, including 1.35 million children, experience homelessness** in the United States each year, according to the National Law Center on Homelessness and Poverty.

One of the major problems plaguing this population are shortages of affordable housing. In fact, for every 100 households of renters that earn "extremely low income" (30 percent of the median or less), there are only 30 affordable apartments available, according to a 2013 **report from the National Low Income Housing Coalition**.

The National Alliance to End Homelessness estimates that the country needs 7 million more affordable housing units to meet homeless and low-income housing demand nationwide.

Tiny house villages, like the one in Seattle, may be part of the solution. The villages are a **hybrid of two trends**, notes BuzzFeed: tent cities, the homeless encampments that began in the Great Depression and received revived attention following the recession; and the tiny-home movement, a trend toward more environmentally, and socially-conscious micro homes.

The tiny house movement began in Downtown LA in the mid-1990s with Dome Village, a cluster of geodesic domes. It received national attention in 2001, when activists protested the treatment of homeless people in Portland by erecting a tent city. The tent city was eventually relocated and replaced with tiny houses. Dubbed Dignity Village, the collection of micro homes helped give rise to the idea of a tiny-house village for the homeless. Today, these villages offer small structures in which residents can sleep and find privacy, and larger communal buildings with bathrooms, kitchens, and recreational space.

Today, a number of cities across the country have experimented with tiny-house villages for the homeless, including Village of Hope in Fresno, Calif.; River Haven in Ventura, Calif.; Opportunity Village and Emerald Village in Eugene, Ore.; Quixote Village in Olympia, Wash.; OM Village in

Madison, Wisc.; Second Wind Cottages in upstate New York; and Community First in Austin, Texas.

Not everyone is convinced that these micro homes are the best solution to the colossal problem of homelessness, however.

“These villages might fill a small niche but I don’t see them as a major solution to the problem of homelessness,” Alex Schwartz, a professor of urban policy at the New School in New York, told BuzzFeed.

“Not to say [such villages] are absolutely impossible” in a city like New York, “but commercially zoned land is at a premium. Multi-unit solutions [under one roof] make a lot more sense.”

In fact, finding affordable land for such tiny house villages, especially in expensive cities like New York, is a problem. The unorthodox villages may also present zoning problems in some cities, which is why some advocates suggest government housing vouchers and more public housing are a better solution.

Still, local and federal government officials are beginning to accept tiny house villages as one part of the solution to curb homelessness.

"It's certainly something that we would [encourage other communities to take a look at](#) when it comes to creating solutions for housing the chronically homeless," Lee Jones, a spokesperson for the U.S. Department of Housing and Urban Development, told Yes! Magazine. "It's a very important step in terms of the kinds of services we should be providing to people that need assistance."

Stevenson, Alisa

From: Ms Angela Gott <angelagott@yahoo.com>
Sent: Saturday, January 30, 2016 10:45 AM
To: Ms Angela Gott
Subject: Why women in the boomer generation (born after 1943-1964) could wind up homeless in old age

Why women in the boomer generation (born after 1943-1964) could wind up homeless in old age

Many women of the boomer generation never married. Other women of the boomer generation tried marriages, maybe several, but all were of short duration of less than 10 years each. Many of these boomer generation women did not earn college degrees because they had believed they would never need to work as a "bread winner" and would spend most of their adult lives raising children and working inside the home.

Instead, many of these adult boomer generation women wound up working sporadically, working "under the table" and thus were not paying into social security at all, wound up working in "tipped jobs" where minimum wage is still set at \$2.13/hour in most states, or were forced to work as "1099 Independent Contractors" --again with no social security being paid in, and no one has ever fully explained to these boomer generation women just how Social Security really works.

A lot of these boomer generation women are going to find out at age 65 that they didn't even earn enough quarters (They need 40) to get Part A (Hospital Coverage) for Medicare and are going to find out they somehow have to pay Part A, Part B, and Part D premiums out of pocket for the rest of their lives to get access to healthcare. Nationally, 19% of seniors can no longer afford to pay into Medicare so these seniors have no access to medical care in our current system.

If boomer generation women assume that they would then qualify for Medicaid, in most cases they won't because the cut off for a single earning's monthly income is set too low and on average they can't earn more than \$1,211/month to then be eligible for Medicaid. Since the average Social Security check payment is \$1,295/month, these women, although very poor, will still be "too rich" for both Medicaid and Food Stamps.

Meanwhile their cost of housing is through the roof and there is no subsidized housing and subsidized housing hasn't been built by HUD for decades, since Nixon was President. Refugees being settled in this country by the US State Department though, continue to get Section 8 vouchers and get priority in any subsidized housing that does open up. HUD's current priority guidelines for housing the homeless are: mentally ill, families with children, Veterans, chronically homeless and the HUD definition for chronically homeless means you have to be able to document living on the streets for a year or longer. Many senior aged boomer generation women will not survive living on the streets for a year or longer.

A subset of boomer generation women who were married ten years or more, in many cases are NOT being informed they can collect "spousal support" off their former husbands or that they can even claim (upon his death) "survivor's benefits" off his Social Security because they were married ten years or more to their former spouse. These women then file for social security under their own small work histories because the SSA does not go out of its way to educate women who may have been married ten years that they have other options.

Anyone married ten years or more, and now divorced, who reached age 62 by 12/31/15 has 4 years to turn age 66 and then file a restricted application to collect "spousal support" off the former spouse and therefore allow their own work history for Social Security to keep growing their benefits to age 70 but no one is taking the time to try to educate boomer generation women about this option and everyone younger than age 62 (as of 12/31/15) no longer has this as an option as it was just taken away as part of the new budget deal signed into law December 2, 2015.

It is a combination of not understanding how Social Security works, or learning what their rights are with regard to collecting "spousal support", that many times boomer generation women make a very serious mistake to decide to collect Social Security "early" at age 62 based on their own pitifully small earnings record, and then because they failed to wait for reaching their full retirement age, they then incur a lifetime penalty of 25% to 30% taken off the top of their already small social security check, so that they hardly get anything at all.

All this adds up to make a large portion of this boomer generation of women impoverished in old age and even wind up homeless because of the shortage of affordable subsidized housing in this country and society's failure to plan for the boomer generation's retirement needs, particularly impoverished boomer generation women.

Below is an article published in Yahoo News 1-30-16 about how social security works and average benefit check being just \$1,295/month. Most places in this country, the rents are higher than this now and this size check is no longer enough to cover monthly living expenses at all. This is why seniors are suffering malnutrition, winding up with their utilities cut off, winding up unable to afford their medicines, and winding up homeless.

Men for the most part earned higher wages, also get a pension or military retirement benefit and have access to the VA for medical care as a fall back if they fall off Medicare. Men for the most part worked and paid into social security for 35+ years and have Medicare Part A benefits covered. Boomer age men are winding up better off and more prepared for their senior years than boomer age women are.

Please keep the sheer magnitude of the vulnerability of boomer generation women in mind as you read the general article below on Social Security.

What the Average American Gets in Social Security Benefits

Make sure you're getting every penny you're entitled to receive from the government.



Dan Caplinger

[\(TMFGalagan\)](#)

Jan 29, 2016 at 7:22AM

Nearly **60 million Americans get benefits from Social Security**, and the Social Security Administration pays out more than \$73.5 billion in benefits every month to retirees, disabled workers, and their families.

Out of that amount, **more than 43 million Social Security recipients get retirement benefits**, and with the government making about \$55.7 billion in monthly payments, **that amounts to an average of \$1,295 per month for every person getting Social Security benefits on a retired worker's work record.**

But there's a wide disparity between what different types of recipients get from Social Security.

To help you see where you stand compared to your peers, we've gone straight to the source to find out how much typical Americans get from Social Security depending on what types of benefits they qualify to receive.

What the typical retired worker gets

Social Security is primarily for retired workers. With almost **39 million retirees taking benefits on their own work records**, this Social Security benefit makes up more than three-quarters of the total money that the SSA pays out in benefits.

The average retired worker received \$1,340 in the most recently reported month, according to the SSA. Those amounts won't rise markedly when January's results come out, because unlike in most years, **there won't be a cost-of-living adjustment upward in benefits for Social Security in 2016.**



Data source: SSA.

In addition to those retiree benefits,

Social Security also makes payments available to spouses and certain qualifying children of retired workers. As you can see from the numbers above, the numbers of people receiving spousal and children's benefits are relatively small, and the dollar amounts are on average around half of what male workers receive for their own account.

Specifically, **the typical female spouse receives just \$689 in monthly spousal benefits**, with about 2.34 million spouses claim benefits.

Children on average get \$650 per month, but the limited eligibility for children means that only 645,000 children received such payments in the most recent month for which figures are available.

How to make your Social Security payment bigger

As small as those spousal and children's benefit figures look compared to what male workers get, they're consistent with how the Social Security methodology works. The SSA determines the amount that spouses and children get by using the half of the male worker's full retirement amount as a starting baseline.

Payments to spouses and children can then be limited by family maximums that impose caps on the total monthly benefits that a family receives.

With the maximum set between 150% and 180% of the male worker's full retirement benefit, **large families can see substantial reductions in per-person benefits, pulling down the average.**

For all workers, two main factors affect their benefits:
how much they earn and
when they start taking their monthly benefits.

Those with careers of 35 years or longer do the best at maximizing their benefits, because **the SSA looks at the 35 top-earning years after adjusting for inflation.**

When you claim Social Security, how old you are, plays the biggest difference in what you get.

More than half of retirees take Social Security benefits right at age 62, when they first become eligible, according to an SSA study conducted in 2014.

Only about 20% waited at least until full retirement age of 66, with only a small portion of those waiting beyond 66.

Is this because no one tells those at age 62 the benefits of waiting to at least reaching full age of retirement which for most boomers is age 66?

Is this because "word" is just not getting around to those about to turn age 62 because they do not get information at work from HR or they do not get information from their banks about the benefits of waiting? Is it because no entity, whether it's the life insurance industry, financial planning industry, banking industry, Churches and other nonprofits, no one goes out of their way to inform the masses the wisdom of waiting until at least reaching Full age of Retirement before taking Social Security Benefits.



Yet **waiting can increase your benefits dramatically, even though you give up the early payments you'd get by claiming at 62.**

As you can see below, someone with a \$1,000 benefit at full retirement age gets only \$750 by claiming at age 62, but can get as much as \$1,320 by waiting until age 70.



Data source: SSA.

Similarly, **spouses who claim spousal benefits before full retirement age can end up getting less in benefits.**

Unfortunately, spouses aren't entitled to delayed retirement credits beyond full retirement age, so there's no benefit from waiting beyond age 66 to take spousal benefits.

Everyone wants to get as much Social Security as they can. By knowing the rules involved in calculating benefits, you can do your best to make sure you end up above average.

From: Diane Hoffman

Sent: Friday, January 29, 2016 12:51 PM

To: Arnold, Judy; Kinsey, Steven; Connolly, Damon; Sears, Kathrin; Rice, Katie; Clark, Susannah; Callaway, Chris; Laird, Sandy; Vernon, Nancy; Parton, Maureen; Alden, Leslie; Kinsey AId 1; Escobar, David; Albert, Tanya; Weber, Leslie

Subject: RENT CONTROL: For Feb. 9th meeting

Dear Marin County Supervisors,

The **C**ommunity **D**evelopment **A**gency wrote in their 12/15/15 report: *“Housing prices in Marin and much of the Bay Area have been high for many years; however a dramatic rise has occurred following the 2008 recession. In 2009, the median home sales price in Marin was \$750,000 for a single-family detached home, and \$337,000 for a condominium/ townhome. By 2014, the median home sales prices jumped to \$999,000 for a single-family detached home and \$506,000 for a condominium/ townhome. That represents an increase of 33% for single-family detached home prices and a 50% increase for condominium/ townhome prices just in the past six years.”*

As a Marin Realtor I have worked with numerous buyers and some of them have discovered they could not afford a home in Marin or were constantly outbid when they made an offer to buy a home or a condo. No one is asking those **selling** a home or condo to put a price cap on what amount of money they can accept for their property, but the CDA feels they have the right to limit the rent a landlord can charge to have someone live in their property. It is the smaller landlords who would be hurt by what is proposed. *Any building built after 1995 is exempt from any kind of rent control according to California State law....how perfect for the big developers!* I have buyers who could not afford to buy a single family home and ended up buying a duplex so they could afford to pay their mortgage and live in Marin. When one owns a duplex many of the property taxes are doubled, that, with the cost of repairs and maintenance already puts the small income property owner in a tight position; what the CDA is proposing could make it precarious for them to keep their property.

Cities that have rent control are the worst for renters in the long run....unless of course they happened to have a low rent when rent control was enacted in their city and have kept their place for years even when their income has risen and they no longer even need the place! It is these “lucky renters” that are keeping the rental inventory so low. Those pushing rent control are incredibly short sighted; one needs to look many years into the future to see the true outcome of any new

law. Fortunately for us in Marin there are innumerable examples of the negative long term effects of rent control in other cities. I am hopeful that the Board of Supervisors is far sighted enough not to create havoc here in Marin. If there is rent control; not only will the decent landlords suffer but future renters will suffer also.

Sincerely,
Diane Hoffman

Diane Hoffman

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www.MarinHomeReview.com

Stevenson, Alisa

From: Michael Mackintosh <Michael@classactionlocator.com>
Sent: Tuesday, December 15, 2015 5:32 PM
To: Stevenson, Alisa
Subject: Fwd: Rent Control in Marin

Sent from my Verizon Wireless 4G LTE smartphone

Enjoy

From: Marin Town and Country Club
Sent: Tuesday, December 15, 2015 3:58 PM
To: Kinsey, Steven
Cc: 'Rice, Katie'; Sears, Kathrin; Connolly, Damon; Arnold, Judy
Subject: Rent Control in Marin

Last minute is better than nothing:

Dear Board of Supervisors:

via email: 15/12/15

I would like to offer the following limited perspective.

San Francisco implemented rent control laws looking to protect those people being displaced by gentrification. We all want to protect our seniors and disabled. Rent control is not it. Most “age discrimination laws” result in discrimination against age. If there are age discrimination laws in place it is easier to avoid any conflict by just not employing someone older. So really anti discrimination laws, discriminate against some to subsidize another.

Rent control will eventually lead to the opposite result of what the intent of the law was.

San Francisco passed their Ellis Act (Rent Control), June 1979. It passed so their elderly, disabled, and lower income workers could afford to live in San Francisco, close to their employment. What they got are run down units with squatters. The San Francisco board of Supervisors listened to investors and developers and conceded to allow the Ellis Act to cover only properties built before 1979 and exclude future developments. Why would San Francisco exclude future developments, yet cover pre-existing housing? If the Ellis act were to be required of all future developments, there would be no future development. No incentive for improvements leads to stagnation.

Coming around this puts more pressure on the pre 1979 smaller units, the mom and pops or second bedroom units, to be torn down for bigger developments rewarding speculators with non-restricted market rate rents. Newer buildings with larger footprints are not as affordable for tenants as pre-existing smaller units.

Right or wrong, developers are putting theirs (and others') capital at risk when they speculate and build. All projects have potential downsides. Like any other investment if you diversify your investment you are at better odds, should a change of market condition occur. For development if there is not a large enough margin so as to cover some of the potential offsets, why take the risk? It would be reckless and possibly a breach of their fiduciary responsibility, if the developer moved forward with a project with only downside and no upside. Remember for every project that produces a profit there might be 3 others that become insolvent and end up in receivership. Remember profit is not realized today, it is realized over years. That is why the IRS allows property improvements to be depreciated over 27.5 years.

Think of the increase in the cost of doing business; from insurance, to employees, to materials, to supplies, to services, to maintenance, to utilities, etc. Over the last 20 years have these costs increased over 10%? Most have. It depends on too many individual variables to accurately answer that question in this short opinion.

In San Francisco rents have increased approximately 1.6% over the last 20 years; 1.5% over the last 10 years. What if you have a repair? A vacancy? An accident? You could be under water and forced to surrender your property to the bank. San Francisco's 20 year rent increase of 1.6% is a bad rate of return when you add the risk factors. Would you put your money into a fund that had a down side and only a 1.6% upside, we think not.

Did the Ellis Act preclude rental increases in 2014? No; supporting the above with all the tears outs and new building in San Francisco rents increased 14.5% in 2014 (one year). What are pushing these rents upward?

What about the hidden future expense? If rent control is implemented who will enforce it? Looking closer to home we chose to look at 2014 statistics released in the Marin IJ stating that the average Marin County Employee receives approximately \$130,000.00 (some articles supported \$150,000/employee) in a total employment package including their wage, pension, and health benefits. This new Rent Control Bureaucracy

will only lead to new taxes further pushing rents up or margins down. The result will again harm those who least can afford it, the renter.

The squeeze we are all feeling, both land lords and tenants, is driven by local taxation. If the cost of doing business and for this discussion the cost of building housing was more affordable; we would generate profits at all levels of buildings; not just at market rate. Thus affordable buildings and units would be built.

Over the last few years our local governments have asked those people who can least afford it to subsidize those people who can. (Please allow for 2014 approximate numbers to emphasize this point.)

Using my property located in the Ross Valley I have been similarly treated as other multi-family properties. After you get past your basic tax, many local taxes are on a per-unit basis. Not a per-parcel or value basis or use basis.

So if you have a 70 square foot living space or a 10 bedroom 12 bathroom mansion with butlers and maids and pools and cabana boys you are treated the same with many local taxes. Over the last couple of years both mansion and tiny apartment have been charged \$195.00 each for the Fairfax Special Municipal tax. Both mansion and tiny apartment have been charged \$125.00 each for each of the two Ross Valley School bonds. Both mansion and tiny apartment each have been charged approximately a \$169.00 increase for the sewer usage (2014 was approximately \$692.00 per unit/ mansion). Why should we ask those who can least afford it to subsidize those who can? All these taxes (expenses) are passed on to the tenant as part of the financial models required to satisfy the bank that the property is a viable investment.

What about conservation? Those tiny single toilet units can not use as much water or sewage or municipal resources as a large mansion. Even the drought will have those who can least afford it subsidizing those who can. Smaller units use fewer resources. So when the draconian 25% cut back comes on our water, who is hurt? Those tiny units that use fewer resources and are already conserving out of necessity.

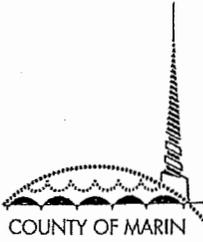
There are many supporting arguments why rent control will inadvertently hurt those we intend to help. Improvements will not be made until a bank can justify lending the money for the improvement; if the bank can not see the profit there is no loan. Properties will fall in a state of disrepair until a profit to offset the investment can be realized. The realization of profit will come with tearing down the old and building bigger market rate units that are exempt for your rent control law, precluding housing built after your cut off year. What will the cut off year be, 1999?

The real discussion for affordable housing should be the fair assessment of taxation based on a usage basis not a per unit basis.

Please support your renters and say no more taxes, until we can control this run away spending and the unfair taxation to those who can lease afford it. Affordable housing will be achieved when we lower the cost of business so all levels of housing can be built at a fair rate of return.

This is just an opinion of a land lord who is watching our local governments give lip service to the relief they offer to the poor, when in reality they are the ones who give themselves jobs with raises obfuscated behind taxing the rich.

Michael Mackintosh



COMMUNITY DEVELOPMENT AGENCY
HOUSING AND FEDERAL GRANTS DIVISION

Brian C. Crawford
DIRECTOR

August 1, 2017

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Board of Supervisors
County of Marin
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BOARD PROVIDED DIRECTION
TO STAFF AND APPROVED
AMENDMENT TO AGREEMENT
WITH THE MARIN HOUSING
AUTHORITY FOR THE
LANDLORD PARTNERSHIP
PROGRAM

AUG 01, 2017

SUBJECT: Progress report on work plan to preserve housing affordability and prevent displacement.

Dear Board Members:

RECOMMENDATION:

1. Enhance our preservation strategy by considering hiring technical assistance to evaluate and facilitate the acquisition of affordable housing units.
2. Approve an amendment to the County contract with Marin Housing Authority (MHA) for the Landlord Partnership Program to increase security deposit assistance, loss mitigation and vacancy loss coverage.
3. Provide policy direction for these remaining options:
 - a. Voluntary rent guidelines;
 - b. Ordinance to require Just Cause for evictions;
 - c. Second unit amnesty;
 - d. Re-evaluation of Housing Overlay Designation (HOD) Policy; and
 - e. Mandatory mediation.

SUMMARY:

A comprehensive set of policy options to address the County's affordable housing needs was first presented to your Board through a series of three public workshops between October and December 2015. At the December workshop your Board directed staff to pursue eleven of those policy options. An eighteen-month, three-phase implementation timeline and work plan was confirmed by your Board at a subsequent hearing on February 9, 2016. In accordance with direction provided by your Board at a regular meeting on July 26, 2016, mandatory mediation is presented as a potential alternative to replace the voluntary rent guidelines program.

The median price for a single-family home in Marin reached record levels in April of this year. As housing and rental prices continue to rise, many residents are being displaced from their homes. Since the initiation of this work plan, your Board has advanced several programs of the work plan including: (1) acquisition of new property; (2) preservation of existing affordable housing; (3) adoption of an ordinance to establish source of income protection for renters; (4) development of landlord incentives to maintain and support the Housing Choice Voucher ("Section 8") program; and (5) amendment of the Development Code to encourage second units.

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Previous actions to preserve housing affordability and prevent displacement.

Acquisition/preservation strategy. Since February 2016, the Board has contributed financing through the Housing Trust Fund and staff has provided technical assistance for the following projects:

Piper Court Apartments. In February 2016, the Board approved a \$675,000 loan to finance the acquisition of 49% of a twenty-seven unit property in Fairfax. This loan contributed to the conversion of twenty-seven multi-bedroom homes into units affordable to low-income families. Located near a high performing school and close to public transit, this agreement furthers a County Fair Housing goal of providing affordable housing to families in areas of opportunity.

Ocean Terrace Apartments. In June 2016, the Board approved a \$500,000 grant and a \$500,000 loan to support the acquisition of an eight-unit apartment complex in the coastal community of Stinson Beach.

This policy option represents an ongoing strategy of CDA. Staff continues to collaborate with community partners to identify and assess the feasibility of properties for acquisition and several properties are currently under consideration. The collaborative effort has benefited from real estate professionals that offer their services pro bono to identify potential multi-family acquisition opportunities prior to or at the time that such properties are placed on the open market.

Landlord partnership program. Since September 2016, 52 families have been successfully housed through the Landlord Partnership Program “security deposit assistance” service and 55 new landlords have partnered with MHA to increase access to housing for Housing Choice Voucher recipients.

Ordinance to establish source of income protection. The Board adopted a Fair Housing Ordinance to establish source of income protections on November 8, 2016¹ and adopted amendments to eliminate exceptions for owner-occupied properties on March 21, 2017.²

Development code amendments. Comprehensive amendments to the Development Code were adopted by the Board on March 14, 2017. In compliance with new State law,³ detached Accessory Dwelling Units (ADUs) in new homes or accessory buildings may now be as large as 1200 SF and ADUs designed to fit within the envelope of existing homes may be larger. These code amendments also implement State law for Junior Accessory Dwelling Units.

Recommended actions to enhance existing efforts.

Staff continues to assess opportunities for improvement of ongoing programs and makes the following recommendations to improve on existing successes.

¹ Ord. No.3656

² Ord. No. 3667

³ SB 1069

Acquisition/preservation strategy. To expedite the property vetting process, staff is exploring the possibility of partnering with a local organization to engage a neutral and locally-informed professional to assist in the preparation of feasibility analyses and budgets, to identify short and long-term expenses, and to explore creative financing solutions as needed. CDA is collaborating with the County Administrator’s Office (CAO) and partnering with the Marin Community Foundation (MCF) to identify and retain an appropriate candidate. The Board Housing Subcommittee and staff will continue to work on this issue and will provide updates as this strategy progresses.

Landlord partnership program. Staff recommends that the funds initially allocated for the voluntary rent guidelines be redistributed to other aspects of the landlord incentives package that have exceeded expectations in their ability to create sustainable affordable housing solutions for program clients. As the program has exceeded many of its first year goals and even a few of its second year objectives, additional funding could be allocated for MHA’s security deposit assistance, loss mitigation and vacancy loss coverage to support its continued success.

Items for further policy discussion.

Several programs of the work plan require further consideration and direction from you Board. Those items are presented within the body of this report; a detailed progress report of all other work plan programs is provided in Attachment 1.

For context, Table A identifies the timeline, responsible entity, and implementation status associated with each work item. Programs identified with an asterisk in Table A require further direction from your Board; a detailed discussion of those items follows.

Table A. Housing Policy Options: August 2017 Status			
Timeframe	Initiative	Responsible Entity	Status / Recommendation
Phase I: Aug. – Oct. 2016	Acquisition of multi-family rental properties for preservation as affordable housing.	CDA: Housing and Federal Grants	Complete and continue
	Development Code amendments for junior second units.	CDA: Current Planning	Complete
Phase II: Oct. 2016 – Feb. 2017	Landlord incentives program.	MHA	Complete and continue
	Voluntary rent guidelines.*	MHA	Consider deletion or replacement; consider amendment to MHA contract
	Ordinance to establish source of income protection.	CDA: Housing and Federal Grants	Complete
Phase III: Feb. – Aug. 2017	Ordinance to require Just Cause for evictions.*	CDA: Housing and Federal Grants	Direction requested
	Development Code amendments for second	CDA: Current Planning	Complete

	unit regulations.		
	Short-term rental regulations.	CDA: Current Planning	In progress
	Second unit amnesty.*	CDA: Housing and Federal Grants	Consider deletion
	Evaluate multi-family land use designations.	CDA: Housing and Federal Grants	In progress
	Re-evaluate the Housing Overlay Designation (HOD) policy.*	CDA: Housing and Federal Grants	Direction requested

The work plan items scheduled for further deliberation at this Board of Supervisors hearing are examined below. Individual work plan items are indicated by a bold font and followed by an italicized description of work initially described in the work plan approved by your Board on February 9, 2016. A discussion of each item is accompanied by potential options for your Board to consider, and also staff recommendations.

Voluntary rent guidelines. *MHA staff will begin by collaborating with stakeholders in the community to draft a set of voluntary rent guidelines. The proposed guidelines will then be presented to the Board of Supervisors for consideration at a public hearing. If approved by the Board, the guidelines will apply as a voluntary policy for the unincorporated county.*

Last year, staff from Marin Housing Authority (MHA) and the Community Development Agency (CDA) held several meetings with landlords, property managers, tenants, and leadership from local income property associations to design voluntary rent guidelines. Initiated as a strategy to stabilize rapidly increasing rents and curb displacement among Marin communities, the program sought to work with neighborhood landlords to highlight their accountability to the larger communities. The effectiveness of such a program would rely upon two fundamental components: (1) establishment of a limit that will make a positive impact towards affordability for renters; and (2) wide-spread participation among landlords.

Those incentives proved insufficient to overcome the critical challenge of agreeing to an effective annual limitation on rent increases. The working group recommended discontinuation of the program and staff supports this recommendation. Financial incentives for landlords in the amount of \$135,000 were allocated for this program in the July 2016 Landlord Partnership Program contract with MHA. A detailed report on the landlord incentives program and a proposed revision of the County contract with MHA for the Landlord Partnership Program are provided in Attachments 1 and 2, respectively.

In July 2016, staff presented two alternatives to the voluntary rent guidelines program: 1) development of a data collection program to track specific trends in rental rates and 2) expansion of existing tenant-landlord mediation services. Your Board requested that staff return with additional information as to the opportunities for and implications of each option. To date, research and development of best practices for a data collection initiative have not resulted in a feasible option for further discussion with the Board; staff therefore does not recommend a course of action at this time. Discussion of an option to expand the County's existing tenant-

landlord mediation services is discussed below as a second alternative to pursuing voluntary rent guidelines.

Alternative program: Mandatory mediation. Mandatory mediation is used in San Leandro, Fremont and Los Gatos as a tool to promote community accountability and to support housing stability. Such ordinances may be structured to facilitate constructive conversation in a neutral and accountable environment for a variety of issues including rent increases above a specified percentage or lease terminations. Mandatory mediation is distinguished from the County's existing voluntary mediation services in that it requires that parties participate in a mediated discussion, although the outcome of the mediation would not be binding on the parties; it would not require parties to reach or abide by a decision.

Similar to the intent of the voluntary rent guidelines, mandatory mediation could be tailored to address rapid increases in rental housing costs by requiring mediation for rental increases over a specified percentage, for example over 5%. If the County chooses to pursue this option, it would require additional staffing for mediation services or funding for a contract with the California State Office of Administrative Hearings (OAH) or similar organization. The cost of a hearing by OAH is often as much as \$5,000. The city of Fremont reduced the cost of its program to approximately \$30,000 per year through the utilization of an outside provider and volunteer mediators.

Recommendation: MHA and CDA recommend removal of the voluntary rent guidelines program from the work plan and request that monetary resources designated for that line item in the July 2016 Landlord Partnership Program contract be reallocated to security deposit assistance, loss mitigation and vacancy loss coverage. CDA staff also request that your Board provide direction to staff on whether or not to proceed with mandatory mediation.

Ordinance to require Just Cause for evictions. *CDA staff will draft an ordinance establishing criteria that constitute a "just cause" for eviction of rental housing tenants. The proposed ordinance will be presented to the Board of Supervisors for consideration. If adopted by the Board, the ordinance will apply to all rental housing in the unincorporated county.*

Under state law, landlords are able to terminate a periodic tenancy without reason so long as they provide written notice to the tenant to vacate. State law requires that a residential tenant living in a home for less than one year receive thirty-days written notice; the termination of a tenancy where the tenant has resided in a home for one year or more must be noticed sixty days in advance. Landlords can also serve tenants with a three-day written eviction notice for any reason consistent with the State Code of Civil Procedure §1161, such as non-payment of rent or remaining in a home after the expiration of a lease.

Just Cause ordinances are intended to provide stability for households who rent by preventing the termination of leases without cause. Such ordinances fully retain the rights of landlords to terminate a lease for valid reasons such as owner move-in, non-payment of rent, nuisance to landlords/other tenants, damage to unit/building, illegal activity, or any other violation of a lease agreement. This would prevent "no-fault" eviction of responsible tenants, providing them with greater security and stability. It would not protect tenants from lease terminations or evictions based on

non-payment of rent or other lease violations, nor would it prevent landlords from raising rents.

Just Cause ordinances have existed in California and the Bay Area since the 1980s and have recently reemerged as a tool to provide stability in the rental market (Table B shows Just Cause ordinances around the Bay Area and the State). In some Bay Area jurisdictions, Just Cause protections are triggered only by code violations; they prevent a landlord from evicting a tenant without cause for a period of time following the submission of a formal complaint to the local agency code enforcement staff. However, according to staff from other jurisdictions, these have proven difficult to enforce and tend to have a limited impact. The City of San Jose originally adopted a Just Cause ordinance with tenant protection based on code violations, but opted to revise and expand the scope of their ordinance to reflect more typical penalty mechanisms for enforcement. A Just Cause ordinance could also include provisions to help offset relocation costs for tenants in certain scenarios, for example when a new owner decides to renovate and requires tenants to move out.

Table B. Sample Jurisdictions with Just Cause Ordinances			
Jurisdiction	Just Cause? (Year Est.)	Rent Stabilization?	Mediation?
Alameda Co.	Y (2017)	Y	Y
Berkeley	Y (1980)	Y	Y
East Palo Alto	Y (1988)	Y	N
Emeryville	Y (2017)	N	Y
Glendale	Y (2002)	N	N
Hayward	Y (2003)	Y	Y
Maywood	Y (2008)	N	N
Oakland	Y (2004)	Y	Y
Richmond	Y (2016)	Y	Y
San Diego	Y (2004)	N	N
Union City	Y (2017)	N	Y

Other jurisdictions with Just Cause ordinances with simple metrics for establishing applicability and with the most straightforward enforcement mechanisms are more effective by virtue of their being more easily communicated to and understood by both landlords and tenants. Similar to the County’s own Fair Housing Ordinance to establish source of income protections, Just Cause ordinances that are enforced by civil and criminal penalties are commonly held to be the most unambiguous.

Recommendation: Provide direction on whether to further consider a Just Cause ordinance in the near term. If the Board chooses to proceed, staff would explore options and address issues in accordance with the Board’s direction, conduct case studies of Just Cause ordinances, and return to the Board later this year with a report after conducting outreach with landlords and tenant groups.

Second unit amnesty. *CDA staff will draft an ordinance re-establishing the second unit amnesty program to create opportunities for existing, unpermitted second units in unincorporated Marin to be brought into compliance with County standards and to become a legal, permitted unit. The proposed ordinance will be presented to the Board of Supervisors for consideration. If adopted by the Board, the program will commence and CDA staff will begin outreach to communities throughout unincorporated Marin.*

Since the establishment of the work plan, the State Legislature passed new legislation to remove or mitigate many of the preexisting regulatory barriers to the approval of Accessory Dwelling Units (ADUs, formerly called “Second Units”) and Junior Accessory Dwelling Units (JADUs).

Effective January 1, 2017, changes to California law⁴ made it significantly easier to create an ADU (formerly called a “second unit”) on a property developed with a single family residence. If a property in a single-family zoning district was developed with a main residence or accessory building prior to January 1, 2017, creating an ADU will not be subject to any parking requirements or size limitation other than those typically associated with the main residence. In March 2017, your Board approved Development Code amendments implementing these new state laws.

In consideration of these changes, staff considers a revival of the Amnesty Program to be unnecessary and duplicative as a tool to encourage this type of housing. Therefore, staff recommends that this program be removed from the work plan.

Ancillary to the aforementioned changes, staff will explore local regulatory or procedural reforms with the goal of further facilitating the creation of ADUs and Junior Accessory Dwelling Units (JADUs).

Recommendation: Delete program and continue to facilitate the approval of ADUs and JDUs.

Re-evaluate the Housing Overlay Designation (HOD) policy (Housing Element Program 1.c, scheduled for 2016). *CDA staff will analyze the effectiveness of the Housing Overlay Designation (HOD) in the unincorporated county, consistent with Housing Element Program 1.c. If opportunities for amending the HOD policy are identified, then any proposed changes will be presented to the Planning Commission followed by the Planning Commission’s recommendation being presented to the Board of Supervisors for consideration. The Board will review the recommendation and provide staff with direction on next steps.*

The Housing Overlay Designation (HOD) was established in 2007 as a policy and program of the Countywide Plan (CWP) (CD-2.3 excerpted below). Designed and promoted as a critical tool supporting the County’s efforts to develop new affordable workforce housing, the program has fallen short of its aspirations to encourage the development of that housing through infill development on commercial sites.

CWP CD-2.3 Establish a Housing Overlay Designation. The Housing Overlay Designation (HOD) is established, as shown in Maps 3-2a and 3-2b. The purpose of the HOD is to encourage construction of units to meet the need for workforce housing, especially for very low and low income households, and for special needs housing, in the City-Centered Corridor close to transit, employment, and/or public services. Sites for the HOD include reuse of existing shopping centers or other underutilized sites. Development on sites designated as both mixed use and as suggested HOD sites shall be developed pursuant to the HOD Policy and Program and not the mixed-use land designation criteria. Each square foot of market-rate HOD housing shall be offset by an equal reduction in the square footage of the

⁴ AB 2406; SB 1069

permissible commercial development. Up to 658 housing units may be approved within the HOD, subject to a discretionary approval process.

The HOD program requires that to the maximum extent feasible, 49% of all new units developed on selected sites be restricted as affordable to low- and very-low-income households. In exchange, it incentivizes development by requiring housing densities of at least thirty units per acre and establishes grounds for developers to apply for concessions such as parking, floor area ratio (FAR), and height and fee reductions. The HOD also requires high-quality building and site design that fits into the surrounding area. However, as a result of the expansion of State density bonus⁵ law, all of the incentives offered to induce the development of affordable housing through this program are available to projects that qualify for a State-mandated density bonus. With the adoption of the most recent Housing Element, your Board directed staff to evaluate the program and identify alternative strategies to reinvigorate it as an effective tool to promote affordable workforce housing.

In early 2017, CDA staff convened a working group of industry experts to evaluate ways to make the policy more effective. Their deliberations and recommendations are discussed below.

Amend the HOD to require residential development. Since the HOD Policy does not establish a minimum residential requirement (affordable housing is strongly encouraged), a loophole in this policy permits a site to develop as a 100% commercial use without any residential development. An amendment to require that a minimum percentage of new floor area be created for residential use would not only support the intent of this policy but also better align it with the vision of the County's Mixed-Use Policy, which promotes the creation of walkable, economically diverse communities.

The minimum residential standard could be structured to mirror the criteria of the Mixed-Use Policy, which requires:

“For parcels larger than two acres in size, no more than 50% of the new floor area may be developed for commercial uses, and the remaining new floor area shall be developed for new housing.”

“For parcels 2 acres and less in size, no more than 75% of the new floor area may be developed for commercial uses, and the remaining new floor area shall be developed for new housing.”

Specific Plans. As in the 2017 Grand Jury Report,⁶ the working group identified lengthy, costly and uncertain entitlement processes as a critical barrier to the creation of affordable housing in Marin. Specific Plans could lower this barrier by doing up front detailed planning with a community to establish specific criteria that would be used to evaluate housing projects on defined sites before a development is proposed. The planning review process and criteria would be developed with input from the community and major planning issues would be resolved up front through the Multifamily Design Guidelines, adopted by your Board on December 10, 2013, community plans and the Countywide Plan. Environmental review would be required

⁵ Marin County Code § 22.24.030

⁶ Marin Civil Grand Jury. (April 12, 2017). *Overcoming Barriers to Housing Affordability*.

to implement such a program. Specific Plans would enhance transparency for all interested parties, as it could specify physical and programmatic criteria that a housing development would necessarily meet to receive approvals.

In addition to the above options, staff can work with the Board Housing Subcommittee to explore additional strategies.

Recommendation: Direct staff to work with the Board subcommittee on presenting options to revise the HOD Program and to schedule a workshop on a date to be determined by staff.

CONCLUSION:

As has been demonstrated over the past several years, there is not one solution to our affordable housing challenge. Staff has been successful in implementing most of the programs on the work plan, however, as noted above, after further consideration a number of the items have been identified as less effective and are recommended for deletion. After further study, staff is recommending enhancing our existing efforts and further consideration of some additional policy options. Our overall goal is to help preserve existing rental housing and stabilizing our renter community.

REVIEWED BY:

- | | |
|--|---|
| <input type="checkbox"/> Auditor Controller | <input checked="" type="checkbox"/> N/A |
| <input checked="" type="checkbox"/> County Counsel | <input type="checkbox"/> N/A |
| <input type="checkbox"/> Human Resources | <input checked="" type="checkbox"/> N/A |

Respectfully submitted,



Leelee Thomas
Planning Manager

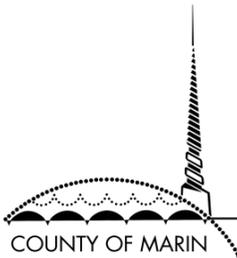


Brian C. Crawford
Director

Attachments:

1. Report on Work Plan Implementation Status.
2. Draft amended contract with Marin Housing Authority for the Landlord Partnership Program.
3. Administrative Record (comments received).

A full reference copy of this staff report and associated attachments are available for public review at the Board of Supervisors office, 3501 Civic Center Drive, Suite 329 (8:00 a.m. to 5:00 p.m., Monday through Friday) and at the Community Development Agency, Planning Division, 3501 Civic Center Drive, Suite 308 (8:00 a.m. to 4:00 p.m., Monday through Thursday, closed Fridays).



COMMUNITY DEVELOPMENT AGENCY
HOUSING AND FEDERAL GRANTS DIVISION

Brian C. Crawford
DIRECTOR

Report on Work Plan Implementation Status

Phase I: August-October 2016

Marin County Civic Center
3501 Civic Center Drive
Suite 308
San Rafael, CA 94903
415 473 6269 T
415 473 7880 F
415 473 2255 TTY

Building and Safety
Environmental Health Services
Planning
Environmental Review
Housing
Sustainability
Code Enforcement
GIS
Federal Grants

www.marincounty.org/cda

Acquisition of multi-family rental properties for preservation as affordable housing. *This strategy is already in progress. The Community Development Agency (CDA) is collaborating on a task force with the Marin Community Foundation, Marin Housing Authority, Tamalpais Pacific Foundation, and the City of San Rafael to seek out opportunities for acquisition of multi-family rental properties in Marin’s cities and the unincorporated area. This strategy will require ongoing funding and support from the Board of Supervisors.*

This policy option represents an ongoing strategy of CDA. Staff continues to collaborate with community partners to identify and assess the feasibility of properties for acquisition; several properties are currently under consideration. The collaborative effort has benefited from real estate professionals that offer their services pro bono to identify potential multi-family acquisition opportunities prior to or at the time that such properties are placed on the open market. To expedite the property vetting process, staff is exploring the possibility of partnering with a local organization to engage a neutral and locally-informed professional to assist in the preparation of feasibility analyses and budgets, to identify short and long-term expenses, and to explore creative financing solutions as needed. Staff is partnering with the Marin Community Foundation to identify and retain an appropriate candidate. The Board Housing Subcommittee and staff will continue to work on this issue and will provide updates as this strategy progresses.

Development Code amendments for junior second units. *CDA staff drafted Development Code amendments to improve and enhance the implementation of existing regulations allowing room rentals otherwise known as “junior second units.” The proposed code amendments were adopted by the Board of Supervisors.*

The Board adopted amendments to establish Junior Accessory Dwelling Units (“JADU”)—in the County Development Code at a regular meeting on March 14, 2017. In compliance with State law,¹ JADUs may only be created within the exterior building envelope of existing owner-occupied single-family residential structures by converting a bedroom. A JADU must have its own external door and wet bar (“efficiency kitchen”), and may not exceed five hundred square feet in size. The Local Coastal Plan must be updated before JADUs may be permitted in the Coastal Zone.

¹ AB 2406

Phase II: October 2016 – February 2017

Landlord incentives program. *Marin Housing Authority (MHA) staff will draft a “landlord incentives” program offering a variety of incentives to landlords who rent to low income tenants, including those with Section 8 vouchers. The proposed program will be presented to the Board of Supervisors for consideration at a public hearing. If approved by the Board, the program will managed by MHA.*

On July 26, 2016, the Board approved and funded a landlord incentives program to encourage landlords to rent to low-income tenants. Contracts to the Marin Housing Authority (MHA) and the Community Land Trust of West Marin (CLAM) were approved in the amounts of \$404,000 and \$46,000 respectively, to fund the administration and financing of several incentives including security deposit assistance, vacancy loss coverage, and a loss mitigation pool. Included in MHA’s contract was also \$135,000 to finance incentives for the proposed voluntary rent guidelines program in the form of forgivable loans of up to \$3,000 for landlords that pledge to limit rent increases for a fixed period.

Landlord Partnership Program (MHA). In its first year, MHA reported progress on the following objectives:

1. *Partner with twenty-five new landlords in year one (September - June 2017).*

As of July 1, MHA had signed fifty-five new landlords into the program—achieving 220% of its original goal.

2. *Increase applicant/participant voucher success rate from 37% to 50% (of those issued a voucher that successfully find a unit) before July 2018.*

MHA reports that its success rate rose to 52% in the first year of the program.

3. *Provide fifty families with security deposit assistance.*

Fifty-two families have received security deposit assistance through this program. Accordingly, 91.6%, or \$114,546 of the original \$125,000 allocated for this service has been expended.

4. *Landlord Liaison answering service will answer 100% of the calls by person not voicemail.*

One hundred percent of calls have been answered in person by the dedicated answering services that forward calls to staff via email and text. Staff responds to all calls and texts within twenty-four hours, seven days a week.

5. *Respond to 75% of landlord calls with a first responder response not transferred.*

A change in the MHA answering service has altered this objective. All calls are now answered by a receptionist that is trained to respond to the questions that are most commonly asked about the program. Any calls requiring redirection to a specialist are sent directly by text to three key staff members; those staff members respond within twenty-four hours, seven days a week.

6. Forwarded calls will be inputted into MHA housing software immediately and will be closed (responded to) within twenty-four hours.

All forwarded calls were responded to by staff within 24 hours.

Increasing success and utilization rates for Housing Choice vouchers resulted in an increased amount of HUD funding for that program in 2017. MHA requests that the \$135,000 of funds originally designated to fund incentives for the voluntary rent guidelines are reallocated to support continuation of the three critical Landlord Partnership Program services that have led to an increase in utilization rates: security deposit assistance, vacancy loss coverage, and a loss mitigation pool (Table B). At present, both the funds allocated for security deposit assistance and those assigned for vacancy loss mitigation are nearly expended (Table A).

Table A. Landlord Partnership Program contract balance (July 1, 2017)			
Line Item	Original Allocation (\$)	Balance (\$)	Percent Expended (%)
Security Deposit Assistance	125,000.00	10,454.00	91.6
Damages	64,000.00	36,002.56	43.7
Vacancy Loss Mitigation	30,000.00	85.00	99.7
Landlord Liaison	50,000.00	27,719.58	44.6
Voluntary Rent Cap Increases	135,000.00	135,000.00	0.0
TOTAL	404,000.00	209,261.14	48.2

Table B. Reallocation request: Landlord Partnership Program			
Line Item	Original Allocation (\$)	Proposed Reallocation (\$)	Net Change, Allocation (\$)
Security Deposit Assistance	125,000.00	180,000.00	55,000.00
Damages	64,000.00	89,000.00	25,000.00
Vacancy Loss Mitigation	30,000.00	85,000.00	55,000.00
Landlord Liaison	50,000.00	50,000.00	-
Voluntary Rent Cap Increase	135,000.00	-	(135,000.00)
TOTAL	404,000.00	404,000.00	-

Real Community Rentals (CLAM).

In the past year, CLAM has been engaged in developing affordable workforce housing in West Marin. It has provided tenant selection services for four homeowners and is shepherding three more homeowners through construction projects to convert spare bedrooms into room rentals.

In collaboration with the County, MHA, Bolinas Community Land Trust, Lilypad Homes, and the San Geronimo Valley Affordable Housing Association, CLAM developed educational materials and orchestrated a series of three workshops to advocate for the development of ADUs and room rentals as a critical tool to support affordable workforce housing on a local scale. The workshops provided an overview of the both the entitlement and construction processes and provided critical educational resources to attendees.

Ordinance to establish source of income protection. *CDA staff will draft an ordinance establishing source of income protection for renters with third-party rental subsidies, including section 8 voucher holders. The proposed ordinance will be presented to the Board of Supervisors for consideration. If adopted by the Board, the ordinance will apply to all rental housing in the unincorporated county.*

The Fair Housing Ordinance eliminates limitations in the provision of rental housing against families and veterans who receive third party rental assistance. Source of income protection prevents landlords from advertising or stating a preference for certain sources of income, from charging a higher deposit based on a person’s source of income, and from treating a person differently based on their source of income. The Board adopted a Fair Housing Ordinance to establish source of income protections on November 8, 2016² and adopted amendments to eliminate exceptions for owner-occupied properties on March 21, 2017.³

Phase III: February-August 2017

Development Code amendments for second unit regulations. *CDA staff will draft Development Code amendments to help improve the approval process for second units. Concurrently, the CDA will collaborate with the Department of Public Works to conduct a parking study to evaluate parking needs for second units and other types of housing, so that any resulting recommendations can be incorporated into the proposed amendments. The proposed amendments will be presented to the Planning Commission followed by the Planning Commission’s recommendation being presented to the Board of Supervisors. If adopted as an ordinance by the Board, the amendments will apply to second units in the unincorporated county.*

Comprehensive amendments to the Development Code were adopted by the Board on March 14, 2017. In compliance with new State law,⁴ detached ADUs may now be

² Ord No.3656

³ Ord. No. 3667

⁴ SB 1069

as large as 1200 square feet; attached ADUs designed to fit within the envelope of a single-family home may be as large as up to fifty percent of the floor area of the primary residence.

Short-term rental regulations. *CDA staff will draft an ordinance regulating short-term rentals (i.e. “vacation rentals”) initially for the Marin County Coastal Zone. The proposed ordinance will be presented to the Planning Commission followed by the Planning Commission recommendation being presented to the Board of Supervisors at a public hearing. If adopted by the Board, the regulations will be filed with the California Coastal Commission (CCC) for review and certification. If certified by the CCC, the regulations will be brought back to the Board to be considered for applicability to the non-coastal area of unincorporated Marin. If adopted by the Board, the regulations will apply to rental housing in the unincorporated county.*

At a regular hearing of the Board of Supervisors on July 18, 2017, Current Planning presented a workshop and white paper “Short-Term Rentals: A White Paper on Planning and Economic Considerations” to kick off a formal public discussion of regulatory options to mitigate or monitor this rising trend. Supervisors Rodoni and Sears have formed a Short-Term Rental Subcommittee to shepherd both the public outreach and continued research process. Staff is anticipated to return to the Board with an update in approximately four months’ time.

Evaluate multi-family land use designations (Housing Element Program 1.b, scheduled for 2016). *CDA staff will analyze existing multi-family land use designations in unincorporated Marin County, consistent with Housing Element Program 1.b. If opportunities for rezoning are identified, then any proposed changes will be presented to the Planning Commission followed by the Planning Commission’s recommendation being presented to the Board of Supervisors for consideration. The Board will review the recommendation and provide staff with direction on next steps.*

Staff is engaged in an analysis of sites that are currently designated for multi-family housing. The sites will be considered independently and as a group to identify any locational trends or potential constraints to development, including evaluation from a Fair Housing perspective.

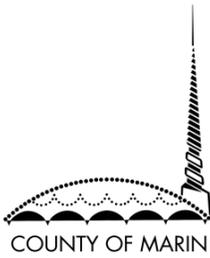
Alternative Programs

Data collection.

To facilitate the development of affordable housing policies that are reliable, precise, and timely, staff is researching the development of a local data source to catalog rental increases and lease terminations. Such a resource would allow staff to identify nuanced trends in Marin’s unique rental housing market and responds to interest from the Board of Supervisors and the landlord and tenant communities for more precise data on rental housing trends in Marin.

The County could function as the sole entity retaining and reporting out aggregate data only and not disclosing information on individual rental properties, thereby allaying potential privacy concerns.

This programmatic option is contingent upon identification of a County department with the capacity to administer it. Staff will continue to explore the feasibility of collecting rental cost and lease termination data, and will continue to engage the Board Housing Subcommittee for direction prior to reporting back to the full Board on this opportunity.



COMMUNITY DEVELOPMENT AGENCY
HOUSING AND FEDERAL GRANTS DIVISION

Administrative Record (comments received)

This attachment includes all public correspondence received as of 10:00 a.m. on July 26, 2017 for the August 1, 2017 Board of Supervisors hearing on the work plan to preserve housing affordability and prevent displacement.

La Rue, Debbi

From: CJK <thiskidd@yahoo.com>
Sent: Friday, July 21, 2017 3:04 PM
To: La Rue, Debbi; Thomas, Leelee
Subject: COMMENTS & IDEAS Re: Scheduled Hearing: Progress Report on Affordable Housing Work Plan

Debbi La Rue, Planner at dlarue@marincounty.org | 415-473-7309
Leelee Thomas, Planning Manager at lthomas@marincounty.org.
Marin County Board of Supervisors

I am glad to see you are finally standing up for the average working renters, who by Marin income standards are low-income, with some effort to reel-in the rent abuses in Marin County. However, another way is to engage property owners to reduce rents to the populace with **incentives!** Which if you can't stand reading my scathing commentary, is outlined below in BLUE.

As you know, keeping rents reasonable/low enough so qualified workers can remain in Marin is the biggest challenge and resulting impact of exorbitant rents. Marin has always prided itself on being one of the richest and most expensive counties in the nation. So really how is that working for you?! I'm one of the lucky ones because I got out and was able to take my job with me. But for all the other single mom's and dad's, who are working hard to pay the greed, and are stuck in Marin desperate to keep their jobs, they won't likely be so fortunate. Everyone likes to say the MARKET is the cause, but it is the greed that "always asks for more, because it will never know how much is enough."

Property investors feel they have the right to ask what ever they want and offer little in return. Which is why few rentals have air conditioning, dishwashers, and/or laundry appliances yet cost \$1800-3000/mo. Most owners just throw a coat of paint, and maybe steam the carpets before releasing units to the next tenant, with no thought of any improvements. Housing is a basic need, like food and water, not a luxury like the rental owners of Marin think it is. Is there any point when Marin County is going to take any real action? Building a few buildings for waiting list survivors isn't a solution, it isn't even a band-aid on the gaping wound of affordable housing needs. Oakland's Ghost Ship tragedy is the worst cost of unaffordable housing, and over-entitled negligent property owners. Yet, Oakland's mayor throws a \$1.7 million grant out, not even the cost of one decent rental property, into the wrong bureaucratic hands to cover her re-election tracks. I hope Marin's Board of Supervisors is watching carefully, to do something more effective!

I hope you will consider these solutions:

1) Raise property taxes on Rental Properties, **IF their rental rates increase more than \$50-100/annually per unit (or x% per year) and give % discounts for rent reductions.** This would be based on REQUIRED property owner income tax filings from the property and revenue disclosures Marin would require them to submit with their property tax installment payments so the next year property tax installments can be adjusted. Failure to submit income/revenue disclosures would result in fees, penalties, and eventual liens against the property. These fees would help the

county pay for implementation and will likely discourage escalating the rental markets over the true property value. FYI - True property value is not the 2007 values everyone is trying to restore.

2) Give affordable housing wait list priority to **single income households with children/students**.

3) **Set rent guidelines**, based on the number of household earners per unit. i.e. 1Br for 1 earner = \$1000, 1Br for 2 earner = \$1800, AND a requirement of a minimum of 50% of all 1BR units rented to 1 earner households. If your affordable housing office doesn't have any 1 earner households left on its wait list, then this limitation could be lifted on a 6 month basis. Here again owners could face property tax penalties for non-compliance.

If Marin truly wants affordable housing for families, not just seniors and the disabled crammed into cubicles, they will need to implement some guidelines, set some standards, and impose consequences for non-compliance. Property owners will scream unfair, but what is fair about forcing families out of housing. Families who rent, do so because they CAN'T buy in most cases, thus it is criminal to force them out of housing all together!

I understand property owners invest, no one is saying that they should not benefit, but gouging is not acceptable. That is what has been taking place in the most rental markets, since they have captive market of foreclosure victims. This **numbers-only driven rental market** creates instability in neighborhoods, and negatively affects individuals, families, owner occupied neighbors, schools, businesses and local economies...everyone wants to live well and spend reasonably within our communities so we all prosper, but it can't be done if 60-70% of our income goes to rent. I hope you will see reason in implementing some changes so that Marin can be a lovely place that people from all incomes can call home.

Thanks for your patience and for hearing me out, I wish you all the best in finding solutions and creating truly affordable housing in Marin.

Sincerely,

Carlotta Kidd
415-578-5828
thiskidd@yahoo.com
7136 Diablo Oak Court
Sacramento, CA 95842

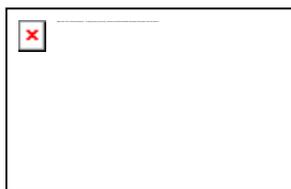
The Board of Supervisors will meet at **5:30 PM* on Tuesday, August 1, 2017** to consider a progress report on a work plan to preserve housing affordability and prevent displacement in unincorporated Marin County. The work plan is comprised of eleven programs, and was approved by the Board of Supervisors on February 9, 2016 with an eighteen-month, three-phase implementation timeline. At the August 1st hearing, the Board will provide direction to staff on how to proceed with four programs that require further deliberation and

direction: voluntary rent guidelines; an ordinance to require Just Cause for evictions; Second Unit Amnesty; and a re-evaluation of the Housing Overlay Designation (HOD) Policy.

The staff report will be available in English, Spanish, and Vietnamese on the [County of Marin Affordable Housing webpage](#) next week. In addition, an agenda and staff report will be made available on the Friday before the scheduled hearing on the Board of Supervisors meeting webpage and at the Community Development Agency, Suite 308, San Rafael (open Monday through Thursday 8:00 AM to 4:00 PM, closed Friday). If you have comments regarding this hearing, please contact Debbi La Rue, Planner at dlarue@marincounty.org or 415-473-7309, or Leelee Thomas, Planning Manager at lthomas@marincounty.org.

The hearing will be held at **5:30 PM* on Tuesday, August 1, 2017 in the Board of Supervisors Chambers (Room 330, Administration Building), 3501 Civic Center Drive, San Rafael, California**, where anyone interested in the matter may appear and be heard. To request translation services, please contact Debbi La Rue, Planner, at 415-473-7309 or dlarue@marincounty.org by Friday, July 28. Speakers using translation services will be granted additional time to testify at the hearings.

*Please note that proposed meeting times are estimates only and may be subject to change.



Not all events are sponsored by the County of Marin. County of Marin sponsored events are required to be accessible. If you are an individual with a disability and require an accommodation to participate in a County sponsored event, please call (415) 473-4381 (voice), (415) 473-3232 (TTY), or dial 711 for CRS or email [Disability Access](#) at least five work days in advance. Documents in alternative formats are available upon request.



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This email was sent to thiskidd@yahoo.com using GovDelivery Communications Cloud on behalf of: County of Marin



From: Marin County Subscriptions <camarin@public.govdelivery.com>
To: thiskidd@yahoo.com
Sent: Thursday, July 20, 2017 9:31 AM
Subject: Scheduled Hearing: Progress Report on Affordable Housing Work Plan



July 25, 2017

BOARD

Bob Pendoley, *Chair*

Katie Crecelius

John Eller

Stephanie Humphrey

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Larry Kennings

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Marge Macris

Michele Rodriguez

Annette Rose

Mary Kay Sweeney

Patsy White

Steve Willis

Sallyanne Wilson

Tom Wilson

Elaine Lyford-Nojima,
Coordinator

PO Box 9633
San Rafael, CA 94912
www.MarinMEHC.org

Judy Arnold, President
Marin County Board of Supervisors
3501 Civic Center Drive
San Rafael, CA 94903

Dear Supervisor Arnold:

The Marin Environmental Housing Collaborative strongly urges the Board of Supervisors to pursue a Just Cause Eviction ordinance, to provide a sorely needed measure of fairness and stability to residential tenants in our County.

Today, landlords have the right, which we do not question, to evict their tenants who have fallen behind in their rent or breach material clauses in their rental or lease agreements. But, except for evictions that occur during the term of a binding lease, tenants don't even have a right to know why a landlord is evicting them! Rather, they have *absolutely no protection* from arbitrary evictions if they rent from month-to-month, or upon expiration of a longer lease. We have heard too many stories of unfair evictions from people we know personally. We know that families on month-to-month tenancies have been given 30 days' notice to vacate with no stated reason, or, sometimes, with a stated reason that the landlord needs them to vacate the premises in order to perform upgrades, when, in fact, the property owner follows up with very minor repairs (perhaps that should have been made for the now-evicted tenant), with the real goal simply to find a new tenant willing to pay substantially more rent for basically the same housing. We know that you have and will continue to hear such stories from people who have experienced this kind of arbitrary treatment.

There are important reasons why we need eviction protections.

Equity. At the very top of this list is equity. Lacking a Just Cause Eviction Ordinance, the property owner holds all the high cards. A local property management firm,¹ seeking investors, advertises on its website² that "[s]ince 1984, the historical annual rent averages in Marin have been on a steady increase. This trend will continue into the foreseeable future due to low unemployment, continued job creation, virtually no new construction and low vacancy rates." The website goes on: "Investors consistently profit year after year from robust property appreciation in Marin, with an average per year gain of 10%." The

¹ PFI Incorporated

² www.investpfi.com

Board of Supervisors
7/25/17
pg. 2

company lists properties it manages with annual rent incomes over one million dollars and vacancy losses of less than 1%.

In economic terms, landlords have no financial incentive to be fair with their tenants, because there are no vacancies and the tenants have nowhere else in the County they can afford to go. Equity – basic fairness – demands that the tenant should have some level of protection in the rental transaction.

For the tenant, the apartment or rented house is more than shelter; it is home. Everyone needs a safe place where they can rest every day -- a base from which they can earn a living, take care of their children and, simply, be secure. They should have the right to expect that if they follow the rules, including paying the rent on time, they will not be arbitrarily thrown out of their home. A well-drafted just cause ordinance will give tenants a level of stability that otherwise may not be there.

Displacement. A second consideration is displacement. When tenants are forced out of their homes, the unmet demand gets one-household-higher and the market gets tighter. In some cases, the evicted become homeless. In other cases, locally-employed workers move elsewhere and become part of the already congested commute back into Marin. Some level of displacement is inevitable, but unwarranted evictions must be avoided.

Improve habitability. Often, renters are afraid to seek even simple repairs to their home, out of fear of facing eviction. Instead, they tolerate substandard, and sometimes unsafe or unhealthy conditions rather than asking their landlords to provide decent housing in return for the rent.

We think the majority of landlords do play fair, treat their tenants with respect and evict only when absolutely necessary. A carefully drafted Just Cause Eviction Ordinance – one that sets clear standards for eviction and protects property owners from unfair claims by tenants who abuse the terms of their rental agreements – will not adversely affect them. It is needed, however, to protect tenants from the minority of property owners who don't treat renters equitably, looking at their property simply as a means to reap profits at the expense of those unable to protect themselves.

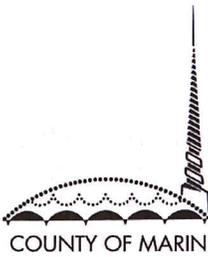
We are aware of the potential for unintended consequences. Accordingly, we urge that you to direct staff to develop options for a Just Cause Eviction Ordinance so that the Board, renters, property owners and advocates on both sides of the issue can have a fully informed discussion before a draft ordinance is proposed for adoption. Tenants deserve protection from arbitrary treatment by landlords; by the same token, landlords need clear guidelines so that they will know what is appropriate and what is not.

Thank you for your consideration. We look forward to moving forward on renter protections.

Sincerely,

Steven Saxe

Steven Saxe



COMMUNITY DEVELOPMENT AGENCY
HOUSING AND FEDERAL GRANTS DIVISION

December 5, 2017

Board of Supervisors
County of Marin
3501 Civic Center Drive
San Rafael, California 94903



SUBJECT: First Reading of an ordinance to establish a Rental Housing Dispute Resolution (i.e., “Mandatory Mediation”) program and consideration of other Housing Subcommittee recommendations.

Dear Board Members:

RECOMMENDATIONS:

1. Conduct First Reading of an ordinance to establish a Rental Housing Dispute Resolution program for Rent increases of more than five percent within a twelve-month period and/or changes to Housing Services commensurate to a Rent increase of greater than five percent within a twelve-month period; schedule Merit Hearing for December 12, 2017 at 5:30 p.m.
2. Defer consideration of a Residential Landlord and Tenant Relations (i.e., “Just Cause for Eviction”) ordinance for a period of twelve months to allow for implementation review of the Mandatory Mediation program.

SUMMARY:

On August 1, 2017, the Board of Supervisors received a progress report on a set of policy options identified in the work plan to preserve housing affordability and prevent displacement. It referred two policy options — Rental Housing Dispute Resolution (previously referred to as “Mandatory Mediation”) and Residential Landlord and Tenant Relations Ordinance (previously referred to as “Just Cause for Eviction”) — back to the Board Subcommittee with direction to further consider the topic and to develop recommendations to be presented to the full Board of Supervisors later this year.

Housing Subcommittee Recommendations

Based on further exploration, the Board Subcommittee recommends that the Board conduct a First Reading to consider the adoption of Rental Housing Dispute Resolution Ordinance. The Subcommittee also requests the Board’s concurrence to explore additional approaches intended to preserve housing affordability and prevent displacement. The Subcommittee recommends that the Board consider directing staff to explore the feasibility of these additional approaches:

1. Pursue potential enhancement of multi-unit housing inspection program managed by CDA’s Environmental Health Services.



- The formation of a performance-based inspection program, in which a landlord/property with consecutive violation-free inspections would graduate to a less frequent schedule of inspections, while those with recently identified violations or a history of reoccurring violations would be subject to more regular inspections.
 - Increased coordination and collaboration with San Rafael and Novato code enforcement staff to discuss program constraints and opportunities, best practices, and ways to work together.
 - Increased education and outreach to tenants regarding tenants' rights and access to local enforcement.
2. Consideration of data collection from landlords for rent increases and tenant evictions.
 3. Work with the District Attorney's Office to expand awareness of the mediation services available through their Consumer Protection Unit. This could be done through establishing a website and/or a hotline which could have available resources for renters and property owners.

BACKGROUND:

The rental market in Marin continues to be extremely tight with a vacancy rate (in the rental market)¹ of 2.8 percent (both unincorporated areas and Countywide). A healthy rental market typically has vacancy rates of between six and seven percent², more than double Marin's current vacancy rate. Another indicator of an imbalanced rental market is the number of families who are rent burdened³ (paying more than thirty percent of their income for rent and utilities), which can often lead to financial strain in meeting other basic living needs. Approximately thirty-six percent of renter household in unincorporated Marin pay more than forty percent of their income on rent and almost twenty-seven percent pay more than fifty percent of their income on rental costs (more than one in four renter households).

As proposed, the Rental Housing Dispute Resolution Ordinance would apply to over 8,000 renter households in unincorporated Marin as illustrated in Table 1 below.

Table 1. Number of occupied housing units by tenure				
	Unincorporated Marin Co.		Marin Co. (Countywide)	
	No. of Units	Percent (%) of Total Units	No. of Units	Percent (%) of Total Units
Total	25,864	100.00%	103,670	100.00%
Owner-occupied housing units:	17,523	67.75%	64,729	62.44%
Renter-occupied housing units:	8,341	32.25%	38,941	37.56%

¹ U.S. Census Bureau (2015). *Vacancy Status, 2011-2015 American Community Survey 5-year estimates.*

² Kasulis, K. (April 20, 2016). [How Vacancy Rate Points to an Unaffordable Housing Market.](#) *Ruggles Media.*

³ U.S. Census Bureau (2015). *Gross Rent as a Percentage of Household Income in the Past 12 Months, 2011-2015 American Community Survey 5-year estimates.*

In accordance with the Board's directive, the Board Subcommittee met several times earlier this year to receive presentations from, and consultation with, interagency staff and community partners regarding services available to tenants in Marin and the Bay Area. These meetings also included legal experts on landlord-tenant relations and housing and community planning law, including representatives from the [District Attorney's Consumer Protection Unit](#), [Environmental Health Services' Housing Inspection program](#), [Legal Aid of Marin](#), and the Community Development Agency's (CDA) outside legal counsel, Goldfarb & Lipman. In addition, the Board Subcommittee members met with tenants and landlords at an event at St. Raphael Church in San Rafael on August 9, 2017 and hosted a meeting with representatives of the landlord community at the Civic Center on August 23, 2017.

The Board Subcommittee considered three potential frameworks for the establishment of Mandatory Mediation and/or Just Cause policy options:

- (1) Rental Housing Dispute Resolution program only;
- (2) Residential Landlord and Tenant Relations ordinance only; and
- (3) An integrated ordinance or coordinated ordinances that draw upon features of both Rental Housing Dispute Resolution and Residential Landlord and Tenant Relations policies.

Potential provisions associated with each framework are described below and in greater detail in the attachments (A-C).

Mandatory Mediation

Overview

Mediation is a process in which a neutral third party facilitates the negotiation of a mutually acceptable resolution to a dispute between two parties. Like the mediation services offered by the District Attorney's Consumer Protection Unit, mediation programs commonly apply voluntary, private and informal processes.

Mandatory Mediation is distinguished by a requirement to participate in good faith for the entirety of the mediation process, even if the landlord and tenant do not settle their dispute through mediation. Various mandatory mediation policies treat the decision to accept the outcome of the mediation differently. Some jurisdictions require participation in mediation but do not require that the parties settle the matter. If the mediation fails to resolve the dispute, either party may litigate the matter. Other jurisdictions require participation coupled with a binding outcome from the mediation; the proposed resolution of the dispute is final unless one of the parties successfully challenges the resolution in court.

Benefits

Mandatory Mediation has been used in the Bay Area to address escalating rent increases in jurisdictions that seek to promote community accountability and support housing stability, but that do not wish to pursue rent stabilization. Such programs are designed to achieve these goals through the facilitation of constructive conversations in a neutral and accountable environment.

Limitations

In jurisdictions where the results of Mandatory Mediation are binding on participants, the Costa Hawkins Act (California Civil Code 1954.50 *et seq.*) prohibits mandatory limitations on rent for single family homes, condominiums, and all units constructed after 1995. For units subject to the Costa Hawkins Act, a landlord's compliance with Mandatory Mediation results would be voluntary if the County chose to create a Mandatory Mediation process resulting in binding resolutions.

Some tenants and landlords resist mediation programs because the results are not binding. For example, the City of Mountain View adopted a Mandatory Mediation program, but did not receive any claims for resolutions in the first six months the program was active. Shortly thereafter, the Mandatory Mediation program was preempted by a voter-adopted charter amendment imposing a traditional rent stabilization system.

Policy Considerations

When does Mandatory Mediation apply?

Mandatory Mediation can be tailored to address rapid increases in rental housing costs by requiring mediation for rental increases over a specified threshold (e.g. increases of more than five percent (5%) over a twelve-month period could be subject to Mandatory Mediation). In the alternative, Mandatory Mediation can be triggered by any rent increase, or by request from either a landlord or tenant for capital expenses or improvements (e.g. if a landlord replaces the roof and passes the cost through to the tenant, or if a tenant wants to permanently install new laundry facilities).

What issues are subject to Mandatory Mediation?

In addition to rent increases, a Mandatory Mediation program can facilitate the constructive resolution of disputes involving "service reductions," which result when a reduction in the level or amount of tenant benefits or privileges occur without an accompanying fair and corresponding decrease in rent. Examples of common service reductions include the cutback of parking privileges, maintenance or repairs, utilities, or elevator service.

Are the results of Mandatory Mediation binding?

Subject to the limitations discussed above, a Mandatory Mediation program can result in a binding or a non-binding determination.

What are the Mandatory Mediation program parameters?

Mandatory Mediation programs can be customized to vary the length of time the Mandatory Mediation process lasts or how long the good faith participation requirement continues. In addition, Mandatory Mediation programs may specify what happens if the participants fail to reach an agreement or reach an agreement but fail to honor its terms.

For instance, the City of Fremont has a three-step Mandatory Mediation program resulting in non-binding determinations: 1) A dispute is first subject to informal conciliation; 2) If conciliation does not result in a voluntary resolution, then the dispute is the subject of formal mediation; and 3) If mediation does not resolve the dispute, a hearing is held after which a written determination is provided to the parties. Landlords and tenants must participate in good faith with all three steps, but the written determination is nonbinding. Notably, if any of the three steps results in resolution of

the dispute, the parties must write-out and sign the resolution, and the Mandatory Mediation program requires that any disputes about the written resolution are subject to binding arbitration.

Are participants required to pay for mediation services?

Mandatory Mediation programs can be funded from a jurisdiction's budget, or jurisdictions can impose a fee for the cost of providing the service.

Are anti-retaliation provisions desired?

Many jurisdictions also craft anti-retaliation policies to encourage the use of mediation services and prohibit activities that could circumvent the mediation process.

Examples

Additional examples of Mandatory Mediation programs include:

Palo Alto (Adopted December 3, 2001): The "[Mandatory Response Program](#)" requires a mandatory response in many types of disputes involving rental housing properties. By filing a petition form, the mediation process may be initiated by a tenant, owner, or property manager. Issues such as rent increases, repairs and maintenance, and deposits are eligible for mediation services if the landlord owns two or more rental units within Palo Alto's jurisdiction. The Mandatory Response Program requires disputing parties to engage in conciliation or mediation if one party initiates a formal request for services. The ordinance requires covered landlords to participate, but does not require any specific outcome. Any resulting resolution remains the voluntary choice of the parties. There is no cost to any party.

Concord (Adopted July 25, 2017): Following a debate over rent control, the City of Concord established a "[Residential Rent Review Program](#)" for tenants to seek mediation and appeal large rent increases. Tenants that reside in buildings with three or more units who receive a rent increase of more than ten percent (10%) in a twelve-month period are eligible to request mediation services. If the landlord and tenant fail to reach agreement, either party may request a public hearing before a three-member panel comprised of a landlord, a tenant and a "neutral party," which is defined as someone not involved in the rental housing market. The panel hears the dispute and delivers a nonbinding decision. Participation in the program is mandatory for landlords. In residential rental scenarios wherein a tenant has a signed lease agreement, the establishing ordinance specifies that the rental rate may only be increased once per twelve-month period. Tenants may elect to rent month-to-month rather than sign a lease. In that scenario, property owners are permitted to issue more frequent increases. The ten percent (10%) eligibility threshold for participation in the mediation program applies to both period and fixed-term tenancies.

Union City (Adopted June 27, 2017): The "[Rent Review](#)" program is intended to increase cooperation and fairness within the residential rental market. The non-binding rent review process encourages landlords and tenants to reach mutually agreeable outcomes to disputes related to rent increases. Failure of a landlord to participate in conciliation or mediation voids a rent increase. The ordinance provides for civil remedies; if a landlord retaliates against a tenant, the tenant may institute civil proceeding for monetary damages, injunctive relief, or both. The tenant may also contest the validity of a notice for termination, however, the landlord is entitled to recovery of costs and reasonable attorney's fees if they can demonstrate compliance.

Union City requires landlords to provide concurrent notices of rent increases to the tenant and the City before an increase may be deemed valid.

Just Cause for Eviction

Overview

Just Cause ordinances have existed in California and the Bay Area since the late 1970s and have recently reemerged as a tool to provide security and stability for households that rent by preventing the termination of residential leases without specific, pre-defined justification. Just Cause ordinances typically identify acceptable reasons that a landlord may terminate a tenancy, or they may list specific unacceptable reasons for which a landlord could not terminate a tenancy.

Benefits

Just Cause ordinances fully retain the rights of landlords to terminate a lease for valid reasons. Just Cause ordinances can also help prevent evictions of responsible tenants, providing them with greater security and stability.

Limitations

Without rent stabilization policies, Just Cause ordinances do not prevent landlords from raising rents. Accordingly, Just Cause ordinances alone generally do not protect tenants from displacement caused by a landlord raising the rent to an unaffordable level.

In addition, such ordinances generally rely on the judicial system for enforcement, so programs require education and outreach for both landlords and tenants to be effective.

Finally, the Ellis Act (California Government Code sections 7060 through 7060.7) places limitations on both the ability of local governments to require a landlord to continue to rent units as well as tenant protections. A landlord is always entitled to permanently remove a rental unit from the housing market, but a Just Cause ordinance can provide a tenant with a right to return to the unit if the property owner decides to rent it again in the future.

Policy Considerations

What constitutes Just Cause?

Acceptable reasons for eviction under Just Cause are often divided into two categories: "For Cause" and "No Fault." Examples of eviction For Cause include failure to pay rent, illegal activity in the unit, nuisance activities, or other material violations of a rental agreement. Examples of No Fault evictions include situations when an owner or relative moves into the unit or removes the unit from the rental market under the Ellis Act.

Some jurisdictions specify events that are not grounds for eviction, such as an owner undergoing foreclosure proceedings.

Can relocation assistance be required in connection with No Fault evictions?

Just Cause ordinances frequently include provisions to help offset relocation costs for tenants in certain scenarios, for example, when an owner decides to move into or renovate a unit, which requires tenants to move out. According to input from tenants,

this is a common no-fault eviction that could be ameliorated through a relocation assistance provision.

What data, if any, regarding evictions can be collected?

Data can also be collected on evictions and lease terminations through a Just Cause ordinance. Some jurisdictions require notice prior to every eviction while others require notices only for specific No Fault evictions. To better understand the local rental market, some jurisdictions also require landlords to provide notice of the applicable monthly rent at the time of eviction or applicable rents charged over some course of the tenancy.

What, if any, requirements and exemptions apply?

In some Bay Area jurisdictions, Just Cause protections are triggered only by code violations; they prevent a landlord from evicting a tenant without cause for a period following the submission of a formal tenant complaint to the local agency code enforcement staff. The City of San Jose originally adopted a Just Cause ordinance with tenant protection based on code violations, but found it was difficult to enforce and had limited impact, therefore, they opted to revise and expand the scope of their ordinance to reflect more typical penalty mechanisms for enforcement.

Other alternatives include exemptions for specific units (e.g., single family and duplex units) or prerequisites for enrollment in Just Cause protections (e.g., tenancy in the same unit for two consecutive years).

Examples

Examples of Just Cause for Eviction ordinances without rent stabilization include:

Emeryville (Adopted December 6, 2016): Known as the "[Eviction Harassment Ordinance](#)," this ordinance broadly regulates most residential rental units, limits the reasons why landlords may terminate a tenancy in accordance with State law, prohibits harassment of residential tenants, requires that tenants are provided with notices of tenant rights under the ordinance, and mandates that landlords use a form notice of termination of tenancy and provide a copy of the completed notice and applicable rental agreement to the city. Certain residential units are exempt, including owner-occupied units where the owner is renting two or fewer bedrooms, housing units owned by a nonprofit hospital, convent, monastery or similar type of development, government-owned units, units owned by a nonprofit cooperative that is controlled by the residents, and units subject to state or federal regulations that are already subject to a form of Just Cause eviction protections. When an Emeryville landlords chooses to evict a tenant, they must provide a reason for the eviction and a record of rental rates charged throughout the tenancy.

Union City (Adopted April 4, 2017): The "[Residential Landlord and Tenant Relations Ordinance](#)" was adopted in accordance with the recommendation of Union City's [Rent and Tenant Taskforce](#), which was established to "[provide] recommendations to the City Council on options that [it] could consider to address rent and tenant issues in a legal, fair, and equitable manner." The Taskforce and Council both affirmed that: secure and stable rental housing is important for the maintenance and protection of the public health, safety, and general welfare; the city desires to prohibit residential landlords from terminating the tenancy of a residential tenant without a good, just, non-arbitrary, non-discriminatory reason; and that the city further desires to prohibit residential landlords from engaging in harassing behavior. The Ordinance requires

specific noticing of rent increases and tenants' rights to request mediation of rent increases over seven percent in a twelve-month period.

San Diego (Adopted March 30, 2004): San Diego's "[Tenants' Right to Know Regulations](#)" was intended to "promote stability in the San Diego rental housing market and limit adverse impacts on long-term residential tenants displaced and forced to find replacement housing in the expensive and limited San Diego housing market." The regulations protect the rights of long-term residential tenants by limiting grounds for their eviction and by requiring landlords to provide notice of such grounds. The ordinance provides that a residential tenancy of more than two years' duration shall not be terminated, nor shall its renewal be refused, except for a permissible cause.

Integrated Mandatory Mediation and Just Cause for Eviction policies

Overview

The two policies described above address different issues for landlords and tenants: Mandatory Mediation helps alleviate disputes regarding significant rent increases, while Just Cause protections identify acceptable and unacceptable reasons for eviction. Because each policy addresses different issues, the Board could consider a more comprehensive alternative by combining elements of both frameworks.

Benefits

Mandatory Mediation for rent increases could offer more protection if a tenant using the program were also protected from an arbitrary or retaliatory eviction action. Likewise, tenants with Just Cause protections could benefit from mediation to limit the chances that they were displaced from their unit by a significant rent increase.

Accordingly, Mandatory Mediation and Just Cause protections address different concerns but offer complimentary protections and are often combined to regulate landlord and tenant relations. If the Board chose to consider both programs, it would provide enhanced tenant protection and address most of the issues under consideration, including:

- Prohibitively steep rent increases,
- Housing instability from capricious lease terminations,
- Unsafe or unsanitary rental housing conditions,
- Harassment and retaliatory evictions,
- Retaliatory rent increases, and
- Insufficient data collection.

Limitations

Limitations would be the same as the issues discussed individually for Mandatory Mediation and Just Cause individually, except that some of the concerns around displacement caused by a landlord raising the rent to an unaffordable level could be ameliorated by combining Mandatory Mediation with Just Cause, which may have the effect of discouraging rent increases over five percent.

CONCLUSION:

The Subcommittee recommends that the Board conduct a first reading to consider the adoption of a Rental Housing Dispute Resolution Ordinance. The proposed Rental

CONCLUSION:

The Subcommittee recommends that the Board conduct a first reading to consider the adoption of a Rental Housing Dispute Resolution Ordinance. The proposed Rental Housing Dispute Resolution (i.e., "Mandatory Mediation") program is triggered for all rent increases above five percent (5%) and for service reductions.

FISCAL/STAFFING IMPACT: Staff is not recommending fees for these services. Depending on the demand for mediation services, the program may be able to be implemented within existing resources. Extrapolating from the limited number of requests currently reported by the Consumer Protection Unit, staff does not anticipate that the proposed expansion of the District Attorney's mediation services will produce a significant budgetary impact. However, if the volume of requests exceeds existing staffing capacity, staff will work with the CAO to develop potential program funding opportunities and report back to the Board of Supervisors.

REVIEWED BY:

- | | |
|--|---|
| <input type="checkbox"/> Auditor Controller | <input checked="" type="checkbox"/> N/A |
| <input checked="" type="checkbox"/> County Counsel | <input type="checkbox"/> N/A |
| <input type="checkbox"/> Human Resources | <input checked="" type="checkbox"/> N/A |

Respectfully submitted,



Leelee Thomas
Planning Manager



Brian C. Crawford
Director

ATTACHMENTS:

1. Ordinance to establish a Rental Housing Dispute Resolution (i.e., "Mandatory Mediation") program for rent increases above five percent and service reductions.
2. Sample provisions which could be included in a Mandatory Mediation or Just Cause for eviction ordinance.
3. A list of 'just causes' for evictions commonly used in Just Cause ordinances, these can be revised to address any local issues of concern.
4. Administrative Record (comments received).

Attachment 2: Sample Provisions

Instructions: Board Members, if an option strikes you as an apt policy response, you may record your interest by checking the corresponding blank box provided in the leftmost column of the table.

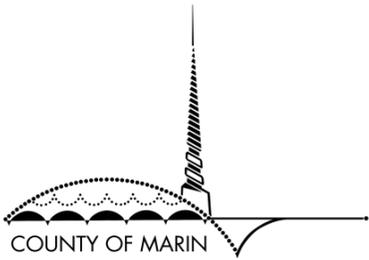
		OPTIONS			
PROVISIONS		<i>No Landlord may do the following in bad faith, with ulterior motive, or without honest intent:</i>	MM	JC	JOINT
<input type="checkbox"/>	ANTI-RETALIATION	Interrupt or fail to provide housing services stipulated in lease	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>		Fail to perform required repairs or maintenance	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>		Fail to practice due diligence to complete undertaken repairs and maintenance	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>		Fail to follow industry-appropriate safety standards and protocols in the performance of repairs or maintenance	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>		Retaliate against tenant(s) for their exercise of rights under this chapter or State or Federal law	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	RELOCATION ASSISTANCE	Rent increase above Threshold	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>		Unit removed from market	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>		Landlord or immediate family member move-in	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>		Unit temporarily unfit for habitation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	RIGHT OF RETURN	Unit to be substantially renovated	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>		Unit removed from market	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>		Landlord or immediate family member move-in	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>		Unit temporarily unfit for habitation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	DATA COLLECTION	Unit to be substantially renovated	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>		Natural disaster	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>		Rent increases (past)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>		Rent increases (current)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>		Reasons for termination	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Attachment 3: Causes for Termination of Residential Lease Agreement

Sample: Emeryville Ord. 2016-653 (effective December 15, 2016)

- I. For Cause Terminations. If a landlord can show any of the following circumstances with respect to a termination of tenancy, the termination will qualify as for cause.
 - i. **Failure to Pay Rent**. Tenant failed to pay rent within three (3) days of receiving written notice from the landlord demanding payment in accordance with California Code of Civil Procedure Section 1161.2.
 - ii. **Breach of Rental Contract**. Tenant violated a material term of the rental agreement.
 - iii. **Tenant Illegal Activities**. Tenant has used the unit for an illegal purpose, including but not limited to the unlawful distribution of a controlled substance as contemplated by California Civil Code Section 3486, or the unlawful use, manufacture, or possession of weapons and ammunition as contemplated by California Civil Code Section 3485.
 - iv. **Violations of Applicable Health and Safety Code**. Tenant created or is maintaining a dangerous and unsanitary condition as described in the Emeryville Municipal Code or applicable Federal and State law, and that condition has not been promptly abated or repaired as contemplated by applicable law.
 - v. **Failure to Allow Landlord Access**. Tenant failed to allow landlord access to the unit, after receiving due notice as required by California Civil Code Section 1954.
 - vi. **Tenant Rejected Written Lease Extension**. Tenant failed to execute a written extension of an existing rental agreement, but only if the offered written extension is substantially and materially the same as the original agreement.
 - vii. **Tenant Violated Occupancy Restriction**. Tenant failed to abide by the long-term occupancy restrictions of the rental agreement (i.e., tenant allowed long-term occupancy of the unit by one (1) or more individuals who were not previously contemplated in the rental agreement), but only when the unapproved, long-term occupants of the unit would cause the number of persons living in the unit to exceed the total of two (2) persons per bedroom in the unit plus one (1).
 - viii. **Landlord Returning from Sabbatical to Occupy Unit**. Landlord has temporarily rented or leased the entirety of a single covered unit for up to and including one (1) year, when that covered unit qualified as an owner-occupied residence during the calendar year prior to the temporary rental and the landlord intends to return to the covered unit as his or her primary residence to re-qualify the covered unit as an owner-occupied residence for the calendar year after the conclusion of the temporary rental; if the covered unit does not qualify as an owner-occupied residence following the conclusion of the temporary rental, the tenant during the temporary rental is entitled to the right to return.

- ix. **Landlord Returning from Deployment.** Landlord has rented or leased the entirety of a single covered unit during the landlord's deployment by any United States Armed Force, and once the deployment has concluded, landlord returns immediately to the covered unit as his or her residence that the landlord usually occupies for use during off-duty time.
 - x. **Landlord Condominium Conversion.** Landlord is converting the covered unit(s) to a condominium.
- II. No Fault Terminations. If a landlord can show any of the following circumstances with respect to a termination of tenancy, the termination will qualify as "no fault" and entitles the tenant to relocation assistance in accordance with Section 5-40.04 and the right to return, which includes the right to receive notice from the landlord that the unit will be returned to the rental market and the right to return to and rent the unit under substantially the same material terms as the prior rental agreement when it is placed back in service for residential rental purposes. For purposes of this section, "substantially the same material terms as the prior rental agreement" means substantially similar housing services for a monthly rent charge that may not exceed the amount paid for the last month of the tenancy, subject to any notice provided in accordance with California Civil Code Section 827.
- i. **Landlord Will Remove Unit from Market.** Landlord will imminently demolish the unit or otherwise permanently remove the unit from any residential rental use or purpose.
 - ii. **Landlord Will Move into Unit.** Landlord, or one of landlord's parents or children, will imminently move into and reside in the housing unit as his or her permanent residence no less than ten (10) months of any calendar year, for no less than two (2) years from the termination of tenancy.
 - iii. **Unit Is Temporarily Unfit for Human Habitation.** The unit must be temporarily removed from the rental market because the unit is not currently fit for human habitation, but will be repaired and returned to the rental market.
 - iv. **Unit Will Be Substantially Renovated.** The unit must be temporarily removed from the rental market because it will imminently become unfit for human habitation because of planned capital improvements and other necessary rehabilitation, for which the landlord currently possesses all necessary permits to imminently begin and diligently complete the permitted work in order to promptly return the unit to the rental market.



COMMUNITY DEVELOPMENT AGENCY
HOUSING AND FEDERAL GRANTS DIVISION

Attachment 4: Administrative Record

This attachment includes all public correspondence received as of 11:00 a.m. on November 29, 2017 in response to the December 5th Board of Supervisors hearing to consider the Housing Subcommittee's recommendations regarding a prospective Rental Housing Dispute Resolution program and a Residential Landlord and Tenant Relations ordinance.

La Rue, Debbi

From: Andy Fegley <andyf@marincountyrealtors.com>
Sent: Tuesday, November 07, 2017 10:32 AM
To: La Rue, Debbi; Thomas, Leelee
Subject: Mandatory Mediation Ordinance

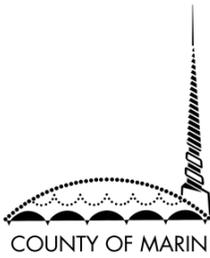
Follow Up Flag: Follow up
Flag Status: Flagged

Good morning:

As a major stakeholder in the housing industry, we would appreciate an advance copy of the proposed Mandatory Mediation ordinance for review. Attempting to review, analyze and provide meaningful input within the uncertain timeframe stated in the notice of the meeting is a disservice to the process.

We look forward to receiving the ordinance in advance of the “mid-November” release.

Thank you,
Andy Fegley
CEO
Marin Association of REALTORS®



COMMUNITY DEVELOPMENT AGENCY
HOUSING AND FEDERAL GRANTS DIVISION

TO: Members, Board of Supervisors
Matthew Hymel, County Administrator/Clerk of the Board

FROM: Debbi La Rue, Planner

DATE: December 4, 2017

RE: **December 5, 2017 Agenda Update**

Policy Agenda Item #21

First Reading: Ordinance establishing a Rental Housing Dispute Resolution (Mandatory Mediation) program, and receive presentation from the Housing Subcommittee regarding recommendation to defer consideration of a Residential Landlord and Tenant Relations ordinance (Just Cause for Eviction) for twelve months.

Additional public comment regarding this item received by the Community Development Agency as of 3:30 p.m. on December 4, 2017 is attached.



November 30, 2017

BOARD

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Linda Jackson
Larry Kennings
Cesar Lagleva
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PO Box 9633
San Rafael, CA 94912
www.MarinMEHC.org

Judy Arnold, President
Marin County Board of Supervisors
3501 Civic Center Drive
San Rafael, CA 94903

BY EMAIL

Dear Supervisor Arnold:

We have read the report from your Board's Ad Hoc Subcommittee on Housing with great concern. While the recommended short-term action, a rental housing dispute resolution program, likely will have only a marginal impact, it may still prove helpful in some instances, and we, therefore, support it. However, the proposal to defer even considering a "residential landlord and tenant relations" ordinance for twelve months is a terrible disservice to some of the neediest and most vulnerable among us. We urge you, at the earliest possible date, to schedule hearings on and enact a "just cause" ordinance that identifies acceptable reasons for a landlord to terminate a tenancy.

We appreciate provisions in the dispute resolution program that would require mediation in the case of rent increases above 5%. Presumably this would cause at least some landlords to keep rent increases at or below the 5% threshold to avoid the mediation process, and, perhaps, temper greater rent increases after they have heard the pleas of their tenants in a safe environment. However, we believe that in the long run, the program may be ineffective without rent control, which we know is a step the Board is not ready to seriously consider. We recommend that the Board review the program after the first six months of operations, to measure how many cases were mediated and to evaluate the results.

The larger issue in the Subcommittee's report is the recommendation to defer for an entire year deliberating on a so-called "residential landlord and tenant relations" ordinance.

We do not question landlords' right to evict their tenants who have fallen behind in their rent or breach material clauses in their rental or lease agreements. But, except for evictions that occur during the term of a binding lease, tenants don't even have a right to know why a landlord is evicting them! Rather, they have absolutely no protection from arbitrary evictions if they rent from month-to-month, or upon expiration of a longer lease. We have heard many stories of unfair evictions from families on month-to-month tenancies who have been given 30 days' notice to vacate with no stated reason, or, sometimes, with a stated reason that the landlord needs them to vacate the premises in order to perform upgrades, when, in fact, the property

All donations go to MEHC's fiscal sponsor, EAH Housing, a nonprofit, non-stock corporation recognized by the IRS as exempt from income tax under Internal Revenue Code Section 501(c)(3). EAH generously contributes all donations to MEHC, pro bono.

owner follows up with very minor repairs (perhaps that should have been made for the now-evicted tenant), with the real goal simply to find a new tenant willing to pay substantially more rent for basically the same housing. We know that you have and will continue to hear such stories from people who have experienced this kind of arbitrary treatment.

There are important reasons why we need eviction protections.

Equity. At the very top of this list is equity. Lacking renter protections, the property owner holds all the high cards. In economic terms, landlords have no financial incentive to be fair with their tenants, because there are no vacancies and the tenants have nowhere else in the County they can afford to go. Equity – basic fairness – demands that the tenant should have some level of protection in the rental transaction.

Displacement. A second consideration is displacement. In some cases, the evicted tenant become homeless. In other cases, locally-employed workers move elsewhere and either become part of the already congested commute back into Marin or leave the Marin workforce altogether -- a problem probably exacerbated by the likely loss of some of our workforce that have been commuting from Sonoma or Napa and may have to move out of the area to because of the loss of over 5,000 housing units due to the recent fires.

Improve habitability. Often, renters are afraid to seek even simple repairs to their home, out of fear of eviction. Instead, they tolerate substandard, and sometimes unsafe or unhealthy conditions rather than asking their landlords to provide decent housing.

We think the majority of landlords do play fair, treat their tenants with respect and evict only when absolutely necessary. A carefully drafted ordinance – one that sets clear standards for eviction and protects property owners from unfair claims by tenants who abuse the terms of their rental agreements – will not adversely affect them. It is needed, however, to protect tenants from property owners who don't treat renters equitably.

Delaying adoption of a just cause eviction ordinance will continue for at least another twelve months the inequity and suffering that tenants have been describing to you for the past two years. The longer we wait to address all of the causes of the housing crisis we now face, the more impossible it will be to reverse our current course.

Sincerely,

Steven Saxe

Steven Saxe
Co-Chair

Sackett, Mary

From: mrlegalman@comcast.net
Sent: Friday, December 01, 2017 1:20 PM
To: Connolly, Damon
Cc: mrlegalman@comcast.net
Subject: OPPOSE : Rent Mediation Ordinance

Marin County Supervisor Damon Connolly
Civic Center, County of Marin

OPPOSE : Proposal for Rental Housing Dispute Resolution

I am a San Rafael resident and owner of single rental condo in North San Rafael. I consider myself a conscientious-responsible landlord and keep my rents well below market rates, as I wish to retain my good tenant. The current landlord/tenant framework works well for me and well for my tenant.

I am opposed to the ordinance. The ordinance is overly intrusive and appears designed to solve a legitimate public issue (High Rents) by enacting legislation that in the long term will be ineffective and counterproductive. One need only look at the San Francisco experience with rent control. Certainly, San Francisco's ordinance has benefitted some long term tenants, irrespective of their wealth, to have very low rents. However, the old tenants have been subsidized by the new incoming tenant. San Francisco's experience with rent control has only made rents go higher. The laws of supply and demand will always apply to the rental and housing markets.

The proposed ordinance, if enacted, will have a high price tag with few, if any, tangible results. Marin County will need to hire adequate staff to carry-out the provisions of the ordinance. If the County elects to use current funds to facilitate the ordinance, there will be a corresponding transfer of funds from some other program i.e. fire, parks, welfare, etc. One program gains, while another necessary-basic government service loses funding. In the event the County elects to charge a fee per rental unit, you can be assured that this fee will be passed on to the tenant, resulting in a rental increase.

The rental market is complicated and impacted by a variety of factors that lead to the pricing of rents. While I understand that Marin County wants to address the high cost of housing in Marin County, this proposed ordinance is simplistic and will not have a positive effect on housing costs.

Lise Armijo
11 Harbor View Court
San Rafael, Ca 94901
(T)415-454-0654

La Rue, Debbi

From: White, Susan on behalf of BOS
Sent: Friday, December 01, 2017 2:04 PM
To: Thomas, Leelee; La Rue, Debbi
Subject: FW: rental housing

FYI

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Susan White
DEPUTY CLERK
415 473 3066 T
415 473 3645 F

-----Original Message-----

From: White, Susan On Behalf Of BOS
Sent: Thursday, November 30, 2017 8:46 AM
To: Albert, Tanya; Alden, Leslie; Clark, Susannah; Cordova, Lorenzo; Gauna, Jennifer; Kutter, Rhonda; Parton, Maureen; Sackett, Mary; Vernon, Nancy; Weber, Leslie
Subject: FW: rental housing

The message below was received through the email addressed to all Supervisors. Please forward as you deem appropriate.

.

Susan White
DEPUTY CLERK
415 473 3066 T
415 473 3645 F

-----Original Message-----

From: Linda Rames [mailto:ljrames@gmail.com]
Sent: Wednesday, November 29, 2017 7:44 PM
To: BOS
Subject: rental housing

November 29, 2017

Members of the Board:

Based on the staff report of a proposed ordinance to establish a Rental Housing Dispute Resolution program, it appears that the County of Marin is running full tilt toward eventual rent control in Marin County. As long time landlords in both Marin County and San Francisco, we think this would be a huge mistake and an action which would not benefit most renters, and certainly, would cause landlords to think twice about remaining in the business.

Housing Subcommittee Recommendations:

1. Pursue a multi-unit housing inspection, the frequency of which would be based on how many violations might be found. A punishment based inspection is not likely to sit well with residents of Marin County. San Rafael already has a similar program, the cost of which is presented on our tax bill each year. They are supposed to inspect every five years; however, our last inspection was in 2009. The fee is \$384 every year, inspection or no inspection. So our bill for this inspection has now mounted to \$3072. We do not think this is fair or that citizens of the county would stand for this type of inspection program. We also think the county does not have the staff to police this program based on the San Rafael model.
2. We do not understand what is meant by #2 unless the Community Development Agency is recommending that landlords would have to submit information to them to request a rent increase. Even San Francisco has not tried to go this far.
3. We will address this issue later in the letter.

Background:

We do not believe a 6-7% vacancy rate designates a healthy rental market. This number was based on the opinion of one study which appears to be in favor of lots of empty rental units. In any case, while unfavorable market conditions would probably bring the cost of rentals down, they would never reach the levels hoped for in the background information. Marin is a desirable place and rents are not going to allow everyone who wishes to live here the ability to do so.

Mandatory Mediation:

We do not understand how the Board of Supervisors could institute mandatory mediation without overstepping your powers as a county board. The Board of Supervisors is elected to oversee the business of the county. You do not have police powers and we do not believe you can force participation in mediation which is non-binding. We would also direct you to notice that all the examples used deal with cities, not counties, which follow different rules and which have voted to participate in their programs.

Just Cause for Eviction:

There is a lot of talk in this section about Just Cause evictions. Landlords do not enter into eviction proceedings lightly. Eviction is a very costly and time consuming process which is only done when there is no other avenue to solve a tenant/landlord problem. Our guess is that it is rarely used in Marin County unless there is just cause. No landlord is in business to lose money.

Mandatory Mediation for rent increases above 5%:

We understand and agree with the previous suggestions that landlords should voluntarily not raise rents above 10% per year unless there is a valid reason to do so; however, mandatory mediation for a rental increase of more than 5% is ridiculous. There are many reasons why an occasional rent increase of more than 5% might be necessary.

Obviously, this report was written strictly from the standpoint of renters and the staff of the Community Development Agency. We see that the report mentions a meeting with landlords on August 23, 2017; however, we were not notified of this meeting and we have not seen any minutes or reports of what took place. So, who are the landlords who attended the meeting? Before you move forward with a sweeping change in housing policy, don't you think we, the residents who provide rental housing, deserve to see where your information regarding Marin rentals was found?

Linda & Robert Rames

240 Morning Sun Avenue
Mill Valley, CA 94941
415 -388-8492

Sackett, Mary

From: elam@elamproperty.com
Sent: Monday, December 04, 2017 11:45 AM
To: Sackett, Mary
Subject: follow up

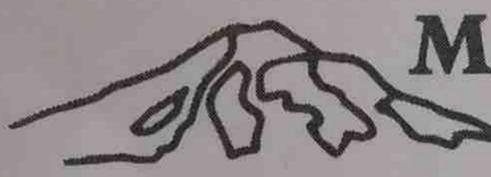
Hi Mary.

I understand that Supervisor Connolly is generally supportive of this measure or something like it from Marin IJ comments. I am not saying we oppose this measure though others are. I am just saying that it needs to be adjusted preferably to apartment complexes with 16 units or more. That is usually when professional managers are brought in and the lawyers - and the tenant does not have personal interaction with the owner. Smaller properties have personal interaction already and this proposal just drags out an ugly divorce. Besides, the state recognizes that an onsite manager is required by law for apartments with 16 + or more apartment units. Again, because tenants and authorities should know that the owner is on top of it.

I also believe the three options, including administrative fees, should be tabled for twelve months because those are absolutely new to the conversation, emanating from staff, and there has been zero feedback from the community.

Warm regards,

Bobby



Marin Rental Property Association

P.O. Box 150315 • San Rafael, CA 94915
415 / 260-7080 • elam@elamproperty.com

November 30, 2017

Marin County Board of Supervisors

Subject: Affordable Housing programs

We, the officers and directors of the MARIN RENTAL PROPERTY ASSOCIATION (“MRPA”), are writing to comment on several proposals before the Board and Subcommittee on Affordable Housing to address the growing imbalance between housing supply and demand in our area.

MRPA is committed to finding practical solutions to alleviate the affordable housing shortage in Marin. As you know, MRPA partnered with the Marin Housing Authority last year to increase landlord acceptance of Section 8 and other subsidized tenants. We also agreed to voluntarily cap our rent increases to no more than ten percent (10%) in any given year.

Mandatory Mediation

We do not see a significant potential benefit from requiring mediation between tenants and landlords over rent hikes. Most MRPA members are “Mom and Pop” owner/operators. They try to be reasonable in how much they raise rents, and how quickly they raise them.

In the cases where owners exceed reasonable increases, we do not see mediation as a feasible way to help tenants. It would require a great deal of effort and many resources to implement. We urge you to look carefully at examples of similar programs before acting to implement one here. An ineffective program is worse than no program at all.

Such a program would require significant effort and cost, including finding mediators who are or can be fully up to speed on the cost of operating apartments and apartment market conditions. Finding good mediators who could help with a significant volume of cases at a low or moderate cost to the county or the participants would be difficult, resulting in little more than frustration on the part of tenants seeking such help.

Please look at other ways to encourage owners to constrain rent increases. Perhaps you could look at offering incentives to help us offset the ever-increasing cost of operating residential real estate, including the tax burden imposed at the county and local level. We would be happy to discuss a modified proposal for requiring mediation for large corporate landlords (16+ units or more) only.

We encourage the Board to pursue strategies which increase housing production. More housing is the only lasting solution to the problem of affordability, and this would do more to help constrain rents than an array of short-term ordinances. More housing inventory will also generate greater tax and fee income for the county. Regulatory ordinances and bodies, on the other hand, will increase government costs and can often have serious unintended consequences. Sometimes they are downright counterproductive.

We commend the Board's efforts to increase the supply of affordable housing and urge you to accelerate them with a strong sense of urgency. First, the fires in the North Bay will put pressure on housing costs all over our area, including Marin, so the need for concrete progress is growing by the day. Second, the Board can take advantage of new funding from the state that was authorized by the state legislature in September – with a much larger subsidy amount up for voter approval next fall. The supervisors can make sure county residents benefit from that funding by incentivizing sensible development and housing rehabilitation.

First, the board must do more to make development sites available with appropriate zoning. We urge the Board to make the existing Housing Overlay Designation for affordable housing more effective. This overlay is for specific sites in the County that have been identified as suitable for housing densities above what would otherwise be allowed, especially if they include a high percentage of units as affordable housing. The existing overlay has been in place since 2007 and there have been no new affordable units developed in such areas since then, according to Supervisor Connolly as quoted in the *Independent Journal*.

That lack of production over 10 years is prima facie evidence of the need for a more aggressive approach toward encouraging (not just allowing) higher density development, which is crucial to affordability. This letter does not allow for a lengthy examination of this issue, but we will be happy to help the board explore ways to improve in this regard.

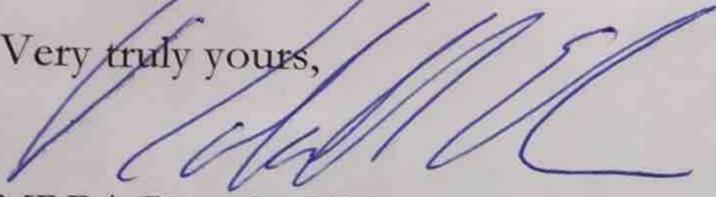
There are a number of additional steps the county should take that will make increasing the supply of affordable housing more feasible. We suggest a few of them here:

- ✓ Provide home purchase assistance in the form of down payment, closing cost, or low-interest loan assistance to qualifying homebuyers, including low- to moderate-income residents who also work in Marin.
- ✓ Implement JADU/ADU outreach programs, as was mentioned at the August 1 Supervisors' meeting.
- ✓ Encourage construction of affordable housing projects with such incentives as:
 - Priority processing and expedited review for building and planning approvals
 - Impact fee reductions or exemptions, deferral of fees (e.g. until low- or moderate-income housing units are sold or ready for occupancy)
- ✓ Assist households with the costs of rehabilitation and maintenance, as Sonoma County has done with the Property Assessed Clean Energy (PACE) program.

In closing, we appreciate that Board members are listening to the public and to local property owners on the affordable housing issue. We are encouraged that the Board remains open-minded and is striving to implement effective solutions. We look forward to remaining partners in these

discussions and in support of affordable housing.

Very truly yours,



MRPA Board of Directors

Robert Elam, President

Ian Gruber, Secretary

Rob Howe, Treasurer

Brent Jarcik, Director

Dan Descalso, Director

Jim Apffel, Director

Andre Shashaty, Honorary Director

Gail Connolly, President Emeritus

Marin Rental Property Association (MRPA) is Marin County's local apartment association serving rental property owners and managers since 1976. We have almost 200 members and active attendees managing or owning over 2,800 units in the North Bay, mostly in Marin County. MIPA's mission is to provide our members tools and resources for success in operating and managing their rental properties.

Sackett, Mary

From: Scott Gerber <scott@bradleyrealestate.com>
Sent: Monday, December 04, 2017 12:11 PM
To: Connolly, Damon
Subject: Rent Affordability Concern

Hi Damon,

1. By putting a proposed 5% rent increase ordinance in place, more Marin County residents will have their rent increased than if there were no such ordinance.
2. Such a move would be considered a flagrant attack on rental housing providers. You will lose the help and cooperation of the housing providers that you rely on for workforce housing.
3. Any such ordinance is a thinly veiled form of rent control, which will only exacerbate an already imbalanced supply. Think about it, you are getting ready to take a leap and become a rental property owner, then you read in the newspaper about new regulations that would make that decision more difficult and less appealing. A challenging business just became a non-starter.

These are just a few reasons, besides the obvious reduction in property values, impact on assessments and property taxes, and costs to administer such a program-Millions.

Thank you for taking a sensible approach to the challenge and building on previous progress you have made, by choosing not to support something the people of Marin County do not want.

Scott Gerber
Managing Director



851 Irwin Street
San Rafael, CA 94901
415-482-3170 office
415-215-3333 mobile
scott@bradleyrealestate.com
www.scottgerber.com

Sackett, Mary

From: Carolyn Svenson <carolyn@marinsfhomes.com>
Sent: Monday, December 04, 2017 10:40 AM
To: Connolly, Damon
Subject: RENTAL HOUSING MANDATORY MEDIATION

Dear Damon,
I happily voted for you in run for Board of Supervisors.

I am very concerned about the vote coming up 12/5 regarding rental housing. This is a slippery slope.

I own impeccable rentals in San Rafael. My husband and I are retired, and the majority of our retirement income comes from our rentals; we deliberately planned our retirement based on these rentals and on the gradual increase in rents helping our income stream stay current with inflation. We work very hard at creating great living spaces for our tenants. It is not reasonable for "the state" to come into our lives and tell us how to operate our business(other than health and human safety). You will be hurting hard-working owners and their retirement plans by suddenly dropping rent controls on us like a bomb. And rent control like this will also greatly reduce our ability to sell our rentals at fair market value because the values will be diminished by rent control laws.

It is beyond the purview of government to get into owners' pocketbooks.

While I am a liberal Democrat, I do not believe that any governmental agency has the right to force me to run my business, my rental property, in any way other than health and human safety issues. We are counting on you, Damon, to bring some common sense to this issue. While I feel for the people who need housing costs reduced, it's only fair to balance that concern with the people who have earned their way into affordable housing and ownership and to not penalize us.

Thank you, Damon.

Carolyn Svenson

415-720-4773



Myra Drotman
43 Irving Drive
San Anselmo, CA 94960

December 4, 2017

Re: **NO ON MANDATORY MEDIATION**

Dear Board of Supervisors and their staff,

In the past, there was a voluntary mediation department that helped with landlord/tenant issues as well as disputes between neighbors. I used this voluntary mediation a few times and it was very helpful. Please put back the voluntary mediation. **However, I am against mandatory mediation for many reasons.**

There are two main problems with the cost of housing in Marin. The first is the high cost of construction and repairs. The building department of Marin and the cost of doing business in Marin makes it extremely expensive to maintain buildings in Marin. The building department has become a for profit agency. There is not a simple fee to get a permit. It has become a percentage of the cost of the project. A kitchen remodel now costs about \$30,000 and the building department wants a 10% fee, or about \$3,000, for the permit. The last time I enquired at building about a kitchen remodel permit. I was told that engineering plans would be required. Now the cost of a simple kitchen remodel has increased by another \$10,000. A \$30,000 remodel is now \$43,000 with the additional \$13,000 of county costs and requirements.

I need to repair/replace a laundry room for a 6 unit apartment building Marin. The initial estimates to do this were \$25,000. By the time I received the permit from the building department the cost has skyrocketed to approximately \$100,000. This is 4 times the original estimate. How do I manage to have 6 families pay to have a safe laundry room that the county requirements made cost \$100,000? The ADA, building, engineering, architectural requirements all quadrupled the original estimate for this project. This is the current situation in Marin County.

Please just tell the truth, that providing safe housing in Marin County is expensive and there is no way around that simple fact. Marin has older housing stock that requires seismic upgrades, new windows, new roofs. All of these things require expensive permits and engineering plans that also include new fire prevention materials, etc.

I am also fearful of how you will keep the statistics on this mandatory mediation.

The people of Marin want Marin to stay small towns. The bigger you make government the more expensive government becomes. The tail wags the dog and this becomes bad fiscal policy. The people of Marin want Marin to stay small town and are against huge housing developments. Do not punish the

landlords who live in Marin and struggle to provide safe housing. Do not push urban rent policies when your voters want small town policies.

Your voters want Marin to stay small town. I implore you to keep our government simple also. I also implore you to understand the issues facing landlords to maintain safe and habitable housing in our county. Understand what the planning and building department is enforcing and speak to landlords about the problems we face. Ultimately, safe housing is of primary importance.

Can you get the building department to reduce fees on multi-unit buildings? Can you get the building department to streamline the permit process for multi-unit buildings so work done more quickly thereby decrease vacancy?

Limit Airbnb, allow more infill and auxiliary dwelling units, don't allow duplexes to be turned into single family homes.

Below is from Marin Rental Property Association.

- We are committed to finding practical solutions to alleviate the affordable housing shortage in Marin. As you know, Marin Rental Property Association partnered with the Marin Housing Authority last year to increase landlord acceptance of Section 8 and other subsidized tenants. We also agreed to voluntarily cap our rent increases to no more than ten percent (10%) in any given year.
- We encourage the Board to pursue strategies which increase housing production. More housing is the only lasting solution to the problem of affordability, and this would do more to help constrain rents than an array of short-term ordinances. More housing inventory will also generate greater tax and fee income for the county to assist those in need of housing.
- We do not see a significant potential benefit from requiring mediation between tenants and landlords over rent hikes. Most MRPA members are "Mom and Pop" owner/operators. They try to be reasonable in how much they raise rents, and how quickly they raise them.
- In the cases where owners exceed reasonable increases, we do not see mediation as a feasible way to help tenants. It would require a great deal of effort and many resources to implement. We urge you to look carefully at examples of similar programs before acting to implement one here. An ineffective program is worse than no program at all.
- Such a program would require significant effort and cost, including finding mediators who are or can be fully up to speed on the cost of operating apartments and apartment market conditions. Finding good mediators who could help with a significant volume of cases at a low or moderate cost to the county or the participants would be difficult, resulting in little more than frustration on the part of tenants seeking such help.

Myra Drotman
415-457-5445

COALITION FOR A LIVABLE MARIN

...TO CREATE AND MAINTAIN VIBRANT, INCLUSIVE, AND SUSTAINABLE COMMUNITIES

December 4, 2017

Board of Supervisors
County of Marin
3501 Civic Center Drive
San Rafael, CA 94902

Dear President Arnold,

We write in support of staff's recommendation for a Rental Housing Dispute Resolution program (Mandatory Mediation). In particular, we recommend including all potential additional provisions listed in the Addendum (Sections 5.95.100 – 5.95.120) which will make the program more effective.

However, we feel this step will not have a significant impact and needs to be supplemented by several additional programs. As your Board has recognized time after time, our county is in a housing crisis. As quoted in a recent article in the IJ concerning the impact of the housing shortage on children:

The members of the Marin County Board of Supervisors have called the county's housing situation a crisis and have made the issue one of its highest priorities. Thirty-six percent of Marin residents are renters, but there is a severe shortage of available rental units at prices considered affordable for medium- and lower-wage earners. In the past two years, 70 percent of Marin hires are people who do not live in Marin – a sign that many believe is tied to local unaffordability.

Reasons for This Crisis

While there is certainly a lack of housing in other regions of the country, in Marin, we are in a perfect storm:

- Not only were we in a secular shortage of housing in the State of California, but that shortage is made all the more acute by a combination of a booming job market, especially for tech workers, combined with a well-documented housing shortage in the entire Bay Area resulting in massive displacement.
- We are also in a cyclical shortage of housing due to a combination of forces from the 2008 recession. These include a growing investment in single family homes for rentals, both short and long term, and a decline in the number of smaller building contractors who were unable to survive the great recession.
- Furthermore, we are experiencing two critical emergencies. First, due to the cancellation of DACA, many of our residents who, while performing much of the work required in Marin, especially in the construction and service trades (needed for such programs as Lilipad Homes), are increasingly vulnerable. Their stability and ability to exercise their rights as tenants are threatened. One need not go any further than the front door of Legal Aid of Marin which announces that, unless a case of eviction is already in court, Legal Aid does not have the

resources to take on other tenant protection work. Finally, the second emergency has been recognized by Governor Brown who recently extended a proclamation preventing rent gouging in three of the counties most effected by the recent fires which displaced over 5,000 people. The impacts of the fires extend far beyond the borders of those three counties, and the rental market in Marin has not been spared.

Bold Actions are Called For

There has never been a more critical time for protection of those least able to absorb these harsh realities - our low-income workers, our people with disabilities, people who cannot or have not been able to access credit or to save for a down payment, and people who are facing displacement.

The apparent inability to provide affordable multi-family homes in Marin has left many residents with extremely painful decisions affecting their health, their children's access and ability to take advantage of education, and the diversity of our community. Employers are faced with recruiting from far and wide as the average wage paid in Marin is below the median income, and access to affordable housing is based on median income and is therefore not affordable to many who earn the average wage, or below, in Marin.

We call upon your board to recognize the housing emergency and take bold steps to address it. Since your Board held your most recent housing workshops the situation has become dire.

Just Cause Eviction

It is time to act to turn the corner to meet the challenges of the day. Most immediately, the Board should not defer consideration of a Residential Landlord and Tenant Relations (Just Cause Eviction) ordinance. This is a basic requirement for helping to assure that renters are treated fairly by their landlords and has several benefits including helping to assure that rental units are healthy and in good repair by preventing arbitrary or retaliatory evictions. Residents know their rights but are reluctant to exercise them because of the precarious position they are in relative to the property owner. Access to legal assistance is extremely difficult in these times of crisis.

Other Effective Steps

In addition, we urge your Board to take the following actions on an expedited timeline:

- a) Request Governor Brown to include Marin in the State of Emergency related to the fires which would include a prohibition against rent gouging (or adopt a similar policy within the County);
- b) Implement an emergency temporary rent freeze for a period of six month renewable if the crisis persists;
- c) Provide emergency funding to agencies such as Legal Aid of Marin who can help residents protect their rights;
- d) Direct staff to review all land holdings by the County and its agencies for candidates for development of permanent affordable housing or creation of a land trust;

- e) Adopt upzoning and accelerate staff's review of the Housing Overlay Zone and other reforms which will incentivize the construction of multi-family affordable housing;
- f) Direct staff and the Planning Commission to implement the full force of the State Housing Package recently signed by Governor Brown to streamline the approval process and adopt by-right zoning;
- g) Strengthen relationships with non-profit developers in order to remove impediments to the provision of new affordable housing, and hold workshops to demonstrate Marin's desire to work constructively to provide affordable housing.

Thank you for your consideration of this important subject. Your Board has a great opportunity to provide meaningful relief to those in our community who face an increasingly difficult environment. We call upon our entire community, with you as our leaders, to initiate programs which will enhance livability and promote a sustainable Marin.

Kiki LaPorte
for the Steering Committee
Coalition for a Livable Marin

La Rue, Debbi

From: Thomas, Leelee
Sent: Monday, December 04, 2017 2:15 PM
To: La Rue, Debbi
Subject: FW: Mandatory mediation

Follow Up Flag: Follow up
Flag Status: Flagged

From: Alden, Leslie
Sent: Monday, December 4, 2017 2:03 PM
To: Patterson, Diane <DPatterson@marincounty.org>; Lai, Thomas <TLai@marincounty.org>; Thomas, Leelee <LThomas@marincounty.org>; Darby, Liz <LDarby@marincounty.org>
Cc: Sears, Kathrin <KSears@marincounty.org>; Parton, Maureen <MParton@marincounty.org>
Subject: FW: Mandatory mediation

Keeping you in the loop

Leslie Alden

Aide to Supervisor Kathrin Sears
Southern Marin - 3rd District, County of Marin
3501 Civic Center Drive, Suite 329
San Rafael, CA 94903
P: 415.473.7331 F: 415.473.3060

From: Eric Andrewsen [<mailto:eandrewsen@comcast.net>]
Sent: Monday, December 04, 2017 1:30 PM
To: Alden, Leslie
Subject: Mandatory mediation

Dear Ms. Alden,

I live in unincorporated Strawberry. I have owned a duplex rental in unincorporated Tam Valley since 1977. I have tried to be fair with the rents I charge, which is less than market value. I was concerned when I read about the possibility of mandatory mediation if I tried to raise the rent above 5%. I like having the rent a bit below market as my tenants have been there close to 20 years. Over the past year, my variable rate mortgage has increased about \$700 per month. I raised the rents \$500 per month (total both units), so I lose \$200 per month in the deal. The rents are still under market, but I would have had to go through mandatory mediation because I raised the rents more than 5%, but less than 10%. This doesn't seem right.

It sounds like rent control to me, complete with registering units, paying fees, and supporting a new bureaucracy. I am totally behind limiting rent increases to a maximum of 10%, but really don't like the idea of a new government bureaucracy telling me what to do.

I think you should focus on the supply/demand imbalance and streamline the process for building new housing in Marin. Maybe give temporary tax breaks or other incentives to builders/owners of rental property to stimulate growth.

Thank you,
Eric Andrewsen
219 Richardson Drive
Mill Valley, CA 94941

La Rue, Debbi

From: Crawford, Brian
Sent: Monday, December 04, 2017 2:39 PM
To: Thomas, Leelee; La Rue, Debbi
Subject: FW: rental housing dispute resolution ordinance

Fyi

Brian C. Crawford
DIRECTOR

County of Marin
Community Development Agency
3501 Civic Center Drive, Suite 308
San Rafael, CA 94903
415 473 [6278] T
415 473 [7880] F
CRS Dial 711
bcrawford@marincounty.org

From: Sears, Kathrin
Sent: Monday, December 04, 2017 2:01 PM
To: Crawford, Brian
Subject: rental housing dispute resolution ordinance

FYI

Supervisor Kathrin Sears
Southern Marin - 3rd District, County of Marin
3501 Civic Center Drive, Suite 329
San Rafael, CA 94903
P: 415.473.7331 F: 415.473.3060

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From: Gita Honey [<mailto:gitalhoney@gmail.com>]
Sent: Monday, December 04, 2017 9:41 AM
To: Rice, Katie; Sears, Kathrin; Rodoni, Dennis; Arnold, Judy; Connolly, Damon
Subject: rental housing dispute resolution ordinance

Dear Supervisors,

I am a long standing member of Marin Rental Property Association. Last year the association worked with the Marin Housing Authority to increase landlord acceptance of Section 8 and cap rent increases to no more than ten 10% percent a year.

All these proposals for the ordinance lead to rent control. San Francisco has rent control, yet it remains one of the most expensive rental market in the country. What determines the rental market is supply and demand. That is why I would like to the Board to pursue strategies which increase housing production. More housing is the only lasting solution to the problem of affordability. More housing inventory will also generate greater tax and fee income for the county.

I am opposed to mediation between tenants and landlords over rent increases and especially over rent decreases brought on by so called reduced services. This would require a great deal of effort and many resources to implement. It would require finding mediators who are or can be fully knowledgeable in the cost of operating apartments and apartment market conditions in Marin. This ordinance would create cost for the County but creating more housing would bring income in the form of property taxes and fees.

Most of us are small rental operators of two to six units who try to keep rents reasonable and who cannot afford the time or the cost of these proposed ordinances. And for some of us, like myself, it is our retirement or living. It would really create a financial hardship.

I urge the Board to not to pass the proposed ordinances.

Margarit Honey

La Rue, Debbi

From: Crawford, Brian
Sent: Monday, December 04, 2017 2:40 PM
To: Thomas, Leelee; La Rue, Debbi
Subject: FW: Mandatory Mediation

Follow Up Flag: Follow up
Flag Status: Flagged

fyi

Brian C. Crawford
DIRECTOR

County of Marin
Community Development Agency
3501 Civic Center Drive, Suite 308
San Rafael, CA 94903
415 473 [6278] T
415 473 [7880] F
CRS Dial 711
bcrawford@marincounty.org

From: Sears, Kathrin
Sent: Monday, December 04, 2017 2:01 PM
To: Crawford, Brian
Subject: Mandatory Mediation

FYI

Supervisor Kathrin Sears
Southern Marin - 3rd District, County of Marin
3501 Civic Center Drive, Suite 329
San Rafael, CA 94903
P: 415.473.7331 F: 415.473.3060

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From: Andre Shashaty [<mailto:ashashaty@earthlink.net>]
Sent: Monday, December 04, 2017 11:26 AM
To: Sears, Kathrin
Subject: Mandatory Mediation

Dear Supervisor Sears:

I am writing to express opposition to the mandatory mediation law to be read tomorrow. I understand the political pressures here, and I know it is tempting to pass this so the board can say tenants are being heard.

But it's not a real solution to housing affordability, and it will do nothing to slow the growth of a crisis. It will only create more headaches for supervisors and staff as they take on the work of administering it effectively.

I am confident you have the vision to see that.

Ms. Sears, you and the other supervisors have no choice but to confront the constraints on housing supply here. It's like global warming. You can work around the edges, you can deny it exists, but the housing crisis here WILL be a problem for decades to come, and it WILL get worse without very decisive action.

The only viable solution to the housing crisis is a completely new approach to housing production. Your only meaningful and long-lasting alternative to finally embracing production (despite NIMBY) is to SHUT DOWN all economic growth in Marin. No more permits for any retail or commercial properties to be renovated or built. No encouragement of job creation. No growth in retail or property tax revenue.

It is a reckoning that is hard as hell, but one that real leaders with real vision have to make. We cannot keep having job growth, including legions of home health care workers for our aging population in their very expensive homes, without supplying housing. That means building homes and apartments in high density configurations, as every other close-in county in the Bay Area recognizes.

Mandatory mediation will help a few people at a high cost, but it won't do much for those who are and will remain completely priced out of our county. It certainly won't help the homeless. I oppose the use of county resources to implement a program that will, at best, save a small number of people a small amount on their rent.

It's a palliative measure that may win some votes but won't solve the problem.

Sincerely,

Andre

Andre Shashaty

1010 B St. Suite 200
San Rafael, CA 94901

415-453-2100

Connolly, Damon

From: George Hunter <gandjhunter@comcast.net>
Sent: Monday, December 04, 2017 2:58 PM
To: Connolly, Damon
Subject: Mandatory Mediation

Damon,

This proposal makes us want to sell out and leave land-lording to other people . We agreed not to raise rents more than 10 percent . We don't raise rents every year . The majority of the time when we do raise rents it's 5 percent . This proposal if put in place will force us to raise rents every year ! We have 18 units . Please don't support this proposal .

Janet and George Hunter
Sent from my iPhone

La Rue, Debbi

From: Sackett, Mary
Sent: Monday, December 04, 2017 3:18 PM
To: La Rue, Debbi; Thomas, Leelee; BOSAgenda
Cc: Connolly, Damon
Subject: FW: Proposed Mandatory Mediation Program for Rental Housing to be considered 12/5/17

Follow Up Flag: Follow up
Flag Status: Flagged

From: ccmcgraw@aol.com [mailto:ccmcgraw@aol.com]
Sent: Monday, December 04, 2017 3:15 PM
To: Connolly, Damon <DConnolly@marincounty.org>; Clark, Susannah <SClark@marincounty.org>; Sackett, Mary <MSackett@marincounty.org>; Rice, Katie <KRice@marincounty.org>; Gauna, Jennifer <JGauna@marincounty.org>; Vernon, Nancy <NVernon@marincounty.org>; Sears, Kathrin <KSears@marincounty.org>; Alden, Leslie <LAlden@marincounty.org>; Parton, Maureen <MParton@marincounty.org>; Rodoni, Dennis <DRodoni@marincounty.org>; Kutter, Rhonda <RKutter@marincounty.org>; Cordova, Lorenzo <LCordova@marincounty.org>; Arnold, Judy <JArnold@marincounty.org>; Albert, Tanya <TAlbert@marincounty.org>; Weber, Leslie <LWeber@marincounty.org>
Subject: Re: Proposed Mandatory Mediation Program for Rental Housing to be considered 12/5/17

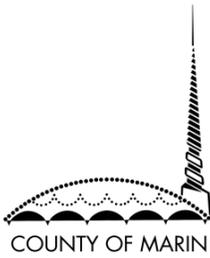
Dear Supervisors,

I am very much opposed to the Mandatory Mediation Proposal for Rental Housing Dispute Resolution!!! That's all we need is one more time consuming and costly proposal that will accomplish nothing!!! Who are the supervisors specifically who proposed this? I would like to know who they are... and I would like them to know that this is nothing more than one more costly headache for everyone! NO thanks!

Sincerely,

Cecilia McGraw
65 Fairway Dr.
San Rafael, CA. 94901

p.s. I would very much appreciate a response. Thank you very much.



COMMUNITY DEVELOPMENT AGENCY
HOUSING AND FEDERAL GRANTS DIVISION

TO: Members, Board of Supervisors
Matthew Hymel, County Administrator/Clerk of the Board

FROM: Debbi La Rue, Planner

DATE: December 5, 2017

RE: **December 5, 2017 Agenda Update**

Policy Agenda Item #21

First Reading: Ordinance establishing a Rental Housing Dispute Resolution (Mandatory Mediation) program, and receive presentation from the Housing Subcommittee regarding recommendation to defer consideration of a Residential Landlord and Tenant Relations ordinance (Just Cause for Eviction) for twelve months.

Additional public comment regarding this item received by the Community Development Agency as of 12:00 p.m. on December 5, 2017 is attached.



Fair Housing Advocates of Northern California

1314 Lincoln Ave., Ste. A, San Rafael, CA 94901 ▼ (415) 457-5025 ▼ TDD: (800) 735-2922
www.fairhousingnorcal.org ▼ fhanc@fairhousingnorcal.org

December 5, 2017

BY EMAIL ONLY (DLaRue@marincounty.org)

Board of Supervisors
County of Marin
3501 Civic Center Drive, Suite 329
San Rafael, CA 94903

RE: Proposed Rental Housing Dispute Resolution ("Mandatory Mediation") Ordinance and Residential Landlord and Tenant Relations ("Just Cause for Eviction") Ordinance

Dear Board Members,

On August 1, 2017, the Board of Supervisors referred two policy options identified in the work plan to preserve housing affordability and prevent displacement back to the Board Subcommittee for further consideration: Mandatory Mediation and Just Cause for Eviction. The Mandatory Mediation ordinance establishes a dispute resolution program for tenants who receive rent increases greater than five percent within a twelve-month period and/or changes to housing services commensurate to a rent increase of greater than five percent within a twelve-month period, addressing rapid increases in housing costs. The Just Cause for Eviction ordinance would prevent the termination of renter's leases without cause, providing greater security and stability for responsible tenants while retaining landlords' rights to terminate a lease for valid reasons, such as non-payment of rent or any other violation of a lease agreement.

Fair Housing Advocates of Northern California (FHANC) wholeheartedly supports **both** a Mandatory Mediation Ordinance, including the potential additional provisions identified in Sections 5.95.100-5.95.120, and a Just Cause for Eviction Ordinance. FHANC urges the Board to reject the Board Subcommittee's recommendation to defer consideration of a Just Cause ordinance for one year, and instead implement an integrated ordinance or coordinated ordinances drawing upon features of both policies. FHANC believes such a joint ordinance is a crucial step to preserving affordable housing for the most vulnerable populations in the county who are protected under federal and state fair housing law.

We have previously addressed the fact that the burden of unaffordability in Marin County is borne by tenants who are harmed by the current lack of affordable housing, and that many devote half or more of their monthly income towards their rent in order to live in the County. At worst, they are forced out of the County altogether or face homelessness. We continue to see those tenants at our agency. For those who choose to stay near the jobs, schools, or support systems that sustain them, the choice is sometimes living in a car or couch-surfing. For families with children or people with



A local non-profit helping communities eliminate housing discrimination

TDD: CALIFORNIA RELAY SERVICE FOR THE HEARING OR SPEECH IMPAIRED: (800) 735-2922
SE HABLA ESPAÑOL - NẾU CẦN GIÚP ĐỠ BẰNG TIẾNG VIỆT NAM XIN LIÊN LẠC SỐ: (415) 847-2747

disabilities, staying housed becomes exponentially more difficult.

Marin County's 2010 Analysis of Impediments to Fair Housing Choice ("AI") found that Hispanic, Asian, and particularly Black households are not moving into Marin County in appreciable numbers. The AI concluded that Latino and Black renters and families with children experience adverse differential treatment in the housing market. According to HUD data, 59% of complaints from Marin County filed with HUD and DFEH from 2015-2017 alleged disability discrimination; during that same time period, 21% of complaints filed alleged familial status discrimination and 14% alleged discrimination based on national origin and 14% on race. Also according to the AI, families with children and people with disabilities are impacted by the lack of new construction and the aging of existing housing stock. The lack of available rentals with more than one bedroom creates a barrier to housing choice for families with children. The AI noted that the County's disproportionately elderly population faces particular impediments to fair housing choice due to physical disabilities that are closely linked to advancing age.

FHANC's systemic investigations during the last several years have uncovered discriminatory practices in Marin County, such as offering fewer units, quoting higher rents, and stating more burdensome qualification requirements for Latinos, Blacks, families with children, and persons with disabilities. FHANC's complaint-based investigations in recent years have also uncovered similar discriminatory practices. Some clients who received a no-cause termination notice or an excessive rent increase felt that the issuance of the notice was due to discriminatory reasons, particularly if they were the only family at the complex, or African-American or Latino, who received such a notice, for instance. As housing providers are permitted to provide a rent increase in any amount and terminate a tenancy for no reason at all, members of protected classes increasingly feel as though they have been discriminated against.

Implementing a joint Mandatory Mediation and Just Cause for Eviction ordinance would limit excessive rent increases and would provide responsible tenants with assurances that they can have a stable home so long as they abide by the terms of the lease, or the housing provider doesn't have other cause to end a tenancy. Limiting the maximum amount of rent increases for month-to-month tenants and the basis for which tenancies can be terminated will help reduce discrimination against in-place tenants and displacement of members of protected classes. In order to be effective, both ordinances must be implemented simultaneously.

Until there is a Just Cause for Eviction ordinance, a housing provider can terminate a tenancy for no reason at all for month-to-month tenants, providing only 30, 60, or 90 days' notice (depending on the length of tenancy and whether a housing subsidy is used). Furthermore, without a Mandatory Mediation ordinance, a housing provider could issue an excessive rent increase that could have the same result as a termination notice and the same repercussions for the individual and community. Moving with limited notice poses a number of difficulties for people with physical disabilities, whose homes were possibly modified to meet their needs or have other attributes that are necessary because of a disability, such as being located on a ground floor. In addition, families with children face additional challenges, as the location of their home is often tied to a school district or possibly a specific school that meets the disability-related needs of a child. The tight rental market magnifies these problems, particularly as there is a dearth of units with more than 1 bedroom.

The devastation caused by the recent wildfires in the North Bay has only exacerbated the effects of an extremely tight rental market. We have yet to appreciate how the loss in housing stock (many of which house Marin County employees) in neighboring cities will affect the housing crisis in Marin, which already has less than a 3% vacancy rate for rentals. However, one fact remains clear – when there are a lack of rental protections for tenants, it is members of protected classes who are targeted and/or suffer disproportionately, contributing to the County's segregated housing patterns.

In the wake of the North Bay fires, we have received numerous calls from tenants living in Sonoma

County who have received notices terminating their tenancy rather than rent increases, an apparent attempt to avoid the consequences of Governor Brown's executive order protecting tenants from rent gouging. The majority of the tenants who have contacted our agency are low-income and members of protected classes, including people with disabilities, families with children, and Latinos. Due to the shortage in available housing and, often, discrimination they experience in their search for new housing, these individuals have difficulty securing new housing within the same community and are forced to relocate to other cities or counties. We are watching closely for the fair housing issues as they emerge following the fires, but given the unknown consequences on the local housing market and members of protected classes, it is more important than ever to provide tenants with the rental protections afforded by both the Just Cause for Eviction ordinance and Mandatory Mediation. *We must do more to keep people housed in this county.*

Should the Board defer consideration of a Just Cause for Eviction ordinance for one year, housing providers can take advantage of the existing power imbalance over renters in Marin and loopholes in the Mandatory Mediation program – for instance, by terminating the existing tenant's tenancy and subsequently charging any rental amount desired rather than issuing a rent increase in excess of five percent in a twelve-month period, as we are seeing currently with Sonoma County residents following the fires.

The County has obligations under federal law to affirmatively further fair housing, and we applaud the Board of Supervisors for advancing the Mandatory Mediation ordinance and considering the Just Cause for Eviction ordinance. For the reasons detailed above, we urge you to implement the Just Cause for Eviction ordinance without delay. Adopting a joint ordinance is an important step toward making housing more affordable in Marin County, and positively impact people of color, families with children, and people with disabilities.

Please don't hesitate to contact us with any questions you have.

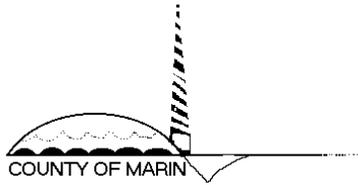
Sincerely,



Caroline Peattie
Executive Director



Casey Epp
Supervising Attorney



SUPPLEMENTAL MEMO

Tuesday, December 5, 2017

Board of Supervisors Chambers, Room 330, Civic Center

POLICY AGENDA ITEM #21

21. First Reading: Ordinance establishing a Rental Housing Dispute Resolution (Mandatory Mediation) program, and receive presentation from the Housing Subcommittee regarding recommendation to defer consideration of a Residential Landlord and Tenant Relations ordinance (Just Cause for Eviction) for twelve months.

Attached is additional correspondence received by the Clerk of the Board on the above-captioned item subsequent to the distribution of the agenda update memo.

Distributed 12:00 p.m. 12/5/17

#21
12/5/17

La Rue, Debbi

From: Parton, Maureen
Sent: Friday, December 01, 2017 12:42 PM
To: BOS; BOS - Aides
Subject: FW: NO mandatory mediation over rent increases

Please share the first message below from Mr. Piro and my reply.

Thanks,
Maureen

From: Parton, Maureen
Sent: Friday, December 01, 2017 12:41 PM
To: 'mpiro@montgomerypartners.com'
Cc: Sears, Kathrin; Alden, Leslie
Subject: RE: NO mandatory mediation over rent increases

Hi Michael,

Thank you for your message. I have passed this forward to Supervisor Kate Sears and to the other members of the Marin Co. Board of Supervisors as well as County planning staff.

We appreciate your thoughtful perspective and also your management of units here in Marin.

We hope you read about our successful [landlord partnership program](#) taken by the County in conjunction with the Marin Housing Authority. It's working well. You can read about this program and the details at the webpage link provided.

Best,

Maureen
Maureen Parton
Aide to Supervisor Kathrin Sears
County of Marin, Third District
3501 Civic Center Drive, Room 329
San Rafael, CA 94903

Phone: 415.473.7331

Fax: 415.473.3645

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From: mpiro@montgomerypartners.com [<mailto:mpiro@montgomerypartners.com>]

Sent: Friday, December 01, 2017 11:06 AM

To: Parton, Maureen

Subject: NO mandatory mediation over rent increases

Michael Piro would like information about:

Dear Maureen,

We are responsible landlords that own/manage approx. 2,000 units in California, 85 of those units being here in Marin County. We are committed to finding practical solutions to alleviate the affordable housing shortage in Marin. We encourage the Board to pursue strategies which increase housing production. More housing is the only lasting solution to the problem of affordability, and this would do more to help constrain rents than an array of short-term ordinances. More housing inventory will also generate greater tax and fee income for the county.

We do not see a potential benefit from requiring mediation between tenants and landlords over rent hikes. It would require a great deal of effort, cost and many resources to implement. We urge you to look carefully at examples of similar programs before acting to implement one here. We are also quite familiar with rent control as we also own in San Francisco and Los Angeles. Frankly, any mandatory mediation over a 5% rent increase and just cause eviction ordinance is just bad economic policy and a form of rent control, yet the effects would be unfortunate: tenants already face limited housing stocks that would become either run-down or unaffordable; landlords lose money as expenses continue to rise (i.e. Marin Water District increases), and ultimately stop investing and building altogether. Any mandatory mediation ordinance reduces the economic incentive for landlords to upgrade or repair properties as well as develop and maintain new real estate. Please do not go down that path.

Sincerely,
Michael Piro

La Rue, Debbi

From: HCAG Marin County <hcag.marin@gmail.com>
Sent: Monday, December 04, 2017 10:51 PM
To: BOS; Rice, Katie; Connolly, Damon; Sears, Kathrin; Arnold, Judy; Rodoni, Dennis
Subject: HCAG Letter to Board of Supervisors | 12/05/17 Meeting | Discussion of Mandatory Mediation
Attachments: HCAG Letter to Marin Board of Supervisors 120517 Meeting.pdf

Dear Supervisors,

The Housing Crisis Action Group (HCAG) would like to submit this letter regarding mandatory mediation. We write in support of the staff's recommendation for a Rental Housing Dispute Resolution program (Mandatory Mediation) and hope that the Board will consider how to make the program more effective and monitor its results. We also know that many Marin residents are facing arbitrary eviction and need protection now, not in a year. We urge the Board to consider additional measures to address our housing crisis, like a just cause eviction ordinance.

Thank you for your time.

--



Katie Koefman
Housing Specialist, Housing Crisis Action Group
hcagmarin@gmail.com | hcagmarin.org

 [Join Our Mailing List](#)



Lisa Bennett	Wendi Kallins	George Pegelow
Jeff Bialik	Larry Kennings	Megan Sintef
Lisel Blash	Kiki LaPorta	Jesse Taylor-Vermant
Doug Cooper	Crystal Martinez	Aaron Vad
David Haskel	Suzanne Sadowsky	
Luke Heslip	Betty Pagett	

HOUSING CRISIS ACTION GROUP

...To Create, Build, and Preserve Much-Needed Housing in Marin

hcagmarin@gmail.com | hcagmarin.org

December 4, 2017

(BY EMAIL ONLY)

Re: Mandatory Mediation Ordinance at the December 5, 2017 Board of Supervisors Meeting

Dear Marin County Board of Supervisors,

We are writing for the Housing Crisis Action Group (HCAG), a coalition of diverse organizations working to tackle the housing crisis in Marin County. We are a group of business leaders, city planners, union workers, environmental advocates, public servants, and educators, living and working in Marin. We **strongly support** the notion of mandatory mediation with tracked results and **urge** you to prepare staff to draft a just cause eviction ordinance as well.

Marin County’s housing production has not kept pace with job growth or our aging demographics. Due to a lack of housing supply, people who work in Marin cannot afford to live here. As affordability is impacted, people have longer commutes thereby leading their quality of life to deteriorate, limiting their ability to participate in their communities, and air and water quality to suffer. At HCAG, our mission is to create, build, and preserve much-needed housing in Marin.

Several months ago, the housing subcommittee, Supervisors Rice and Connolly, were asked to look further into mandatory mediation and just cause for eviction policies for the County and conferred on two recommendations: adopt a mandatory mediation ordinance, titled “Rental Housing Dispute Resolution,” and defer a just cause eviction ordinance titled, “Residential Landlord and Tenant Relations.” We look forward to deliberations on the mandatory mediation ordinance and thank the subcommittee for their speedy decision. However, we ardently urge against postponing a just-cause eviction ordinance for a year—Marin residents need this ordinance’s protection today and 12 months is simply too little too late. The urgency and importance of these policies cannot be overstated, especially in the wake of the North Bay fires. Since these would both be pilot programs, we believe in the necessity of monitoring results and presenting the findings in a 6-month report to evaluate the effectiveness of the program and improve the policy.

We support preserving housing to help younger people find a room to live in Marin, help people in the working class find a place closer to work, and enhance the ability of our older residents to age-in-community. Action taken 12 months from now, will be irrelevant to those who are facing arbitrary eviction notices today. We believe in the imperative for housing in Marin—we **support** the notion of mandatory mediation with monitored results and **urge** you to prepare staff to draft a just cause eviction ordinance as soon as possible, so we can ensure Marin is a great place to live for everyone.

Sincerely,

Diana Conti	<i>Southern Marin Activist</i>
Linda Jackson	<i>Marin Environmental Housing Collaborative</i>
Cynthia Murray	<i>North Bay Leadership Council</i>
Kris Organ	<i>California Alliance for Retired Americans</i>
Robert Pendoley	<i>Marin Environmental Housing Collaborative</i>

La Rue, Debbi

From: Sackett, Mary
Sent: Monday, December 04, 2017 3:33 PM
To: La Rue, Debbi; Thomas, Leelee; BOSAgenda
Cc: Connolly, Damon
Subject: FW: Mandatory Mediation

Follow Up Flag: Follow up
Flag Status: Flagged

From: John Shalavi [mailto:john@bcpartnersinc.com]
Sent: Monday, December 04, 2017 3:31 PM
To: Connolly, Damon <DConnolly@marincounty.org>; Clark, Susannah <SClark@marincounty.org>; Sackett, Mary <MSackett@marincounty.org>; Rice, Katie <KRice@marincounty.org>; Gauna, Jennifer <JGauna@marincounty.org>; Vernon, Nancy <NVernon@marincounty.org>; Sears, Kathrin <KSears@marincounty.org>; Alden, Leslie <LAlden@marincounty.org>; Parton, Maureen <MParton@marincounty.org>; Rodoni, Dennis <DRodoni@marincounty.org>; Kutter, Rhonda <RKutter@marincounty.org>; Cordova, Lorenzo <LCordova@marincounty.org>; Arnold, Judy <JArnold@marincounty.org>; Albert, Tanya <TAlbert@marincounty.org>; Weber, Leslie <LWeber@marincounty.org>
Subject: Mandatory Mediation

Dear Board of Supervisors

While I understand the concern about rent increases , I believe this measure does not help achieve that goal. Mandatory mediation will only cause landlords to hire attorneys and management staff to deal with the mediation thus increasing costs of property management. This will in turn result in higher rent increases because those costs will have to be passed on to residents, like any other business.

The mediation process will also cause an antagonistic relationship between residents and management because residents will feel that they can stop increases when in reality this mediation will not.

We own and manage 133 units in San Rafael and in 2017 we have not raised rents because the market has softened . Our YTD vacancy is running 8%. Our business is very cyclical and this cycle is already over so I don't foresee big rent increases for several years.

The only answer to keeping rents down is increasing supply. I hope you will focus on the core issue to remedy this problem for renters.

Thank you for the volunteer work that you do for our community.

--
John Shalavi
Bridge Capital Partners Inc.
Cell: (415) 999-5454
Office: (415) 461-6700
Fax: (415) 461-3628
john@bcpartnersinc.com
PO Box 1468
Ross, CA 94957

La Rue, Debbi

From: Connolly, Damon
Sent: Monday, December 04, 2017 4:00 PM
To: Hymel, Matthew; Thomas, Leelee; La Rue, Debbi; Crawford, Brian; BOSAgenda
Cc: Sackett, Mary
Subject: FW: Mandatory mediation

-----Original Message-----

From: Martin Neville [mailto:martinneville@comcast.net]
Sent: Monday, December 04, 2017 3:57 PM
To: Connolly, Damon <DConnolly@marincounty.org>
Subject: Mandatory mediation

Dear sir

Unfortunately I am in Europe or I would have attended the meeting

I am a property owner in San Rafael and am grateful that you take the time to read my email

I am certain you will have to consider many views

My points are :-

I would like to ask why the report is one sided - why does it not include examples of cities which have not adopted and a proper contrast of the pros and cons so as both sides may be considered

How many cities have actually adopted and how many have not

Why does it suggest that this process will not cost money and will not cause long delays when that is so clearly untrue

Where does 5 per cent come from

It is quite clear that the proposal to the board of supervisors is not an objective voice and why should the board of supervisors not have all the facts for and against in a report

I would also like to know if the city of San Rafael will follow this policy itself and in terms of fees and property tax exclusions and various other fees that are linked to market value will we see the city limit these to 5 per cent

There are existing agencies and systems in San Rafael that deal with tenants issues very well and why is a second system that will cost so much money being set up when restriction of rents will decrease market values and therefore reduce property taxes

Shortages of housing needs to be addressed and not more bureaucracy and costs to landlords who already pay heavy property taxes and comply with the laws in place

Sent from my iPhone

La Rue, Debbi

From: andyf@marincountyrealtors.com
Sent: Monday, December 04, 2017 4:15 PM
To: BOS
Subject: MAR position on Mandatory Mediation

Andy Fegley would like information about:
Dear Supervisors:

On behalf of the Marin Association of REALTORS®, I am writing to express concerns over the proposed “Mandatory Mediation” ordinance currently being fast-tracked through the process. While we agree with the spirit and intent of the ordinance, we believe that going from introduction to adoption in less two weeks eliminates from the legislative process much needed public discourse, input from stakeholders, and any semblance of fairness. At the very least, final consideration of an ordinance as far-reaching as this ought to be postponed until the first quarter of 2018 so that the County can work with the various stakeholder groups to craft an ordinance that is the right fit for all of Marin.

Regarding the contents of the ordinance, it is MAR’s position that the trigger should be 10%. The current staff report on the ordinance is devoid of any fact-finding or justification for the 5% trigger. Before serious consideration can be given, we feel the onus is on the County to provide such justification for that number. MAR commits to place the appropriate parties at the County in contact with property owners who can elaborate on the actual costs of owning and maintaining property in Marin – a fact that is clearly omitted from the staff report.

This ordinance affects all the rental housing in unincorporated Marin. It is our position that this ordinance, with the inclusion of single-family home and condominiums, appears to preempt the Costa-Hawkins Act. In particular, Section 1954.52(a) of the Act states:

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:

...
(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.

Because the proposed Mandatory Mediation Ordinance would impose additional conditions on the right of a single-family home or condominium unit owner to establish rental rates, it appears to conflict with Section 1954.52(a)(3)(A) of the Act. We respectfully request single-family homes and condos be exempt.

In closing, I want to reiterate our willingness to work with the County to craft legislation that is the right fit for Marin. Moreover, the Marin Association of REALTORS® supports the spirit and intent of the ordinance. Now that the ordinance is finally out in the open the real work can begin to address this issue. We believe all residents of Marin will be best served by a thorough and thoughtful conversation.

Sincerely,
Andy Fegley

CEO
Marin Association of REALTORS®

La Rue, Debbi

From: johnb@brannanrealtygroup.com
Sent: Monday, December 04, 2017 5:14 PM
To: BOS
Subject: Mandatory Mediation

John Brannan would like information about:
To whom it my concern:

Please reconsider this action. I agree with my colleagues and the Marin Association of Realtors that the trigger should be 10% and not 5%.

Thank you,

John Brannan

La Rue, Debbi

From: Sackett, Mary
Sent: Monday, December 04, 2017 5:23 PM
To: La Rue, Debbi; Thomas, Leelee; BOSAgenda
Cc: Connolly, Damon
Subject: FW: Ordinance on mandatory mediation

From: Keith Werner [mailto:keithwerner@gmail.com]
Sent: Monday, December 04, 2017 3:43 PM
To: Connolly, Damon <DConnolly@marincounty.org>; Clark, Susannah <SClark@marincounty.org>; Sackett, Mary <MSackett@marincounty.org>; Rice, Katie <KRice@marincounty.org>; Gauna, Jennifer <JGauna@marincounty.org>; Vernon, Nancy <NVernon@marincounty.org>
Subject: Ordinance on mandatory mediation

Dear Mr. Connolly and Ms. Rice,

I am writing in regards to the upcoming Board of Supervisors meeting. I want to voice my concern with the ordinance to establish a mandatory mediation program and/or a Just Cause for Evictions ordinance. It's my understanding that the impetus for these initiatives is to help tenants who currently already have an apartment to ideally keep that apartment (by avoiding steep increases in rents). However, I would argue that the focus should really be on the core of the issue here, which is the supply and demand imbalance of housing in Marin. Until we address that, housing costs will continue to rise and there will continue to be a push to further regulation as the only alternative. However, these ordinances also appear to favor one group of tenants, those already in an apartment with a reasonable rent, versus those who are looking, but who may have even more difficulty to find an apartment if these ordinances become law, because these initiatives could potentially lead to current apartments having artificially suppressed rents. In addition, these additional ordinances (not to mention the additional optional provisions) lead to added costs. Who should bear these costs? Many apartments are owned by small business owners in Marin who will have no choice but to pass on these costs to other tenants, albeit over a longer time frame if there's a 5% limit. Not to mention the arbitrariness of 5%. I'm old enough to have lived through the early 80s when inflation was 14% and now with huge tax cuts etc. whose to say we won't return to an era of higher inflation.

To sum up, I am asking that you please vote against these ordinances and rather push for more high density housing as the best long term solution. This additional supply would help the current imbalance to the benefit of all renters.

Thank you,

Keith Werner

La Rue, Debbi

From: Connolly, Damon
Sent: Monday, December 04, 2017 5:33 PM
To: Thomas, Leelee; La Rue, Debbi; BOSAgenda
Subject: FW: Mandatory mediation for 5% or more rent increases- I am against this

From: Sackett, Mary
Sent: Monday, December 04, 2017 5:27 PM
To: La Rue, Debbi <DLaRue@marincounty.org>; Thomas, Leelee <LThomas@marincounty.org>; BOSAgenda <BOSAgenda@marincounty.org>
Cc: Connolly, Damon <DConnolly@marincounty.org>
Subject: FW: Mandatory mediation for 5% or more rent increases- I am against this

From: Katie Hogan [<mailto:kathogan@aol.com>]
Sent: Monday, December 04, 2017 4:00 PM
To: Connolly, Damon <DConnolly@marincounty.org>; Clark, Susannah <SClark@marincounty.org>; Sackett, Mary <MSackett@marincounty.org>; Rice, Katie <KRice@marincounty.org>; Gauna, Jennifer <JGauna@marincounty.org>; Vernon, Nancy <NVernon@marincounty.org>; Sears, Kathrin <KSears@marincounty.org>; Alden, Leslie <LAlden@marincounty.org>; Parton, Maureen <MParton@marincounty.org>; Rodoni, Dennis <DRodoni@marincounty.org>; Kutter, Rhonda <RKutter@marincounty.org>; Cordova, Lorenzo <LCordova@marincounty.org>; Arnold, Judy <JArnold@marincounty.org>; Albert, Tanya <TAlbert@marincounty.org>; Weber, Leslie <LWeber@marincounty.org>; Connolly, Damon <DConnolly@marincounty.org>; Clark, Susannah <SClark@marincounty.org>; Sackett, Mary <MSackett@marincounty.org>; Rice, Katie <KRice@marincounty.org>; Gauna, Jennifer <JGauna@marincounty.org>; Vernon, Nancy <NVernon@marincounty.org>; Sears, Kathrin <KSears@marincounty.org>; Alden, Leslie <LAlden@marincounty.org>; Parton, Maureen <MParton@marincounty.org>; Rodoni, Dennis <DRodoni@marincounty.org>; Kutter, Rhonda <RKutter@marincounty.org>; Cordova, Lorenzo <LCordova@marincounty.org>; Arnold, Judy <JArnold@marincounty.org>; Albert, Tanya <TAlbert@marincounty.org>; Weber, Leslie <LWeber@marincounty.org>
Subject: Mandatory mediation for 5% or more rent increases- I am against this

To Whom It May Concern:

Landlords do still have some property rights associated with owning real estate. I hope you realize the importance of that.

To have landlords incur the hassle of dealing with yet another governmental agency/board to fiddle with when wanting to increase their rents more than 5% is unreasonable. There are many landlords that don't do annual increases, and realize a few years later that many of their expenses have gone up, and they need to raise the rents to cover their additional expenses, let alone trying to obtain some money back on their equity investment. If there is an additional hoop to jump through with a 5%

or more increase, I would assume landlords will be raising the rents more regularly to try to avoid this additional intervention by County officials.

To have to negotiate what the landlord wants with the tenant, is partially giving away the landlord's rights associated with ownership of real estate. So then the landlord has all the risk and liability, but not all the votes in the decision making process of what rent to ask.

The costs of trying to provide this service is not worth whatever perceived gains or benefits you are trying to bestow. If you want to save tenants money, I would hope that you want to save landlords money too. Try rolling back your expenses at the County, and giving everyone back some money. That would be a good start.

Thank you for your consideration of this very important matter.

Katie Hogan

Check out Marin Real Estate Statistics:

www.marinreports.com/catherinehogan

Catherine J. Hogan, Broker Associate

Madison Company, Realtors 

DRE#00597940

911 Sir Francis Drake Blvd.

Kentfield, California 94904

Cell: 415-259-8184

www.katiehoganrealtor.com

twitter: KHoganRealtor

Strawberry Shores Apartments
111 Seminary Drive
Mill Valley, CA 94941

December 4, 2017

Dear Supervisor Sears,

We oppose the proposed Mandatory Mediation program that the Board of Supervisors will consider at the hearing tomorrow afternoon because we do not believe that it will help with rents or housing services.

The proposed Mandatory Mediation will not be effective because the goal of mediation is to produce an agreement between the parties, and the parties are not likely to agree when there is no consequence for failing to agree. Mediation has been highly effective as an alternate dispute resolution procedure in arbitration or litigation because if the parties do not agree, the arbitrator, judge, or jury may decide the case against one or both of them. The parties generally decide to evaluate their rights in mediation, make their own agreement, and avoid the possibility of losing the case. The parties are not likely to agree in the proposed Mandatory Mediation program because there is no case to lose. The unsuccessful mediation will not lead to arbitration or litigation.

Making the mediation mandatory is not a good idea. While mediation has been very effective in the courts, it is not even mandatory there. The courts do not force the parties to mediate because the court cannot force the parties to settle in mediation.

The low prospects for success in a Mandatory Mediation program do not justify the considerable bureaucracy and cost necessary to administer the program. The cost could be significant because the county would have to hire mediators with a good understanding of market conditions and the cost of operating and maintaining an apartment complex. Charging the administrative costs to landlords puts pressure on the rents charged to tenants. Thus, the proposed program could well be counter-productive.

The best solution to rising rents is more housing. The county should focus its attention in that area. Moreover, there are already housing regulations that provide tenant protections. The California Apartment Association and our local Marin Rental Property Association keep property managers informed regarding these rules and regulations.

Very truly yours,

Felipe R. Santiago

Trustee

La Rue, Debbi

From: Alden, Leslie
Sent: Monday, December 04, 2017 5:35 PM
To: BOS; Crawford, Brian; Lai, Thomas; Thomas, Leelee; La Rue, Debbi
Cc: Sears, Kathrin; Parton, Maureen
Subject: FW: mandatory mediation - MRPA letter

FYI

Leslie

From: elam@elamproperty.com [mailto:elam@elamproperty.com]
Sent: Monday, December 04, 2017 4:53 PM
To: Alden, Leslie
Subject: RE: mandatory mediation - MRPA letter

thank you Ms. Alden.

I understand that Supervisor Sears may find this measure appealing or something like it. I am not saying we oppose this measure though others are. I am just saying that it needs to be adjusted preferably to apartment complexes with 16 units or more. That is usually when professional managers are brought in and the lawyers and the tenant does not have personal interaction with the owner. Smaller properties have personal interaction already and this proposal just drags out an ugly divorce. Besides, the state recognizes that an onsite manager is required by law for apartments with 16 + or more apartment units. Again, because tenants and authorities should know that the owner is on top of it.

I also believe the three options, including administrative fees, should be tabled for twelve months because those are absolutely new to the conversation, emanating from the staff report, and there has been zero feedback from the community.

Warm regards,

Bobby

----- Original Message -----

Subject: RE: mandatory mediation - MRPA letter
From: "Alden, Leslie" <LAlden@marincounty.org>
Date: Mon, December 04, 2017 3:56 pm
To: "'elam@elamproperty.com'" <elam@elamproperty.com>

Good Afternoon, Mr. Elam,

Thank you for sending your letter via "snail mail" as well as email. I have forwarded it to Supervisor Sears, as well as staff who are working on this issue. We very much appreciate that you reached out directly to our office to share your perspective, thoughts, and concerns.

Kind Regards,

Leslie Alden
Aide to Supervisor Kathrin Sears
Southern Marin - 3rd District, County of Marin

3501 Civic Center Drive, Suite 329
San Rafael, CA 94903
P: 415.473.7331 F: 415.473.3060

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[Follow Supervisor Sears on Facebook](#)

“Like” us on Facebook:



From: elam@elamproperty.com [<mailto:elam@elamproperty.com>]
Sent: Sunday, December 03, 2017 6:49 PM
To: Alden, Leslie
Subject: mandatory mediation - MRPA letter

Dear Ms. Alden,

Hope you had a pleasant and quiet Thanksgiving. I sent this letter by snail mail last week. Thought I would email it as well so you have it in your folder for the 12/5 and 12/12 board meetings. Thank you for your consideration. Look forward to working together on affordable housing issues for Marin, our home.

Warm regards,

Bobby

Email Disclaimer: <http://www.marincounty.org/main/disclaimers>

La Rue, Debbi

From: Sackett, Mary
Sent: Monday, December 04, 2017 6:12 PM
To: La Rue, Debbi; Thomas, Leelee; BOS
Subject: FW: Board of Supervisors Hearing on Mandatory Mediation

From: coxerect@aol.com [mailto:coxerect@aol.com]
Sent: Monday, December 04, 2017 5:44 PM
To: Connolly, Damon <DConnolly@marincounty.org>; Clark, Susannah <SClark@marincounty.org>; Sackett, Mary <MSackett@marincounty.org>; Rice, Katie <KRice@marincounty.org>; Gauna, Jennifer <JGauna@marincounty.org>; Vernon, Nancy <NVernon@marincounty.org>; Sears, Kathrin <KSears@marincounty.org>; Alden, Leslie <LAlden@marincounty.org>; Parton, Maureen <MParton@marincounty.org>; Rodoni, Dennis <DRodoni@marincounty.org>; Kutter, Rhonda <RKutter@marincounty.org>; Cordova, Lorenzo <LCordova@marincounty.org>; Arnold, Judy <JArnold@marincounty.org>; Albert, Tanya <TAlbert@marincounty.org>; Weber, Leslie <LWeber@marincounty.org>
Subject: Board of Supervisors Hearing on Mandatory Mediation

Supervisors,

Please, please, please do not start down this road to rent control. I realize that you are proposing a moderate version, but in all cities that have started down this road, they eventually end up with Berkeley style rent control which depresses property values, disincentives owners to maintain properties, greatly discourages new construction and makes enemies of tenants and the owners of the residences where they live. the only winners are lawyers. Countless studies have shown that rent controls don't work.

Please don't try to fix something that is not broken.

-Dennis Cox

La Rue, Debbi

From: Sackett, Mary
Sent: Tuesday, December 05, 2017 9:22 AM
To: La Rue, Debbi; Thomas, Leelee; BOS
Cc: Connolly, Damon
Subject: FW: Housing Issues in Marin

From: Ian Gruber [mailto:ianmgruber@gmail.com]
Sent: Tuesday, December 05, 2017 9:02 AM
To: Connolly, Damon <DConnolly@marincounty.org>
Subject: Housing Issues in Marin

Dear Mr. Connolly,

I am writing you to raise major concerns about ordinances regarding mandatory mediation for landlords.

As a 40+ year resident of Marin County and a "small landlord" with less than 10 units, I find it really disturbing about the proposal.

1. Price Increases should be fair and be equal across businesses- I am for responsible rent increases. 5% seems really low. I could see more than 20% in a year, etc...

Should a mandatory mediation have to occur when the taxes are raised or propositions proposed that raise my costs?

When I need to buy materials at local stores and the price of goods have increased by more than 5% or any amount, should it require Home Depot and other stores to go through mandatory mediation?

How about Airbnb and VRBO? They now directly compete and I don't see that you require services such as those when they raise their prices to go through mandatory mediation?

How about when I went to the local car dealership and the price from the previous year increased for the same model just a new year by more than 5%? Do you say because people can't afford a car in Marin, the solution is to enact mediation for car dealerships if they raise their prices?

2. Target against small business - it is really upsetting that this really goes after small businesses.

With no staff (like big corporations), our time is already stretched really thin already with tenant requests. Now to have to attend mediation, seems unfair. This will just cause less improvements in properties and less customer service towards tenants.

This will just cause more small businesses to leave Marin; only have large corporations like the buildings in Corte Madera will survive. It will cause buildings like that one to start their rents off really high like they are that contributes to the shortage to begin with.

Margins of small businesses are already really small in this business, so it will just cause landlords to not fix properties along with just not invest in the area that will increase the shortage of supply of rentals.

Price increases are happening across the board, and I don't see how targeting small businesses and not targeting the root cause of the problem will help. It will only hurt the community and end up with responsible landlords like myself leaving the area. Ultimately, this will create a lose-lose situation.

Thank you for your time and service to our community,
Ian Gruber

La Rue, Debbi

From: Sackett, Mary
Sent: Tuesday, December 05, 2017 9:23 AM
To: La Rue, Debbi; Thomas, Leelee; BOS
Cc: Connolly, Damon
Subject: FW: Opposition to proposed ordinances

From: Michael K Leary [mailto:m1leary@earthlink.net]
Sent: Tuesday, December 05, 2017 6:42 AM
To: Connolly, Damon <DConnolly@marincounty.org>; rice@marincounty.org
Subject: Opposition to proposed ordinances

Dear Mr. Connolly and Ms. Rice,

My wife and I have owned two rental properties for several years, hopefully to provide income for our eventual retirement. Currently, one is rented to a family of five, the other a duplex to a couple and a family of four. We spend several hours a week managing these two properties, whether by addressing repairs ourselves or making arrangements for qualified tradespeople to make repairs. I would estimate that my wife and I spend no less than 40 hours each month in management related activities.

In good years we break even or may make a profit. In slower years or following a vacancy, we lose money, especially after replacing carpet and repainting these homes. In other words, to assume that those who own rentals are making enormous profits is oftentimes erroneous and is certainly not the case with many of us 'Mom and Pop' owners. To add ordinances that require mediation or cap rental increases makes ownership of these homes more of a burden. If there is a housing problem, find a way to build more houses. To look to those who have made personal sacrifices in order to buy rental property as the way out of the housing problem is simply unfair.

Regardless of the result of the upcoming Board of Supervisors meeting on December 5th, it is our plan to list and sell these two homes in the strong housing market and move forward from there. Likely, come next June there won't be these three rentals available. Sadly, for the two families and the couple currently renting our homes, the options of renting will become more scarce. Is this the unintended consequence of making rental ownership in Marin County undesirable by additional arbitrary fees and ordinances?

Michael Leary

La Rue, Debbi

From: Sackett, Mary
Sent: Tuesday, December 05, 2017 9:25 AM
To: La Rue, Debbi; Thomas, Leelee; BOS
Cc: Connolly, Damon
Subject: FW: The new rental housing ordinance before the Board

From: John Palmer [mailto:jp@montgomerypartners.net]
Sent: Tuesday, December 05, 2017 3:17 AM
To: Rice, Katie <KRice@marincounty.org>; Connolly, Damon <DConnolly@marincounty.org>; Arnold, Judy <JArnold@marincounty.org>; Rodoni, Dennis <DRodoni@marincounty.org>
Subject: FW: The new rental housing ordinance before the Board

Dear Supervisors

Below please find a letter I wrote to Kate Sears and Maureen Parton regarding the rental housing measures currently before the Board. Thank you for considering these points.

--

John Palmer
Montgomery Partners
100 Shoreline Highway Suite 160B
Mill Valley, CA 94941
(415) 332 4440 (O)
(415) 272 1728 (C)

From: john palmer <jp@montgomerypartners.net>
Date: Tuesday, December 5, 2017 at 3:11 AM
To: Maureen Parton <MParton@marincounty.org>, "ksears@marincounty.org" <KSears@marincounty.org>
Subject: Re: The new rental housing ordinance before the Board

Hi Kate and Maureen

I've owned and managed rental housing for 39 years, including in rent-controlled markets in SF and LA, and recently built a 25 unit apartment building in SF, so I have some knowledge of housing issues.

Regarding the rental housing matter before the Board, I spoke with Dennis Rodoni and made the following points:

1. A Mandatory Mediation provision with no provision for enforcement is unlikely to produce the desired result.
2. I believe the Board should focus on adding rental stock as soon as possible, though of course it will be difficult to do so on a large scale. But by tightening rules on short-term rentals, providing greater incentives for owners to add second units and junior units to existing housing stock, you can make some quick progress.
3. The new rules and ordinance, taken as a whole, constitute a watered-down rent control ordinance which will require a bureaucratic structure requiring trained mediators who understand rental housing dynamics. Experts are expensive.

4. The newly added 3 options come rather late into the process. I have been lying low for the past few months but following the Board's activities through bulletins made available to the real estate community by Bobby Elam and Scott Gerber; the introduction of onerous measures at the last minute with no opportunity for the public to comment on them until now, when they are already drafted into ordinance form, is a slap in the face to property owners.
5. The option regarding Mandatory Relocation fees (Sections 5.95.120.a and b) is a bad piece of legislation. People move for lots of reasons, and this measure, if enacted, would cause a number of unintended consequences, not least of which would be to unnecessarily antagonize property owners. Right now, a lot of Marin's housing stock is in the hands of mom and pop owners, many of whom would sell to more aggressive owners. Also, some tenants would be tempted to move just to take advantage of a free \$10,000 (5 months x \$2,000 market rent) payout from beleaguered owners. Please reject this measure outright.
6. Once you embark on the road of restrictive housing policies and price controls, it's inevitable that the rules become progressively more complex, because these systems of regulation don't work, as been demonstrated many times over by economic analysis of the effects of such controls. More rules, bigger bureaucracy, larger budget, more administrative headaches.
7. If you start restricting the housing market, owners will take immediate steps to bring their properties into line with current market levels, particularly those who have let their tenants enjoy lower rents by not raising them as much as they could have. Price controls punish precisely the owners who have been kindest to tenants.
8. Restrictive housing ordinances discourage owners from upgrading properties and discourage new construction.

I know that others have commented on other provisions currently under consideration, such as registering units, charging admin fees, etc, so I'll leave those arguments to them in an attempt to make this letter brief. Thank you for considering these points.

--

John Palmer
Montgomery Partners
100 Shoreline Highway Suite 160B
Mill Valley, CA 94941
(415) 332 4440 (O)
(415) 272 1728 (C)

From: Maureen Parton <MParton@marincounty.org>

Date: Monday, December 4, 2017 at 6:17 PM

To: john palmer <jp@montgomerypartners.net>, "ksears@marincounty.org" <KSears@marincounty.org>, "ksears@marincounty.org" <KSears@marincounty.org>

Subject: RE: The new rental housing ordinance before the Board

Hi John,

We've been racing around today from meeting to meeting. I'm not sure that Kate had a chance to call you back.

If not, would you be able to share salient points via e-mail in the meantime?

Sorry about this late note. That's just been the day for us.

Best,

Maureen

From: John Palmer [<mailto:jp@montgomerypartners.net>]
Sent: Sunday, December 03, 2017 8:34 PM
To: Sears, Kathrin; Sears, Kathrin
Cc: Parton, Maureen
Subject: The new rental housing ordinance before the Board

Hi Kate

I would like to speak with you tomorrow (Monday) by phone about the proposed new rental housing rules and the three recently added riders/options currently before the Board, which appear to me to constitute a thinly veiled rent control ordinance. I have owned and managed properties in both SF and LA for decades, and worked with their rent ordinances, and if there's one thing I have learned after 39 years as a rental housing provider, it's that the only ways out of a housing shortage, or any shortage for that matter, are to increase supply or reduce demand (or both).

Economists have demonstrated over and over again that price controls not only don't work, but also often exacerbate the situation they were meant to fix. Restrictive rules, such as the options proposed, only lead to more restrictive rules precisely *because* they don't work. Generally only recessions cause reductions in demand, so we're left with increasing supply as the only real long-term solution. I believe the measures before the Board were written by people who don't fully understand the dynamics of the rental market, and may not have considered any of their unintended consequences, particularly of the three options.

I would like to flesh out these points, and need maybe 15 minutes of your time to do so, and answer any questions you might have of me. I just started chemo, the systemic, not targeted, kind, and don't think I'll feel up to attending the meeting Tuesday, though I would dearly love to address the full Board on these matters. Instead I'm asking both you and Dennis (individually) to hear me out. Please let me know what might be a good time to call.

Thanks in advance for considering this request.

--

John Palmer
Montgomery Partners
100 Shoreline Highway Suite 160B
Mill Valley, CA 94941
(415) 332 4440 (O)
(415) 272 1728 (C)
Email Disclaimer: <http://www.marincounty.org/main/disclaimers>

La Rue, Debbi

From: Sackett, Mary
Sent: Tuesday, December 05, 2017 9:29 AM
To: La Rue, Debbi; Thomas, Leelee; BOS
Cc: Connolly, Damon
Subject: FW: Dear Mr. Connolly,

From: gail connolly [mailto:gailconnolly@att.net]
Sent: Monday, December 04, 2017 9:10 PM
To: Connolly, Damon <DConnolly@marincounty.org>; Bobby Elam <elam@elamproperty.com>; Gail Connolly <gailconnolly@att.net>
Subject: Dear Mr. Connolly,

Greetings

As a landlord, I urge you to oppose the proposed new regulations imposing mandatory arbitration/mediation in Landlord/tenant disputes.

The members of the Marin Rental Property Association have agreed to keep rent increases under 10 percent. This should alleviate the problem immensely. .

MANDATORY ARBITRATION / MEDIATION IS JUST ANOTHER WAY FOR A DIFFICULT TENANT TO REMAIN IN THE RENTAL.

We are lucky so many new high tech businesses are choosing this area. Their well paid, highly educated employees are a bonus to our community. The rents are going up, and I imagine that prospective tenants may be bidding up the rents themselves.

There are better ways to address this issue than to tie the hands of landlords.

Thank you.

Gail Connolly 520 Riviera Circle Larkspur, Ca
415 924 7667

c.c. Bobby Elam

La Rue, Debbi

From: Sackett, Mary
Sent: Tuesday, December 05, 2017 9:30 AM
To: Thomas, Leelee; La Rue, Debbi; BOS
Cc: Connolly, Damon
Subject: FW: Shortage of housing and practical solutions

-----Original Message-----

From: barbara@promotionvideo.com [mailto:barbara@promotionvideo.com]
Sent: Monday, December 04, 2017 9:08 PM
To: Connolly, Damon <DConnolly@marincounty.org>
Subject: Shortage of housing and practical solutions

Board of Supervisors
County of Marin
3501 Civic Center Drive
San Rafael, California 94903

Dear Supervisor Damon Connolly and aides,

My family has resided in Marin since the mid 1970's. We have operated and maintained rental units in the County of Marin since 1990. We have invested monies to upgrade and improve the units on 4th street in the 1990's. We are a "Mom and Pop" operation and have experienced rents both increasing and decreasing over a thirty year period. As you see we are committed to affordable housing in Marin.

Besides providing housing for working class people and families on the open market we have worked with both Housing Authorities of Marin and Santa Cruz Counties providing housing for those qualifying for Section 8, Voucher and the Moderate Rehab Program. I have noticed, since the 1990's, residents leaving NOT due to high rents but to commuter traffic & length of time to travel to work in the East Bay; or a better work opportunity opened in another county and finally young couples successfully saving money for a down payment on their first home. This however has been compromised and couples are relocation to places like American Canyon and commuting.

Landlord's work and unexpected demands do not fit the 8 a.m. to 5 p.m. model. We receive calls and emails throughout the day and on weekends. This is our job to handle these calls just like it is our responsibility to handle any annual increase in basic tax (22 K), sanitation/sewer district (15 K), school & health bonds, paramedic, fire and other charges. Our 13 unit multi-use building's 2017-18 tax bill exceeded \$43,000. These expense do not include water use fee, garbage and other expenses necessary to operate habitable housing units.

I do not see Mandatory Mediation being of benefit to me nor the residents. It is not a practical solution to alleviate the affordable housing shortage in Marin. Instead I foresee it creating a wedge of contingency as landlords experience an erosion of their rights to handle reasonable increases of rent over a reasonable period of time.

My family has been and continues to be committed to finding practical solutions to alleviate the affordable housing shortage in Marin. For instance, we committed matching funds and managed the remodeling project of run down 4th Street property in the early 1990's. This project took several years but it worked well for both parties. I continue to inquire as to the County's efforts, in researching matching funds or grants at reasonable rates or time of forgiveness, to expand and improve existing buildings for housing of working class. I am told there are no funds.

Years ago I joined Marin Rental Property Association to become better educated on topics of operation. This organization has grown since the 1990's and has intelligent, hard working leadership. MRPA meets throughout the year with supervisors, supportive business owners and administrators of the Marin Housing Authority. The organization agreed early this year to cap rent increases and promotes landlord / tenant best practices.

I would encourage the board to research strategies that work towards increasing small scale new and existing rental housing production through government grants for Mom and Pop operators; to encourage homeowners to rent out accessory units to house our needed working class instead of housing tourists in family neighborhoods.

I and my family are committed to creating more apartment rental housing throughout our county and to finding strategies that work with the City and County administrators to benefit our county and the working class.

Thank you for reading my letter.

Sincerely,
Barbara Elam
barbara@promotionvideo.com 415 272-3610

La Rue, Debbi

From: Sackett, Mary
Sent: Tuesday, December 05, 2017 9:31 AM
To: Thomas, Leelee; La Rue, Debbi; BOS
Cc: Connolly, Damon
Subject: FW: NO ON MANDATORY MEDIATION

From: Scott Drotman [mailto:scottdrotman@gmail.com]
Sent: Monday, December 04, 2017 7:17 PM
To: Rice, Katie <KRice@marincounty.org>; Sears, Kathrin <KSears@marincounty.org>; Connolly, Damon <DConnolly@marincounty.org>; Rodoni, Dennis <DRodoni@marincounty.org>; Arnold, Judy <JArnold@marincounty.org>
Subject: NO ON MANDATORY MEDIATION

Scott Drotman
43 Irving Drive
San Anselmo, CA 94960

December 4, 2017

Re: **NO ON MANDATORY MEDIATION**

Dear Board of Supervisors and their staff,

In the past, there was a voluntary mediation department that helped with landlord/tenant issues as well as disputes between neighbors. I used this voluntary mediation a few times and it was very helpful. Please put back the voluntary mediation. **However, I am against mandatory mediation for many reasons.**

There are two main problems with the cost of housing in Marin. The first is the high cost of construction and repairs. The building department of Marin and the cost of doing business in Marin makes it extremely expensive to maintain buildings in Marin. The building department has become a for profit agency. There is not a simple fee to get a permit. It has become a percentage of the cost of the project. A kitchen remodel now costs about \$30,000 and the building department wants a 10% fee, or about \$3,000, for the permit. The last time I inquired at building about a kitchen remodel permit. I was told that engineering plans would be required. Now the cost of a simple kitchen remodel has increased by another \$10,000. A \$30,000 remodel is now \$43,000 with the additional \$13,000 of county costs and requirements.

I need to repair/replace a laundry room for a 6 unit apartment building Marin. The initial estimates to do this were \$25,000. By the time I received the permit from the building department the cost has skyrocketed to approximately \$100,000. This is 4 times the original estimate. How do I manage to have 6 families pay to have a safe laundry room that the county requirements made cost \$100,000? The ADA, building, engineering, architectural requirements all quadrupled the original estimate for this project. This is the current situation in Marin County.

Please just tell the truth, that providing safe housing in Marin County is expensive and there is no way around that simple fact. Marin has older housing stock that requires seismic upgrades, new windows, new roofs. All of these things require expensive permits and engineering plans that also include new fire prevention materials, etc.

I am also fearful of how you will keep the statistics on this mandatory mediation.

The people of Marin want Marin to stay small towns. The bigger you make government the more expensive government becomes. The tail wags the dog and this becomes bad fiscal policy. The people of Marin want Marin to stay small town and are against huge housing developments. Do not punish the landlords who live in Marin and struggle to provide safe housing. Do not push urban rent policies when your voters want small town policies.

Your voters want Marin to stay small town. I implore you to keep our government simple also. I also implore you to understand the issues facing landlords to maintain safe and habitable housing in our county. Understand what the planning and building department is enforcing and speak to landlords about the problems we face. Ultimately, safe housing is of primary importance.

Can you get the building department to reduce fees on multi-unit buildings? Can you get the building department to streamline the permit process for multi-unit buildings so work done more quickly thereby decrease vacancy?

Limit Airbnb, allow more infill and auxiliary dwelling units, don't allow duplexes to be turned into single family homes.

Below is from Marin Rental Property Association.

- We are committed to finding practical solutions to alleviate the affordable housing shortage in Marin. As you know, Marin Rental Property Association partnered with the Marin Housing Authority last year to increase landlord acceptance of Section 8 and other subsidized tenants. We also agreed to voluntarily cap our rent increases to no more than ten percent (10%) in any given year.
- We encourage the Board to pursue strategies which increase housing production. More housing is the only lasting solution to the problem of affordability, and this would do more to help constrain rents than an array of short-term ordinances. More housing inventory will also generate greater tax and fee income for the county to assist those in need of housing.
- We do not see a significant potential benefit from requiring mediation between tenants and landlords over rent hikes. Most MRPA members are "Mom and Pop" owner/operators. They try to be reasonable in how much they raise rents, and how quickly they raise them.
- In the cases where owners exceed reasonable increases, we do not see mediation as a feasible way to help tenants. It would require a great deal of effort and many resources to implement. We urge you to look carefully at examples of similar programs before acting to implement one here. An ineffective program is worse than no program at all.
- Such a program would require significant effort and cost, including finding mediators who are or can be fully up to speed on the cost of operating apartments and apartment market conditions. Finding good mediators who could help with a significant volume of cases at a low or moderate cost to the county or the participants would be difficult, resulting in little more than frustration on the part of tenants seeking such help.

Scott Drotman
Sleepy Hollow California
415 457-5445

La Rue, Debbi

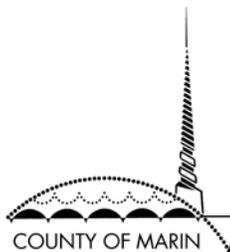
From: Virginia.Weber@cbnorcal.com
Sent: Tuesday, December 05, 2017 11:44 AM
To: BOS
Subject: Rental Increases ordinance

Virginia Weber would like information about:

This law should not be rushed through. As a landlord and Realtor I think this will push landlords to raise rents every year of 4.9%. I often go more than 2 years without rent raise but then have to eventually do over 5%. If this goes through rents will go up every year by almost 5%. This is not what you are trying to accomplish. Also, what about at a vacancy. Would you allow a larger rent raise?

This needs more discussion.

Thanks,
Virginia Weber



COMMUNITY DEVELOPMENT AGENCY

Brian C. Crawford
DIRECTOR

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Building and Safety
Environmental Health Services
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www.marincounty.org/cda

June 12, 2018

Board of Supervisors
County of Marin
3501 Civic Center Drive
San Rafael, CA 94903

SUBJECT: Progress Report on Assessment of Fair Housing Work Plan to Identify Barriers to Fair Housing Choice.

Dear Board Members:

RECOMMENDATION: Receive staff updates and allow opportunity for public input on Assessment of Fair Housing Work Plan, including Community Advisory Group and Steering Committee recommendations.

SUMMARY:

Since initiating Marin County's Assessment of Fair Housing in the fall of 2016, staff has conducted an extensive community engagement process reaching over 1,400 people from all areas of Marin, with a focus on communities most impacted by barriers to fair housing choice. The 131 initial comments and suggestions that came from this process were evaluated by a Community Advisory Group and a Steering Committee and were further distilled down to 37 recommendations. Given the breadth of the recommendations, these two groups independently identified priorities for your Board's consideration in the near term.

The recommendations addressed in this update reflect work completed to date on the first phase of the community engagement and outreach process for the Assessment of Fair Housing which included an analysis of data and other information about historic segregation and integration policies, racially and ethnically concentrated areas of poverty, and significant contributing factors that are related to publicly supported housing, disability and access issues. Following this update to your Board, staff will continue the community engagement and outreach process to discuss barriers to fair housing choice as it relates to disparities in access to services and opportunities, including in education, employment, transportation and environmentally healthy communities.

DISCUSSION:

Assessment of Fair Housing Work Plan

In August 2015, the federal Department of Housing and Urban Development (HUD) announced a new approach to affirmatively furthering fair housing to help connect housing and community development policy and investment planning with meaningful actions and required all recipients of federal grants to prepare an Assessment of Fair Housing (AFH). The goal of the AFH is to identify and evaluate barriers to fair housing choice and contributing factors that exist within communities. Key to implementing an effective AFH process is community participation, consultation and coordination. In

addition, County staff established a partnership with the Marin Housing Authority to develop coordinated solutions to address fair housing choice in Marin.

In June 2016, the Board of Supervisors approved the Assessment of Fair Housing Work Plan, which identified specific community engagement efforts to address barriers to fair housing choice in Marin. A detailed update on the AFH Work Plan is discussed below.

As part of the first part of the work plan in July 2016, staff, in partnership with the Marin Housing Authority, initiated a robust community engagement process over the course of 20 months, connecting with more than 1,400 individuals, groups, nonprofits, youth, and County employees, among others.

Staff invited residents of Marin to work with the County and created a Community Advisory Group. This group worked with staff to identify barriers to housing in Marin and to develop recommendations that addressed those barriers. The invitation to join the Community Advisory Group was prepared both in English and Spanish, and 16 applications were received. A key component for selection was individuals who had not previously had a seat at the table for public policy development. Of the 10 residents selected by staff, four are from San Rafael, two from Marin City/Sausalito, two from Novato, one from West Marin, one from Larkspur, and one from San Anselmo. Five members of the group are female, six are male; five are white, three are African-American, and three are Latino. The Community Advisory Group began meeting in December 2016 and continued to work through May 2018. Meetings were held in the evening, and members were provided with meals and a small stipend for their participation. Most members had not previously engaged in group discussions with the County.

Staff also created a Steering Committee to provide oversight for the AFH Work Plan. As with the composition of the Community Advisory Group, the selection of committee members was based in part on intentional outreach to individuals who had not previously participated in County conversations. The Steering Committee consisted of 20 people representing public housing, faith-based organizations, the Housing Authority, Asian communities, cities and towns, African American communities, business, the disabled community, children, legal aid, people experiencing homelessness, Latino communities and philanthropy. The Steering Committee was formed in January 2017 and met regularly through May 2018. RDJ Enterprises, a professional facilitator, was engaged to assist the group from January to December 2017.

In addition to regular meetings with the Community Advisory Group and Steering Committee, staff attended community meetings, participated in working groups, and listened to what residents, community representatives, advocates, housing organizations and others, had to say about housing in Marin. Conversations included discussions about a wide range of issues, including:

- Community resistance and institutional racism;
- Challenges and complexities with planning/zoning/land use;
- Myths and perceptions about affordable housing and the people who live in affordable and subsidized housing;
- Financial resources and the cost of building in Marin;
- Communication, information and community engagement processes; and

- Other topics including transportation, employment, education, people with disabilities and disparities in health outcomes.

Both the Community Advisory Group and the Steering Committee analyzed local, demographic data and engaged in comprehensive discussions about race, segregation and integration patterns in the County, and why where you live matters. The groups reviewed and discussed data and subjects including homeowners and renters in Marin, legal and illegal housing advertisement, the cost of housing in Marin, household incomes, the results of the 2015 Rental Housing Survey, and anticipated housing needs as the number of adults age 60 and over in Marin continues to grow.

Throughout the community engagement process, both groups became more familiar with and educated about disability and ableism, fair housing laws, publicly supported housing programs including the various Marin Housing Authority programs, shared and received additional resources including updates to County policies, articles about housing in Marin, reading recommendations and other information about housing-related topics. The Steering Committee reviewed and discussed the Grand Jury Report - Overcoming Barriers to Housing Affordability, dated April 6, 2017, and gained knowledge and insight through discussions about the effects of racism and gentrification in African American communities.

Youth groups were also engaged. Students from the Marin School of Environmental Leadership (MarinSEL) made a presentation to the Community Advisory Group, which included a video they created that presented transportation challenges for residents in the Canal neighborhood of San Rafael. The Marin County Youth Commission's Housing Subcommittee prepared a presentation on Just Cause for Eviction and facilitated focus groups to collect information on how renting and evictions affect youth.

In July 2017, staff presented both the Community Advisory Group and Steering Committee with a list of 131 recommendations, comments and perceptions provided by individual residents, community representatives, County employees, nonprofit organizations, and from attendees at numerous community meetings in Marin City, the Canal, Mill Valley, San Rafael, and West Marin. Staff organized those recommendations, comments and perceptions into actionable items which resulted in 37 specific recommendations for review. From September 2017 through March 2018, the Community Advisory Group and Steering Committee reviewed, deliberated and identified five recommendations as priorities. Of the five recommendations, two were identified to present to the Board of Supervisors:

1. Request the Board of Supervisors vote on a Just Cause for Eviction ordinance in 2018 to reinforce and complement renter protection measures already adopted by the Board for residents in unincorporated areas of Marin. If the Board decides to approve a Just Cause for Eviction ordinance, County staff should provide public education for the ordinance and administrative support to cities and towns to help them implement a Just for Cause Eviction ordinance.

By way of background, a Just Cause for Eviction ordinance is included in a comprehensive list of affordable housing policy options the Board of Supervisors has been working on in a phased manner since late 2015. As reported to the Board at their May 8, 2018 meeting (staff updates on Mandatory Mediation program and other housing related initiatives), staff anticipates the

Board will revisit a Just Cause for Eviction ordinance in a workshop format during the fall of 2018.

- 2. Develop a Housing Oversight Committee that includes members of the public, representatives from all cities and towns, mayors, Aides to the Board of Supervisors, professional realtors and investors, Marin Housing Authority, Marin Community Foundation, Office of Education, Marin Economic Forum, homeowners and renters, and members of the protected classes to affirmatively further fair housing, increase affordable housing in Marin and develop model ordinances for cities and towns. Utilize and include existing housing-related organizations including Marin Chronic Homelessness Action Taskforce (MCHAT), the Landlord Incentive Program, the Marin Community Foundation Acquisition team, among others, to develop policies, programs and practices with an equity and racial equity lens that address housing challenges in Marin. This recommendation is consistent with the Grand Jury Report’s recommendation for the creation of a County Regional Housing Coordinator.

In addition to the above recommendations, members of the Community Advisory Group were also asked to identify a priority for their specific communities. The recommendations from the Community Advisory Group are:

- Develop a Community Land Trust in Marin City;
- Regulate, tax, license and/or limit the number of short-term rentals allowed in West Marin;
- Review how the County's parking and traffic policies disproportionately affect low-income residents and people of color, and develop alternate ways for payment of fees; and
- Develop ways to increase the County’s ability to attract affordable housing in Marin.

History of the Assessment of Fair Housing

The Fair Housing Act requires recipients of HUD funding to affirmatively further fair housing, which means, according to HUD, "taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics." Specifically, affirmatively furthering fair housing means taking meaningful actions that, when taken together,

- Addresses significant disparities in housing needs and in access to opportunities;
- Replaces segregated living patterns with truly integrated and balanced living patterns;
- Transforms racially and ethnically concentrated areas of poverty into areas of opportunity; and
- Fosters and maintains compliance with civil rights and fair housing laws.

In 2009, HUD conducted a comprehensive review of the County’s compliance with its fair housing and equal opportunity regulations, which concluded with an agreement between the County and HUD, known as a Voluntary Compliance Agreement (VCA).

The VCA included a process for compliance activities, monitoring reports, analysis of the demographics of beneficiaries of our Federal grant projects, a review of our affirmative marketing for fair housing choice, a completion of an Analysis of Impediments to Fair Housing Choice (AI), and ongoing activities that address issues raised by the AI.

In 2011, the Board of Supervisors (BOS) approved the Implementation Plan for the AI that identified 29 specific recommendations to address barriers to fair housing choice in Marin. In response to those recommendations, the following actions were taken:

- The DREAM (Diversity, Respect, Encouragement, Acceptance, Marin) collaborative, which was started by a group of County employees interested in promoting diversity and inclusion in the workforce, was expanded to include representatives from five affinity groups -- for African Americans, Asian-Americans, Latinos, LGBT employees, and people with disabilities — and several employee resource groups.
- The County's Planning Commission, Parks and Open Space Commission, and Human Rights Commission increased its representation by women and people of color.
- The Community Development Block Grants (CDBG) program expanded the Priority Setting Committee (PSC) to include non-elected, community representatives of protected classes. The PSC reviews applications from local non-profit and public agencies for federal CDBG and HOME Investment Partnerships Program funds. These community representatives assist in the funding decisions for CDBG grant recipients.
- The Board of Supervisors adopted the 5-Year Business Plan, with a Focus Area for Diversity and Inclusion, and a goal of increasing diversity in the County's Human Resources Department's candidate pool and interview panels.
- The County sponsored 23 people, representing County employees and residents from across different sectors and economies, to attend PolicyLink's Equity Summit in Los Angeles in October 2015. The group participated in issue-based sessions on topics such as housing, health, regional planning, infrastructure investments, financial security, and education, to advance conversations about equity in the County.
- A Fair Housing Program Specialist, with the title of Social Equity Program and Policy Coordinator, was hired in 2015 with the focus on furthering fair housing and was also empowered to advance equity programs within and throughout the County.
- The Board of Supervisors used County Housing Trust funds for the acquisition of two family complexes in Forest Knolls and Fairfax. CDBG and HOME funding was used for affordable housing for individuals with disabilities, including: Marin Center for Independent Living, Buckelew, Novato House, and Lifehouse DelGando. CDBG and HOME funds were also used for new family housing in Oma Village and Mt. Budell Place.

The VCA expired in December 2015, and County and HUD staff are currently discussing a new VCA that acknowledges the County's progress in addressing issues identified in the expired VCA and AI and demonstrates the County's commitment to comply with federal fair housing laws and to create affordable housing in Marin.

Since 2015, the County has not only continued to address specific requirements identified in the VCA and AI, but has further advanced the overall objective of identifying and addressing barriers to housing and other disparities in Marin, including:

- The Board of Supervisors allocated \$1 million dollars to support the creation of affordable family housing.
- The Board of Supervisors allocated \$450,000 to support landlord incentives aimed at expanding landlord participation in the Marin Housing Authority's Section 8 Voucher Program.
- The County sponsored its first group of County staff in 2016 to participate in the Government Alliance on Race and Equity (GARE) to develop a Racial Equity Plan for Marin and to work with other jurisdictions to advance racial equity throughout the Bay Area. A second cohort was added in 2017.
- The Federal Grants Programs, including the CDBG and HOME Program, now require applicants to demonstrate how their proposed projects affirmatively further fair housing.
- The County Administrator's Office identified equity as a priority for the next budgeting cycle, which will allocate resources and funding to advance equity within the County organization and in communities countywide.
- The Board of Supervisors approved a source of income ordinance that precludes landlords from advertising or discriminating against certain sources of income – including Section 8 voucher holders, or from charging higher deposits based on a person's source of income, and from treating a person differently based on their source of income.
- The County sponsored a community engagement and education event with famed author and educator, Richard Rothstein, who wrote *THE COLOR OF LAW, The Forgotten History of How Our Government Segregated America*. Marin property owners were encouraged to review their property deeds to identify any racially restricted covenants.
- The County participated in Race Matters: A Dialogue and Educational Series on Race and How Racism Has Served to Divide People and Maintain Systems of Inequalities. Discussions included housing, with recommendations, strategies and solutions to address racial inequities in the County.
- The County, sponsored the 2017 and 2018 Fair Housing Conference in Marin.
- Amendments to the County's Development Code were adopted to allow property owners to have Junior Accessory Dwelling Units and Accessory Dwelling Units, on their property. More recently, the Board of Supervisors voted

to waive building and planning fees up to \$1,500 for the creation of the Junior Accessory Dwelling Units.

- The Board of Supervisors approved the County’s first Racial Equity Action Plan and a Diversity Hiring Took Kit.
- A Rental Housing Dispute Resolution ordinance (known as “Mandatory Mediation”) was established to help resolve disputes when an annual rent increase of more than 5 percent is being sought by a landlord.

In January 2018, the Board of Supervisors identified the goal of developing solutions that promote equity as one of its highest priorities and included their commitment to address disparities and rectify a historic record of institutional exclusion. Board President Damon Connolly has said “With its partners in the community, the County is dedicated to delivering services to the people who need the help the most and removing real or perceived barriers to receiving those services.”

BACKGROUND:

A Disturbing History of Our Nation’s Past

Our country has a long history of federal, state and local policies that have created residential segregation. Beginning with Franklin Roosevelt’s New Deal, a series of government laws, programs and regulations, combined with real estate and banking policies and practices were designed and implemented to separate communities based on race. Today, while there are laws against housing discrimination and progress has been made, nearly 6 in 10 African Americans still live in segregated neighborhoods.

Marin County is no exception to the effects of historic racial segregation in housing. The history of Marin City is a local example of how government policies and practices created segregated communities that continue to exist today.

Until the start of American involvement in World War II in 1941, there were few African Americans living in Marin County. In 1942, Kenneth Bechtel, an industrial builder, signed a contract with the U.S. government to construct transport vessels for the U.S. Navy, and Marinship Corporation was created. During World War II, Marinship built nearly 100 liberty ships and tankers. The Bechtel Company was also given permission to develop a community to house some of its workers, and the unincorporated community of Marin City was constructed as its temporary housing facility.

Since Marinship faced a shortfall in available local workers, Bechtel overlooked the standard workplace exclusions which prevented employment of African Americans for skilled positions and instead recruited African Americans from southern states such as Louisiana, Arkansas, Texas and Oklahoma. Many of these workers were eager to migrate from states where Jim Crow laws and lynching of African Americans still occurred. Marinship offered employment and economic opportunities, free from the sharecropping system of the South, and these opportunities gave hope to African Americans for a better life.

At its peak in 1944, Marinship employed 22,000 workers from every state in the Union, and Marin City had grown to a population of 6,500 people, which included over 1,000 school-aged children. It was home to Midwestern whites (85%), southern blacks

(10%), and Chinese immigrants (5%). Marin City became the country's first integrated federal housing project, and eventually would be hailed as a model community for the company's workers and a bold social experiment in race relations. During an era when segregation was widely practiced in California as well as across the country, Marin City was a diverse, harmonious and racially integrated community. At the end of the war, military veterans returned in droves all over the country. Housing was in short supply and families doubled up so that two or more families often shared a single home. In order to address a large civilian housing shortage, Congress passed the National Housing Act of 1949.

Under the National Housing Act, the Federal Housing Administration (FHA) guaranteed bank loans to housing developments that were designed to move whites out of integrated, urban areas into all-white subdivisions in the suburbs. FHA loan guarantees were made to developers on the condition that homes could be sold only to white people. Racially restrictive covenants were used to *prevent* people of color from purchasing homes in white communities in Marin, and the Federal Housing Administration's Underwriting Manual recommended the use of restrictive covenants to "provide the surest protection against undesirable encroachment and inharmonious use." While the Civil Rights Act of 1969 ultimately prohibited such transactions, many of these covenants remain in property deeds in Marin.

Through utilizing the programs established under the National Housing Act, white people returning from World War II were able to purchase homes with mortgages that were guaranteed by the federal government. Because of the National Housing Act, many homes in Marin in the late 1940s sold for \$7,000 to \$8,000 and white families were able to secure mortgages with 0% to 5% down payments. In some cases, the monthly cost to purchase a home was less than what a family would pay for rent in public housing.

Today's wealth inequality was created, in part, after World War II when explicit policies and programs of the federal government provided white people with the opportunities for home ownership with very affordable prices and financing, while African Americans were prohibited from participating in the same programs. Today, the home equity appreciation for families who were able to purchase homes after the war has allowed those families to use their accumulated wealth to finance college educations, fund retirement, bequeath money, and to support their children's home ownership. As a direct result of government policies and practices, generations of African Americans have not had those same opportunities.

Work Still To Be Done

While the County has done a great deal to acknowledge its history and develop policies and programs to address equity, there is plenty of room to improve as reflected by recent reports highlighting the challenges that Marin faces. In February 2017, KQED News published an article entitled, "Why is Marin County So White?", which asked the question, "The Bay Area is one of the most diverse places in the country. Within the Bay Area, why is Marin County the least diverse?"

That same year, the Marin County Civil Grand Jury produced a report entitled, *Overcoming Barriers to Housing Affordability*, which identified, "Perhaps the most challenging barrier to tackle is that of altering long held misperceptions of a community." Also, in 2017, HUD released its income limits for determining eligibility for its assisted housing programs, and determined that, in Marin County, a family of four

with an income of \$105,350 per year is considered "low income," because it is 80 percent of the \$115,300 median income for the area. At the end of 2017, the Advancement Project identified Marin County as the Number One Most Racially Disparate County in California in areas that include economic opportunity, culture and education, "showing us that a rising tide does not lift all boats." And most recently in January 2018, the L.A. Times article entitled, "Marin County has long resisted growth in the name of environmentalism. But high housing costs and segregation persists," highlights a history of community opposition to affordable housing development.

CONCLUSION:

Many African Americans came to Marin County to seek employment and economic opportunities and to start a better life. As a result of federal programs and policies, those opportunities were denied once again despite the contributions African Americans made to this country. The legacy of discriminatory housing policies has help to create the current wealth disparity and racial segregation in our communities.

Staff requests that your Board consider the community recommendations to address barriers to fair housing choice and to provide direction to staff on implementation. Next, utilizing the same community engagement process as discussed above, staff will propose a work plan to address additional AFH topics including disparities in access to education, healthy communities, transportation and employment. Staff will prepare and present a work plan to the Board of Supervisors in Fall 2018.

FISCAL/STAFFING IMPACT: Funding for the Analysis of Fair Housing was set aside by the Board for the 2018-2019 fiscal year. The fiscal and staffing impacts of the Housing Oversight Committee will be evaluated in conjunction with the Board Subcommittee and County Administrator's Office.

REVIEWED BY:

- | | |
|--|---|
| <input type="checkbox"/> Auditor Controller | <input checked="" type="checkbox"/> N/A |
| <input checked="" type="checkbox"/> County Counsel | <input type="checkbox"/> N/A |
| <input type="checkbox"/> Human Resources | <input checked="" type="checkbox"/> N/A |

Respectfully submitted,

Liz Darby
Social Equity Program Policy Coordinator

Brian C. Crawford
Director

ATTACHMENTS:

1. 2016 Assessment of Fair Housing Work Plan
2. Proposed Recommendations
3. Just Cause for Eviction Recommendation
4. Housing Oversight Committee Recommendation
5. Administrative record (comments received)

2016 Assessment of Fair Housing Work Plan

Task	Activity	Goal
Summer / Fall 2016		
Initiate Board of Supervisors Subcommittee For AFH	Identify two Board members to provide oversight of the AFH process.	Inform and provide guidance to Staff and make recommendations to the full Board of Supervisors.
Board of Supervisors Hearing	CDA Staff presents AFH work plan to the Board of Supervisors.	Board provides direction to Staff on timeline and process, and adopts AFH work plan and budget.
Initiate Advisory Group	Staff identifies representatives of protected classes, communities and other stakeholders; delineates roles, guidelines and expectations; identifies and reserves meeting locations.	Select 12-14 representatives from the protected classes, nonprofit organizations, cities and towns, and elected officials to serve on the AFH Advisory Group. The Advisory Group will provide strategic advice and feedback to CDA Staff on citizen engagement and communication strategies, and on topics related to the AFH process; will work collaboratively to conduct inclusive and diverse discussions on AFH topics, and will assist in developing action plans and solutions to overcome barriers to fair housing choice. CDA Director appoints members of the Advisory Group.
Hire AFH Intern	Staff initiates hiring an intern to work with Staff throughout the AFH process.	Provide administrative support to Staff and the Advisory Group; calendar, post notifications and take minutes at community and public meetings; develop and maintain database and record keeping for community engagement and outreach.

Task	Activity	Goal
Identify AFH Facilitator	Staff to release request for qualifications and quotes, and will initiate hiring a grant-funded facilitator to participate in and conduct Advisory Group and community outreach meetings. Advisory Group will select AFH Facilitator.	Ensure meetings are conducted and managed effectively and efficiently to maximize participation and productivity of Advisory Group and community outreach meetings; facilitate public engagement training for CDA Staff and Emerging Leaders. Engage youth in the AFH process and train Emerging Leaders to become facilitators at community meetings.
Recruit Emerging Leaders	Staff identifies local youth from low-income communities, nonprofit organizations, high schools, community colleges and universities and develops roles, expectations, timelines, and guidelines for civic engagement in the AFH process. Develop curriculum and goals to educate youth and young adults on AFH topics; provide data and information for analysis and discussion.	Improve, educate, and encourage new voices to the AFH process; create new approaches to citizen engagement; Emerging Leaders will present ideas, feedback and recommendations to the Advisory Group.
Community Outreach Efforts	Advisory Group and Staff identifies community groups, organizations, nonprofit agencies, and County departments and employees to participate in the AFH process; develop timelines, and reserve time on community/organization calendars.	Improve citizen engagement with communities; create inclusive and diverse opportunities for collective discussions on AFH related issues; develop action plans and solutions to overcome barriers to fair housing choice.
Enlist Technical Support and Assistance	Staff identifies resources to augment current Staff to provide local knowledge and expertise to the Advisory Group on specific topics related to the AFH.	Provide Advisory Group with pertinent background information and current developments on community issues related to AFH topics.
Develop Communications Strategy	Staff to initiate a communications strategy for community outreach, public engagement and ongoing communications throughout the AFH process.	Improve communication, community notifications, and outreach by utilizing existing databases, County website, newspapers and social media; communicate community outreach and engagement in several languages.

Task	Activity	Goal
Data Acquisition and Analysis	Staff will analyze HUD-provided data and, if available, acquire recent, local data to supplement HUD data for each AFH topic. Data will provide analysis and information about neighborhoods and areas for the purpose of analyzing features and characteristics that are relevant to a fair housing analysis.	Present aggregated and disaggregated data in a format that is accessible by all, to the community and Advisory Group to ensure data reflects local conditions, and ensure information is relevant to the decision-making/recommendation process.
Convene Advisory Group	Instruct Advisory Group on the AFH and the Assessment Tool for managing the AFH process; develop discussion topics for community outreach and public engagement; select local experts and technical assistance for topic discussions; develop agendas for public workshops; identify specific talking points for community engagement on AFH Topic #1.	Define roles and responsibilities of the Advisory Group and obtain commitment to the AFH process and timeline.
CDA Staff Training	In conjunction with the Davenport Institute, provide training for County Staff on how to effectively involve the public in areas of community engagement.	Develop positive engagement campaigns, including understanding attitudes and behaviors; learn tools for engaging constructively with the public, especially from underrepresented communities.
Public Meetings	Prepare a draft public outreach plan and receive input from the Advisory Group. Schedule public meetings and community workshops; post notifications in various formats, media and in several languages.	Elicit comments and feedback on specific AFH issues.

Task	Activity	Goal
Fall / Winter 2016		
Community Outreach AFH Topic #1	<p>AFH Topic #1: Segregation/Integration and Disproportionate Housing Needs Staff to conduct targeted meetings with local community representatives and groups, nonprofits, and County employees to engage in discussions that identify perceptions about policies, attitudes and behaviors that may create and maintain segregated communities. Identify other determinants that impact current housing patterns, including housing cost burdens and the current supply of available housing – particularly for families; discuss additional factors that contribute to disproportionate housing needs.</p>	Elicit feedback, insight and recommendations for review by the Advisory Group.
Advisory Group Meeting AFH Topic #1	<p>AFH Topic #1: Segregation/Integration and Disproportionate Housing Needs Utilizing HUD and local data, with supporting local knowledge and expertise from community representatives and organizations, discuss, analyze and identify relevant characteristics that set specific neighborhoods or Racially/Ethnically-Concentrated Areas of Poverty (R/ECAP) communities apart from other areas; discuss current changes and trends in how racial/ethnic groups are disproportionately represented in R/ECAP areas; discuss how neighborhoods have changed, persisted or emerged over time and identify contributing factors; discuss the impact of current housing patterns, including housing cost burdens and the current supply of available housing, particularly for families.</p>	Provide recommendations on how to address any identified contributing factors that perpetuate segregation and contributing factors that significantly create, contribute to, perpetuate or increase the severity of barriers to fair housing choice; provide recommendations to Staff on how to address barriers; identify specific topics and outreach for community engagement for AFH Topic #2.

Task	Activity	Goal
Community Outreach AFH Topic #2	AFH Topic #2: Publicly-Supported Housing Staff to meet with local community representatives and groups, Resident Councils, nonprofits and County employees to engage in discussions around the history and future of Publicly Supported Housing.	Elicit feedback, insight and recommendations for review by the Advisory Group.
Advisory Group Meeting AFH Topic #2	AFH Topic #2: Publicly-Supported Housing Discuss and analyze patterns in housing locations and occupancy; ethnic and racial composition of residents in publicly-supported housing; current publicly-supported housing policies, including admission policies; community support for new public housing development and voucher programs. Discuss the determinants and contributing factors for any impediments to fair housing.	Identify contributing factors that significantly create, contribute to, perpetuate or increase the severity of barriers which act to limit fair housing choice for people in publicly-supported housing; assess and analyze areas where public housing is located to determine whether the housing is located in segregated or integrated areas, in R/ECAPs, or in areas with disparities in access to opportunities; provide specific recommendations on how to address barriers; identify specific topics and outreach for community engagement for AFH Topic #3.
Spring /Summer 2017		
Community Outreach AFH Topic #3	AFH Topic #3: Disability and Access Analysis Staff to meet with local community representatives and groups, nonprofits and County employees to analyze issues related to persons with disabilities including access, housing and transportation.	Elicit feedback, insight and recommendations for the Advisory Group.
Advisory Group Meeting AFH Topic #3	AFH Topic #3: Disability and Access Analysis Discuss the current range of options of affordable units with accessibility features; determine whether units are geographically dispersed or in concentrated areas; analyze access to buildings, services, programs and transportation by persons with different disabilities; identify disparities in access to communi-	Identify contributing factors that significantly create, contribute to, perpetuate or increase the severity of barriers which act to limit fair housing choice for persons with disabilities that are distinct from the barriers experienced by individuals without disabilities; provide recommendations to Staff on how to address

Task	Activity	Goal
	ty assets and exposure to adverse community factors; review current policies and practices that affect fair housing choice.	barriers; identify specific topics and outreach for community engagement for AFH Topic #4.
Board Workshop #1	Hold Board workshop on Staff recommendations related to the first three topics: Segregation/Integration and Disproportionate Housing Needs, Publicly-Supported Housing, and Disability and Access Analysis.	Provide feedback and direction on community engagement process and Advisory Group recommendations on first three AFH topics.
Community Outreach AFH Topic #4	AFH Topic #4: Disparities In Access to Community Assets and Exposure to Adverse Community Factors Staff to meet with local community representatives and groups, nonprofits and County employees to engage in discussions around disparities in access to opportunities in schools; employment; public transportation; environmental healthy neighborhoods, including access to grocery stores, health care and parks, by race, ethnic, national origin or other groups, communities or neighborhoods.	Elicit feedback, insight and recommendations for the Advisory Group.
Advisory Group Meeting AFH Topic #4	AFH Topic #4: Disparities In Access to Community Assets and Exposure to Adverse Community Factors Analyze and discuss disparities to opportunities in schools; employment; public transportation; environmentally healthy neighborhoods, including access to grocery stores, health care, and parks, by race, ethnic, national origin or other groups; compare and analyze access to opportunities by specific neighborhoods and compare to the County as a whole; identify laws, policies and practices that may contribute to any differences; determine other impacts that factor into disparities to access	Identify contributing factors that create, contribute to or perpetuate any disparities in access to proficient schools and educational opportunities; jobs and labor markets; transportation or environmentally health neighborhoods, based on race/ethnicity, national origin, and/or family status. Develop specific recommendations to address such barriers.

Task	Activity	Goal
Fall / Winter 2017		
Fair Housing Enforcement, Outreach Capacity, and Resources Analysis	Working with Fair Housing of Marin, Staff to analyze fair housing enforcement, outreach capacity, and resources.	Identify issues and contributing factors that are in non-compliance with Fair Housing laws.
Board Workshop #2	Hold Board workshop on Staff recommendations related to the last two topics: Disparities in Access to Community Assets and Exposure to Adverse Community Factors and Fair Housing Enforcement.	Board to provide feedback and direction on community engagement process and Advisory Group recommendations.
Board Report	Staff to submit preliminary AFH Report to include community outreach process, Advisory Group and community recommendations, and proposed implementation plan to address identified impediments to fair housing choice.	Board approval of Staff 's work and implementation plans to address barriers to fair housing choice.
Spring 2018 - Spring 2019		
AFH Implementation	Staff to prepare implementation plan for Board-approved recommendations for addressing impediments to fair housing choice.	Determine priorities and timelines for the implementation plan/process.
Draft Final Report	Staff to present AFH report to Board of Supervisors; report to include community engagement process, recommendations from the Advisory Board; Board-approved implementation plan, and actions/status of the analysis of impediments to fair housing choice.	Board approval of the AFH Report; Board authorizes Staff to submit report to HUD.

Proposed Recommendations

1. Acknowledge historical and institutionalized racism in the County.
2. Create a Housing Czar position at the County level reporting to the Board of Supervisors.
3. Develop a Community Land Trust in Marin City.
4. Develop a Community Living Fund to support aging in place and community placement alternatives for individuals who may otherwise require care within an institution.
5. Develop a public database that identifies vacant and underutilized parcels in the County; develop programs that allow developers to quickly identify available affordable housing properties.
6. Develop a Rental Deposit Program that helps renters who work for and/or in the County.
7. Develop a Housing Oversight Committee that includes members of the public, all the cities and towns, mayors, Board of Supervisors, professional realtors and investors, homeowners and renters.
8. Develop and expand home ownership programs.
9. Develop consistent permitting throughout the County.
10. Develop junior accessory dwelling unit policies that encourage renting to people of color.
11. Develop renter protections including source of income and Just Cause evictions.
12. Develop strategies that preserve existing affordable housing stock.
13. Develop ways in which individual residents can get involved with affordable housing development.
14. Develop ways to address traffic congestion.
15. Eliminate in-lieu fees and require new developments and all newly purchased housing properties to provide affordable housing units.
16. Eliminate Airbnb and short-term rentals in the County.
17. Expand and enhance homeless programs and policies.
18. Fast track affordable housing development process.
19. Increase funding in Affordable Housing Trust, including making annual contributions.
20. Increase the amount of affordable housing in the County.
21. Make Marin a more welcoming place.
22. Provide more housing and housing support services for persons with disabilities.
23. Provide more legal support services for low-income residents with housing discrimination complaints.
24. Provide more public housing oversight to ensure programs and policies serve residents.
25. Purchase available land for affordable housing.

26. Put a sales tax initiative on the ballot for affordable housing.
27. Reduce the amount of restricted open space for housing development.
28. Review and enforce, with more regularity, Code Enforcement policies.
29. Review County policies and communications for dog whistle language.
30. Review effects of affordable housing on property values.
31. Review how County's tax policies disproportionately affect low-income residents and people of color.
32. Review of Affordable Housing Development by each town/city including disproportionate number of developments in certain cities and towns; ensure that all communities are sharing the responsibility for affordable housing development.
33. Review school policies that affect high school students who are displaced because of housing costs.
34. Review the County's Housing Element.
35. Review the effects of gentrification in the County, including if there is disproportionate displacement for people of color.
36. Review why different schools in different communities have different outcomes.
37. Utilize Teacher Housing Act of 2016 to Develop School Staffing Housing.

Just Cause for Eviction Recommendation

Board of Supervisors to vote in 2018 on a Just Cause for Eviction ordinance to provide renter protections and education for renters, landlords, realtors and businesses in Marin; and to provide support to cities and towns for local implementation of Just Cause for Eviction ordinances.

Goal:

In 2018, adopt a Just Cause for Eviction ordinance to increase stability and promote fairness for renter families in Marin County.

Overview:

A Just for Cause ordinance states that in order to evict a tenant from a rental unit covered by the Rent Ordinance, a landlord must have a "just cause" reason that is the dominant motive for pursuing the eviction. A Just Cause for Eviction ordinance was first considered by the Board of Supervisors in 2015 as part of a suite of renter protections considered to increase stability in the rental market and preserve affordable housing options for renters in Marin. Since that time, Just Cause for Eviction has been considered by the Board of Supervisors at four workshops.

Under Just Cause for Eviction ordinances, landlords fully retain their right to terminate a lease for a valid reason, such as non-payment of rent or for lease violations. And while Just Cause for Eviction ordinances do not prevent landlords from raising rents to unaffordable levels, they can help prevent evictions of responsible tenants, while providing them with greater security.

The combination of a Just Cause for Eviction ordinance and the County's Rental Housing Dispute Resolution ordinance, more commonly known as mandatory mediation, that requires mediation of rent increases over 5%, may provide additional stability for families and individuals who rent in Marin.

As renter protection policies such as Just Cause for Eviction ordinances generally rely on the judicial system for enforcement, it is essential that education and outreach programs be implemented for both landlords and tenants to be effective.

Finally, the Ellis Act (California Government Code sections 7060 through 7060.7) places limitations on both the ability of local governments to require a landlord to continue to rent units as well as tenant protections. A landlord is always entitled to permanently remove a rental unit from the housing market, but a Just Cause for Eviction ordinance can provide a tenant with a right to return to the unit if the property owner decides to rent it again in the future.

Housing Oversight Committee Recommendation

Develop a Housing Oversight Committee that includes members of the public, representatives from all cities and towns, mayors, Aides to the Board of Supervisors, professional realtors and investors, landlords, Marin Housing Authority, Marin Community Foundation, Marin Economic Forum, Office of Education, Fair Housing of Northern California, homeowners and renters, and members of the protected classes, to develop policies and practices that affirmatively further fair housing, and to develop model ordinances for cities and towns. Utilize existing committees including Marin Community Housing Action Team (MCHAT), the Landlord Incentive Program, the Marin Community Foundation Acquisition team, among others, to develop a collaborative process for the Housing Oversight Committee.

Goal:

Work with cities and towns to increase the amount of affordable housing in Marin County, including:

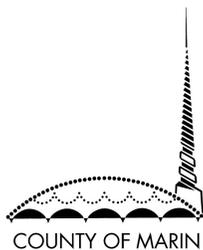
- Increasing the number of rental units throughout the County outside of areas of minority concentration, focusing on family housing, workforce housing and senior/disabled housing, with priority given to members of the protected classes;
- Creating opportunities, policies and programs that incent the development of affordable housing in Marin;
- Provide better communication and education about affordable housing, and affordable housing programs, policies and practices to the residents, real estate professionals, businesses and landlords, among others in Marin; and
- Collectively affirmatively further fair housing.

Responsibilities:

The Housing Oversight Committee will be responsible for, but not limited to:

- Acknowledging historic and institutionalized racism in the County and working with the Office of Education to develop a curriculum to include the history of our County;
- Developing consistent permitting throughout the County;
- Developing strategies that preserve existing affordable housing stock;
- Develop an affordable housing website that:
 - Provides data and mapping information that is accessible to residents, business, landlords, developers, among others;
 - Includes existing, identified affordable housing development sites in the County;
 - Markets to potential developers and includes incentives and specific programs for developers;
 - Includes opportunities for individual residents to be involved in learning more about affordable housing and affordable housing programs and policies in Marin.
- Develop incentives for development of additional affordable housing, and review and update existing policies to:
 - Increase the percentage of inclusionary housing for new housing development;
 - Develop better and more strategic ways to utilize in-lieu fees received by cities and towns;
 - Increase incentives for Project Based Section 8 Housing;
 - Expand and enhance programs and policies for people experiencing homelessness;
 - Fast track affordable housing development process;
 - Providing more public housing oversight to ensure programs and policies serve public housing residents;

- Purchase available County land for affordable housing;
- Review and enforce, with more regularity, code enforcement policies, including worker housing structures;
- Review all County policies and communications with an equity lens to combat dog whistle language;
- Review the effects of gentrification and identify ways to address disproportionate displacement for people of color;
- Provide targeted housing and housing support for people with disabilities;
- Expand community education and legal support for all housing-related complaints – not just for housing discrimination complaints;
- Develop and enhance translation services for all housing related meetings; and
- Advance legislation to promote affordable housing development.



COMMUNITY DEVELOPMENT AGENCY

Brian C. Crawford
DIRECTOR

Administrative Record

Marin County Civic Center
3501 Civic Center Drive
Suite 308
San Rafael, CA 94903
415 473 6269 T
415 473 7880 F
415 473 2255 TTY

This attachment includes all public correspondence received as of 12:00 p.m., June 6, 2018 for the June 12, 2018 Board of Supervisors meeting regarding the County's Assessment of Fair Housing Work Plan update and identified recommendations, including a Just Cause for Eviction ordinance and the establishment of a Housing Oversight Committee.

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Fair Housing Advocates of Northern California

1314 Lincoln Ave., Ste. A, San Rafael, CA 94901 ▼ (415) 457-5025 ▼ TDD: (800) 735-2922
www.fairhousingnorcal.org ▼ fhanc@fairhousingnorcal.org

May 30, 2018

BY EMAIL ONLY (DLaRue@marincounty.org)

Board of Supervisors
County of Marin
3501 Civic Center Drive, Suite 329
San Rafael, CA 94903

RE: Proposed Residential Landlord and Tenant Relations (“Just Cause for Eviction”) Ordinance

Dear Board Members,

On August 1, 2017, the Board of Supervisors referred a policy option identified in the work plan to preserve housing affordability and prevent displacement back to the Board Subcommittee for further consideration: Just Cause for Eviction. The Just Cause for Eviction ordinance would prevent the termination of renter’s leases without cause, providing greater security and stability for responsible tenants while retaining landlords’ rights to terminate a lease for valid reasons, such as non-payment of rent or any other violation of a lease agreement. Tenants would no longer have to fear that reporting unsafe housing conditions would result in reprisals that would cause them to lose their housing and require them to leave their community.

Fair Housing Advocates of Northern California (FHANC) wholeheartedly supports a Just Cause for Eviction Ordinance in Marin County and urges the Board to adopt a Just Cause ordinance as part of an integrated approach that supports other policies already in place, such as the Mandatory Mediation ordinance. FHANC believes this is a crucial step to preserving affordable housing for the most vulnerable populations in the county who are protected under federal and state fair housing law. There is recognition that just cause for eviction is needed across the state; AB 2925 (Bonta) is such a bill and is currently before the California legislature.

We have previously addressed the fact that the burden of unaffordability in Marin County is borne by tenants who are harmed by the current lack of affordable housing, and that many devote half or more of their monthly income towards their rent in order to live in the County. At worst, they are forced out of the County altogether or face homelessness. We continue to see those tenants at our agency. For those who choose to stay near the jobs, schools, or support systems that sustain them, the choice is sometimes living in a car or couch-surfing. For families with children or people with disabilities, staying housed becomes exponentially more difficult.

FHANC’s complaint-based investigations and systemic investigations during the last several years have uncovered discriminatory practices in Marin County, such as offering fewer units, quoting higher rents, refusing to rent and/or falsely denying the availability of units, and stating more burdensome

A local non-profit helping communities eliminate housing discrimination



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qualification requirements for Latinos, Blacks, families with children, and persons with disabilities. Some clients who received no-cause termination notices or excessive rent increases felt that the issuance of the notice was due to discriminatory reasons, particularly if they were the only family, or African-American, or Latino at the complex who received such a notice. As housing providers are permitted to give significant rent increases and terminate a tenancy for no reason at all, members of protected classes increasingly feel as though they have been discriminated against.

Implementing a Just Cause for Eviction ordinance that could operate with the existing Mandatory Mediation ordinance would limit excessive rent increases and would provide responsible tenants with assurances that they can have a stable home so long as they abide by the terms of the lease, or the housing provider doesn't have other cause to end a tenancy. Limiting the basis for which tenancies can be terminated will help reduce discrimination against in-place tenants and displacement of members of protected classes.

Until there is a Just Cause for Eviction ordinance, a housing provider can terminate a tenancy for no reason at all for month-to-month tenants, providing only 30, 60, or 90 days' notice (depending on the length of tenancy and whether a housing subsidy is used). Moving with limited notice poses a number of difficulties for people with physical disabilities, whose homes may have been modified to meet their needs or have other attributes that are necessary because of a disability, such as being located on a ground floor. In addition, families with children face additional challenges, as the location of their home is often tied to a school district or possibly a specific school that meets the disability-related needs of a child. The tight rental market magnifies these problems, particularly as there is a dearth of units with more than 1 bedroom. When there is a lack of rental protections for tenants, it is members of protected classes who are targeted and/or suffer disproportionately, contributing to the County's segregated housing patterns.

The county has put significant resources toward the robust community process required in the Assessment of Fair Housing (AFH) mandated by HUD's 2015 Affirmatively Furthering Fair Housing rule, inviting input through its AFH Community Group and Steering Committee. The many recommendations made by the two groups were narrowed down to two, *one of which was to pass a Just Cause Eviction Ordinance. Tenant protections such as just cause for eviction are often the most effective way to affirmatively further fair housing.*

This county has provided and supported opportunities to educate the community on the history of segregation in Marin County (e.g. inviting Richard Rothstein, author of *The Color of Law*) and the lack of equity in Marin (e.g. inviting the Advancement Project to present findings from their *Race Counts* study which showed Marin County has the highest performance and the highest racial equity disparity in the state). Now it must act to address segregation, to address racial disparities. *We must do more to keep people housed in this county and to affirmatively further fair housing.*

Though we currently have a Mandatory Mediation program, without a Just Cause Eviction Ordinance also in place, a landlord can terminate someone's tenancy and subsequently charge any rental amount desired rather than issuing a rent increase that will trigger mandatory mediation. Passing the Mandatory Mediation ordinance was the right thing to do. We applaud the Board of Supervisors for considering the Just Cause for Eviction ordinance and urge you to implement it without delay. It is an important step toward making housing more affordable in Marin County, and positively impact people of color, families with children, and people with disabilities.

Please don't hesitate to contact us with any questions you have.

Sincerely,



Caroline Peattie
Executive Director



Casey Epp
Supervising Attorney

From: Nicole Vigeant <nicolemvigeant@sonic.net>
Sent: Tuesday, June 05, 2018 6:13 PM
To: BOS <BOS@marincounty.org>
Subject: comments for AFH Workshop June 12

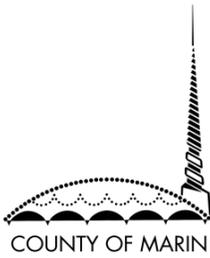
Dear Marin County Board of Supervisors,

I have been a member of the Fair Housing Advisory Committee for the last 18 months. You will be hearing about our formal recommendations, but since I cannot be at the meeting, I wanted to express my personal concerns in regards to housing in West Marin, where I am a resident. As you may or may not know, West Marin faces many of the same challenges as other incorporated areas of the county (general lack of housing, extreme lack of affordable housing), but with some unique twists. What I, and other people who live here see as a disruption in some of the market, is the proliferation of temporary rentals - IE, Air Bnb, etc... I think the county needs to take a good look at how this temporary rental market is effecting our small towns, and consider taking some kind of action. It's clear the situation merits a careful consideration.

I thoroughly enjoyed my position on the Fair Housing Advisory Committee and learned a great deal about how our communities face different challenges. I appreciated the opportunity to involve West Marin in the conversation.

Thank you for your time.

Nicole Vigeant
Tomales



COMMUNITY DEVELOPMENT AGENCY
HOUSING AND FEDERAL GRANTS DIVISION

Administrative record (comments received)

This attachment includes pertinent public correspondence received by Housing and Federal Grants Division staff as of 12:00 PM on September 5, 2018. Further correspondence submitted after this deadline will be distributed by the Clerk of the Board as an addendum to the Board packet.

La Rue, Debbi

From: Connolly, Damon
Sent: Tuesday, August 28, 2018 1:04 PM
To: Hymel, Matthew; Sackett, Mary; Crawford, Brian; Thomas, Leelee; La Rue, Debbi; Rice, Katie
Subject: Fwd: "Just Cause for Eviction" ?

Sent from my iPad

Begin forwarded message:

From: Jackie Schmidt <jdslk@comcast.net>
Date: August 28, 2018 at 1:00:32 PM PDT
To: <dconnolly@marincounty.org>
Subject: "Just Cause for Eviction" ?

Damon, I just wanted to give you my 2 cents worth - this is my opinion; it does not represent an official communication from MARA.

I have watched in despair the negative consequences this sort of regulation has produced in San Francisco over the past few years. In one infamous example, a couple purchased a single family dwelling to live in. They discovered that the HIGH INCOME tenants who occupied it had, because of this regulation, a legal way to extort money from the new property owners, by refusing to move out until they were paid tens of thousands of \$\$ by the property owners. I have heard radio ads by law firms touting their ability to get tenants similar amounts by legally extorting property owners.

Everyone looks at this as an issue for dense multi-unit apartment buildings full of low income tenants, and that is the group it appears they are trying to protect. However, in SF it applies to ALL types of housing. I honestly think that this regulation will reduce the available housing for low income or otherwise challenged tenants (for example, the current push to increase units available for Section 8 housing - how will that work if property owners know that they will never be able to evict tenants or non-renew leases, except for a very narrow number of reasons? The answer is that way LESS owners will be willing to rent to Section 8 tenants). As I am sure you know, the failure of law makers to understand or consider the negative consequences on housing availability of laws such as this one has worsened the "housing crisis" in many areas, not helped it.

Full disclosure - my husband and I own and live in an historic house which has been converted into two flats. We have rented out the other unit (the top story of the house) ever since we purchased the house 24 years ago. We have never had to evict a tenant, or had any serious problems. We keep the rents lower than market rates, because we have good, frequently long term, tenants. If this sort of law is ever passed in SR, we of course will need to be WAY more careful who we rent to - we share a house, garden, driveway, garage, part of our basement, etc. with our tenants. If they made a huge amount of noise, for example (which is not the case now), our life would be unbearable. If we basically have to be willing to live in such close quarters with tenants in perpetuity, without any way to do anything about future problems which might arise except those which might be enumerated in some law, we might even have to consider whether we want to be landlords to strangers at all.

Also, including single family homes in this regulation might change the way seniors, who might like to rent out their large houses and move into some sort of senior living arrangement, make that sort of

decision. Since the current tax laws punish the children/beneficiaries of such seniors amazingly if the house is sold prior to the demise of the older owners, many families decide to rent out these houses, instead of selling them when the parents move into other living space. This is because, as I am sure you know, if the house is sold while the owner(s) are still alive, capital gains tax would be charged on the appreciation of homes which may have been owned for 30, 40, 50, 60 yrs, essentially taxing inflation and the high rate of housing appreciation in our area. If, however, the house is sold after the death of the older generation, the tax is ZERO, because of the step-up to market value. Quite a difference! Families who do not want to sell such houses may be, IMO, way less likely to put them up for rent either if they perceive that these types of regulations will make the value of any house with tenants in it worth LESS than an empty house, and might create all sorts of other problems also. Of course, the rental income would be given up, but families who are comfortably off may make that decision, not wanting to have to deal with the potential legal and other problems. Even using a management company would not solve this problem. I know this sounds unlikely, but even in our not-high-end neighborhood, I can think of at least 3-4 homes which are still EMPTY (all of them for decades), presumably owned by a Trust or someone who can afford to just hold onto them and pay the taxes and some maintenance. This is in a market which is red hot for rental properties. If this sort of regulation was passed, I think there would be way more of these homes just standing empty in our area, as renting them out might be perceived as being very risky.

Of course I have gone on too long, and I could go on way longer. My main point is that I think "just cause for eviction" regulation will increase the housing shortage. At the very least, I think that single family dwellings and owner occupied duplexes should be exempted from any such regulation. They are not causing the problems which have occurred re ridiculous rent increases, and many of them might just be taken off the rental market as a result of such regulation. Thank you for your patience and good job you are doing representing our area of San Rafael.

Respectfully,
Jackie Schmidt

La Rue, Debbi

From: Sackett, Mary
Sent: Wednesday, August 29, 2018 3:49 PM
To: Thomas, Leelee; La Rue, Debbi
Subject: FW: Just Cause Evictions

From: phillips1dana@sbcglobal.net <phillips1dana@sbcglobal.net>
Sent: Friday, August 24, 2018 7:46 PM
To: Connolly, Damon <DConnolly@marincounty.org>
Subject: Just Cause Evictions

Dana would like information about:
Dear Supervisor Connolly:

I live in the Dominican neighborhood, and while you are looking at just-cause evictions for unincorporated Marin, I'd like to share my concerns. I cannot attend your evening information meetings. I do want people to have homes, but not at the expense of their neighbors or a homeowner who wants to rent their home out, as opposed to the owner of a large apartment building.

I had to move a couple of times in San Rafael due to apartment neighbors who were using drugs and affecting my health. Nobody could "prove" this because it takes years, when my health was in immediate danger. And I certainly couldn't prove it without access to my neighbor's apartment. Maybe the law says there is help to move, but nobody was there to help me with my moving or my moving expenses.

In my current Dominican area home, I also have no protections from former and current neighbors who were using and making meth and other drugs and covering it up with pot smoke or perfume/cooking smells. Fortunately their landlord was able to evict the previous tenant without proving just cause. He said they caused \$40,000 in damage, including trashing the place and using the floor instead of the toilet. None of this could have been proven before they moved because of privacy laws. The new tenant is a drug dealer and makes probably ecstasy and marijuana edibles for sale, though he moved a lot of other people in and kind of mostly vanished, leaving them driving his cars to drop off things around the neighborhood at random times (though the number seems reduced). I don't know how the owner could get rid of them and he probably doesn't care. But their activities have made me sick. If the owner had to show just cause for an eviction, where would my rights be? How do you propose to protect neighbors' rights when the neighbors don't have the means to move.

Thank you.

Counolly

Marin County Board Of Supervisors
2018 AUG 30 PM2:20



P.O. Box 150315 • San Rafael, CA 94915
www.marinpropertyassociation.com
415 / 260-7080 • elam@elamproperty.com

August 22, 2018

Dear Sir/Madam:

I am writing to you today to inform you and your members of County initiatives that will impact all property owners in Marin.

The Marin County Board of Supervisors has been acting for some time on measures related to Marin properties. These measures are adding new, Marin County-specific restrictions on local property owners, above and beyond existing state law. Last December, for example, the Supervisors passed an ordinance restricting the ability of Marin property owners to raise rents more than 5%.¹

Next month, in September, the Supervisors will begin to consider whether to place additional restrictions on Marin County property owners. Specifically, the Board will consider restricting the ability of Marin property owners to decide not to renew a rental lease, or evict a tenant – essentially requiring property leases to continue in perpetuity.

It is becoming increasingly clear that members of the Board of Supervisors are moving Marin County inch by inch, measure by measure, towards *rent control*.

What does this mean for **homeowners in Marin**?

If the Board continues down this ill-advised path, all Marin homeowners, including the homeowners in your association, will lose money, likely in the tens of thousands of dollars, if not in the hundreds of thousands of dollars.

Marin homeowners will lose this money because the values of their homes, or the expected appreciation in the values of their homes, will be reduced.

It is a well-researched outcome that homes located in areas with rent control do not appreciate as much or as quickly as those in non-rent controlled areas, a fact that was recently recognized by the *California State Legislative Analyst's Office* in an impartial analysis of a recent rent control initiative:

*The market values (the price a property could be sold for) of properties appears to decline when they are placed under rent control.*²

If the Supervisors decide in September to move forward with eviction restrictions and effectively mandate “perpetual leases”, Marin properties would incur additional adverse consequences. Such restrictions would severely limit a property owners’ ability to maintain a peaceful and safe environment.

These restrictions will make it more difficult to restrain gang-related activity, smoking and drug-related activities, occupancy standards, parking abuses, and filth. Does Marin County really want to emulate the problems experienced by Berkeley and San Francisco in this regard?

While it is true that at present, the Board’s proposals are applicable to property owners in unincorporated Marin, Board members have suggested that they are striving to set the direction for



local cities, such as San Rafael, Novato, Mill Valley, Corte Madera, Sausalito, etc. One County agency went so far as to urge the Board of Supervisors in June "to provide support to cities and towns"³ in Marin to impose similar measures on all property owners.

Rent control creates negative spillover effects even in neighboring communities that are not directly under the rent control provisions. It is accordingly not surprising that the *State Legislative Analyst's Office* found evidence that "*the market value of non-rent-controlled properties in the vicinity of rent-controlled properties also declines*"².

Declining property values and a compromised ability to protect the health and safety of our neighborhoods will not benefit Marin homeowners.

Marin homeowners should appreciate what is at stake here.

If the Board of Supervisors enacts these proposed new restrictions on Marin property owners, Marin homeowners, collectively, will lose millions of dollars in lost appreciation, and thereafter, live in a community with a diminished ability to protect the safety and tranquility of Marin's neighborhoods.

I urge you to:

- Forward copies of this letter to the homeowners in your association and your neighborhood.
- Contact Supervisor Connolly to express your opposition to the Board's September proposal to impose further restrictions on Marin County properties. Let him know that as a Marin homeowner, you are concerned with the proposal's adverse impact on property values and on the safety and tranquility of your neighborhood.

Please E-mail him now at: dconnolly@marincounty.org or phone him at: (415) 473-7331

- Attend the Tuesday, September 11th Board of Supervisors meeting in Room 330 of the Civic Center. Discussions on housing are typically the last topic in the evening, with opportunities for the public to comment. Check the Board of Supervisors' website in early September to confirm the agenda:

<https://www.marincounty.org/depts/bs>

- Visit our website for further information: <http://www.marinpropertyassociation.com/news/>

Sincerely,



Joby Tapia

Secretary

¹ *Mandatory Mediation for Certain Rent Increases*, December 2017, <https://www.marincounty.org/depts/bs/board-actions-meetings/2017/december/december-12/mandatory-mediation>

² *Review of proposed statutory initiative pertaining to rent control* (A.G. File No. 17-0041), *Legislative Analyst's Office*, California Legislature, December 12, 2017, <https://lao.ca.gov/BallotAnalysis/Initiative/2017-041>

³ *Just Cause for Eviction Recommendation*, BOS Attachment 3, June 12, 2018, <https://www.marincounty.org/-/media/files/departments/cd/planning/housing/fair-housing/bos-staff-report/afh-staff-report-06122018-signed-with-attachments.pdf?la=en>

MRPA Mailing List 1

Montecito Area Resident Association	San Rafael
Marin Bay Park	San Rafael
Dominican Black Canyon Neighborhood Association	San Rafael
Fairhills Property Owners Association	San Rafael
Peacock Gap Homeowners Association	San Rafael
Lincoln San Rafael Hill Neighborhood Association	San Rafael
Lucas Valley Homeowners Association	San Rafael
Mont Marin San Rafael Park Neighborhood Association	San Rafael
Smith Ranch Homes Homeowners Association	San Rafael
Loch Lomond Homeowners Association	San Rafael
Terra Linda Homeowners Association	San Rafael
Bayside Acres Homeowners Association	San Rafael
Glenwood Homeowners Association	San Rafael
Lucas Valley Estates Homeowners Association	San Rafael
Marinwood Homeowners Association	San Rafael
Greenbrae Property Owners' Association (GPOA)	Greenbrae
Kent Woodlands Property Owners Association	Kentfield
Ross Property Owners Association	Ross
Sleepy Hollow Homes Association	San Anselmo
Bret Harte Community Association	San Rafael
Gerstle Park Neighborhood Association	San Rafael
Belvedere Lagoon Homeowners Association	Belvedere Tiburon
Kite Hill Neighborhood Association	Mill Valley
Mill Valley Heights Homeowners Association	Mill Valley
Scott Valley Homeowners Association	Mill Valley
Tamalpais Park	Mill Valley
Cornelia Avenue Neighborhood Association	Mill Valley
Parkwood Association of Neighbors	Mill Valley
Tamalpais Ave. Neighborhood Association	Mill Valley
Freeman Park Neighborhood Association	Mill Valley
Scott Highlands Neighborhood Association	Mill Valley
Shelter Bay Homeowners Association	Mill Valley
West Blithedale Canyon Neighborhood Association	Mill Valley
Paradise Cay Community Association	Tiburon
Dillon Beach Homeowners Association	Dillon
Homestead Valley Community Association	Mill Valley
Seadrift Homeowners Association	Stinson Beach
Ignacio Creek Homeowners Association	Novato
Hamilton Field Of Marin Homeowners Association	Novato
Indian Valley Associates	Novato
San Marin Improvement Association	Novato



Fair Housing Advocates of Northern California

1314 Lincoln Ave., Ste. A, San Rafael, CA 94901 ▼ (415) 457-5025 ▼ TDD: (800) 735-2922
www.fairhousingnorcal.org ▼ fhanc@fairhousingnorcal.org

September 4, 2018

BY EMAIL ONLY (BOS@marincounty.org)

Board of Supervisors
County of Marin
3501 Civic Center Drive, Suite 329
San Rafael, CA 94903

RE: Residential Landlord and Tenant Relations ("Just Cause for Eviction") Ordinance

Dear Board Members,

On August 1, 2017, the Board of Supervisors referred a policy option identified in the work plan to preserve housing affordability and prevent displacement back to the Board Subcommittee for further consideration: Just Cause for Eviction.¹ The Just Cause for Eviction ordinance would prevent the termination of renter's leases without cause, providing greater security and stability for responsible tenants while retaining landlords' rights to terminate a lease for valid reasons, such as non-payment of rent or any other violation of a lease agreement. Tenants would no longer have to fear that reporting unsafe housing conditions would result in reprisals that would cause them to lose their housing and require them to leave their community. It is time to finally move forward with Just Cause.

Fair Housing Advocates of Northern California (FHANC) wholeheartedly supports a Just Cause for Eviction Ordinance in Marin County and urges the Board to adopt a Just Cause ordinance as part of an integrated approach that supports other policies already in place, such as the Mandatory Mediation ordinance. FHANC believes this is a crucial step to preserving affordable housing for the most vulnerable populations in the county who are protected under federal and state fair housing law. There is recognition that just cause for eviction is needed across the state; many local jurisdictions already have such ordinances in place and others are considering one, and while AB 2925 (Bonta) did not pass the California legislature, it

¹ A just cause ordinance was first identified by the Board as part of a workshop series covering a variety of tenant protection and affordable housing policy options held between October 2015 and February 2016; in the final workshop, the Board approved a work plan to prevent displacement including a just cause ordinance.

A local non-profit helping communities eliminate housing discrimination

TDD:
SE HABLA



CALIFORNIA RELAY SERVICE FOR THE HEARING OR SPEECH IMPAIRED: (800) 735-2922
ESPAÑOL - NẾU CẦN GIÚP ĐỠ BẰNG TIẾNG VIỆT NAM XIN LIÊN LẠC SỐ: (415) 847-2747

garnered significant support.

Some landlords, including Marin Rental Property Owners, make the argument that a just cause eviction ordinance is simply the step before rent control and focus all their arguments on the evils of rent control, neatly sidestepping any discussion of the advantages of just cause for eviction. We know of cities that have a just cause for eviction ordinance in place on its own, without a rent control ordinance accompanying it – and this is exactly what Marin County is proposing. Marin County is not seeking to add rent control, as alleged by some landlords; rather, it is merely taking a crucial step in providing stability for Marin County renters, while also considering property owners' right to run a profitable business and maintain a peaceful and safe environment for their tenants and other Marin County residents by requiring that landlords have good cause to terminate a tenancy. This does not mean "perpetual leases" will be mandated or that property values will drop, but that good tenants who abide by the terms of their lease will have some security in their home, despite the fact that it is rented; tenants who breach the terms of the lease and/or engage in criminal behavior can lawfully be evicted under a just cause for eviction ordinance. Marin County made great strides toward protecting tenants through its mandatory rent mediation program, but rent mediation without just cause for eviction is empty protection. Property owners who want to raise rent over five percent can do so easily, by serving tenants a no-cause notice to vacate; furthermore, they could merely participate in the mediation process without coming to any resolution, as the only requirement is participation and not resolution. And discrimination and retaliation, both illegal, are difficult for tenants to prove. *Underlying the under-utilization of Marin County's current mandatory rent mediation option may well be fear tenants feel that they will be evicted if they ask for rent mediation.*

We have addressed numerous times the fact that the burden of unaffordability in Marin County is borne by tenants who are harmed by the current lack of affordable housing, and that many devote half or more of their monthly income towards their rent in order to live in the County. At worst, they are forced out of the County altogether or face homelessness. We continue to see those tenants at our agency. For those who choose to stay near the jobs, schools, or support systems that sustain them, the choice is sometimes living in a car or couch-surfing. For families with children or people with disabilities, staying housed becomes exponentially more difficult.

FHANC's complaint-based investigations and systemic investigations during the last several years have uncovered discriminatory practices in Marin County, such as offering fewer units, quoting higher rents, refusing to rent and/or falsely denying the availability of units, and stating more burdensome qualification requirements for Latinos, Blacks, families with children, and persons with disabilities, many of whom are elderly. Some clients who have received no-cause termination notices or excessive rent increases felt that the issuance of the notice was due to discriminatory reasons, particularly if they were the only family, or African-American, or Latino at the complex who received such a notice. As housing providers are permitted to give significant rent increases and terminate tenancies for no reason at all, outright discrimination is often difficult to prove. Even when there is no intent to discriminate, the lack of affordable housing and tenant protections has a disparate impact on these same groups of people.

Implementing a Just Cause for Eviction ordinance that could operate with the existing Mandatory Mediation ordinance would limit excessive rent increases and would provide responsible tenants with assurances that they can have a stable home so long as they abide by the terms of the lease, or the housing provider doesn't have other legitimate cause to end a tenancy. Limiting the basis for which tenancies can be terminated will help reduce discrimination against in-place tenants and displacement of

members of protected classes. Tenants will be able to enjoy the same stability in housing and all its accompanying advantages – continuity of education, health care, housing with appropriate modifications, or support networks – that homeowners enjoy. The tight rental market magnifies these problems, particularly as there is a dearth of units with more than 1 bedroom. When there is a lack of rental protections for tenants, it is members of protected classes who are targeted and/or suffer disproportionately, contributing to the County's segregated housing patterns.

The county has put significant resources toward the robust community process required in the Assessment of Fair Housing (AFH) mandated by HUD's 2015 Affirmatively Furthering Fair Housing rule, inviting input through its AFH Community Group and Steering Committee. The many recommendations made by the two groups were narrowed down to two initial recommendations, *one of which was to pass a Just Cause Eviction Ordinance. Tenant protections such as just cause for eviction are often the most effective way to affirmatively further fair housing. Marin County rightly initiated the AFFH process by garnering robust community support, and now should incorporate the two recommendations made. Is the County willing to ignore the recommendations of its own steering committee and community group?*

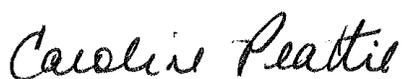
This county has provided and supported opportunities to educate the community on the history of segregation in Marin County (e.g. inviting Richard Rothstein, author of *The Color of Law*) and the lack of equity in Marin (e.g. inviting the Advancement Project to present findings from their *Race Counts* study which showed Marin County has the highest performance and the highest racial equity disparity in the state). Now it must act to address existing segregation and racial disparities. ***We must do more to keep people housed in this county and to affirmatively further fair housing.*** Marin, already lacking in diversity, may continue to lose ground without implementing change such as Just Cause.

Though we currently have a Mandatory Mediation program, without a Just Cause Eviction Ordinance also in place, a landlord can terminate someone's tenancy and subsequently charge any rental amount desired rather than issuing a rent increase that will trigger mandatory mediation. Passing the Mandatory Mediation ordinance was the right thing to do. We applaud the Board of Supervisors for considering the Just Cause for Eviction ordinance and urge you to implement it without delay. It is an important step toward making housing more affordable in Marin County, and positively impact people of color, families with children, and people with disabilities.

On a personal level, and as a landlord renting property in Marin County, I welcome a just cause eviction ordinance – it is only fair to give a reason to terminate someone's tenancy which is a *business* for me but a *home* for them. I can't imagine asking a tenant to leave without having an excellent and justifiable reason to do so.

Please don't hesitate to contact me with any questions you have.

Sincerely,



Caroline Peattie
Executive Director



September 4, 2018

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PO Box 9633
San Rafael, CA 94912
www.MarinMEHC.org

Marin County Board of Supervisors
3501 Civic Center Drive
San Rafael, CA 94903

Re: Just Cause for Eviction

Dear Supervisors:

The Marin Environmental Housing Collaborative strongly urges the Board of Supervisors to enact a Just Cause Eviction ordinance to provide a sorely needed measure of fairness and stability to residential tenants in our county. This issue has been under consideration since February 2016. Most recently, over 1,400 community members from across Marin contributed to the recommendations of the Community Advisory Group and the Steering Committee for the County's Assessment of Fair Housing. Implementation of a Just Cause for Evictions ordinance was one of the two recommendations made by these groups. After countless hours of staff and volunteer time and several workshops and hearings over the last two and a half years, it is time for the Board to put this ordinance into place.

We are in the middle of a housing crisis that is having wide-reaching and devastating impacts on the stability of our communities. Marin now leads the Bay Area in displacement of low-income households, Marinites who face loss of community, the disruption of their children's schooling, and either eventual long commutes back to Marin for work, or loss of their participation in our workforce as they seek employment closer to home.

Indeed, while housing is not a public utility, it is just as critical to a community's well-being as power, water and our other necessities. Unfortunately, the housing market is not working fairly, and, consequently, our governing agencies must step up to reasonably regulate it.

Many of our county's tenants have avoided complaining to landlords or public officials about sometimes egregious code violations in their units for fear of losing the only affordable home they have been able to find. They have virtually no protection against the unfairness of their situation.

We have heard the concerns that any sort of regulation will hurt the rental housing market, but rents continue to rise, vacancy rates are low, there is rising inflation, local wages are not keeping pace, and real estate newsletters

continue to carry glowing reports of the desirability of owning rental properties in “an exclusive market with no rent control and high demand for rental housing.” While we hear the calls for building much more housing as a solution to this crisis, Marin is unlikely to build the type or amount of housing needed to fill this gap, at least in the near-term and perhaps never. We need a multi-pronged approach to address the rental housing crisis that does not rely solely on new construction. We all must do our fair share to preserve the social and economic vitality of our county – but right now too much of that burden is born by those with the fewest resources.

While we hear concern from small “mom and pop” landlords, we do not believe that most landlords, large or small, will be inappropriately impacted by an ordinance that simply asks them to have and state reasonable causes for terminating tenancies. Indeed, we should not cater to landlords who are unwilling to be fair to the tenants who are providing them with rental income.

The County’s Rental Housing Dispute Resolution ordinance has not made a major impact on rising rents. Only 10 households have made use of mediation to date, and word is that renters decline to request mediation (or building inspections) for fear of retaliation. By providing mandatory mediation without a companion just cause for eviction requirement, the County is providing a right without any concurrent protections to make use of that right.

We believe most landlords do play fair, treat their tenants with respect and evict only when necessary. A carefully drafted Just Cause for Eviction Ordinance – one that sets clear standards for eviction and protects property owners from unfair claims by tenants who abuse the terms of their rental agreements – simply will not adversely affect them. It is needed, however, to protect tenants from the minority of property owners who don’t treat renters equitably, looking at their property only as a means to reap as much profit as possible at the expense of those unable to protect themselves. A Just Cause for Eviction ordinance can be a moderate and commonsense measure to help level the playing field. Tenants deserve protection from arbitrary treatment by landlords; by the same token, landlords need clear guidelines so that they will know what is appropriate and what is not.

Finally, it is important that the County act as a leader in this arena. Marin’s cities and towns are looking to the County for such leadership, and we urge that you show it.

Thank you for your consideration. We look forward to moving forward on renter protections.

Sincerely,



Steven Saxe
Co-Chair

From: elam@elamproperty.com <elam@elamproperty.com>
Sent: Thursday, August 16, 2018 6:17 AM
To: Connolly, Damon <DConnolly@marincounty.org>; Rice, Katie <KRice@marincounty.org>
Cc: Sackett, Mary <MSackett@marincounty.org>; Joby Tapia <jobytapia@mac.com>
Subject: Just Cause Eviction

Dear Supervisors Connolly & Rice,

Thank you for meeting with us last week. Again, I apologize for my tardiness. I had 12:00 as the start time and it appears the meeting started earlier.

I just wanted to forward you an email (contact information obscured for privacy) from one of my residents in a Just Cause Eviction jurisdiction - the City of Richmond.

I have tenants who are constantly smoking both cigarettes and pot and ignore my notices to stop or quit. The last conversation we had, they hung up on me.

I now need to file an unlawful detainer action, which they will fight to defend their "rights," and I have no way to show through pictures to the court the smell of cigarette and pot smoke. So, I need the testimony of other residents to win in court.

But bad apples tend to be bad to everyone. I have spoken in private with six different residents who agree that the bad apples are smoking pot but are scared to testify against them. Brian below points out that one carries a gun and the other is a martial arts black belt, and so, he does not want to testify.

If there were no Just Cause Eviction, I would just quietly give the bad apples a 60-Day Notice to Vacate. But because there is Just Cause Eviction, my hands are tied and I cannot remove these bad apples.

There are families with children living in the apartment complex. Two or three residents are holding hostage the other 25.

Warm regards,

Bobby Elam

----- Original Message -----

Subject: Re: pot smoking
From: Brian XXXXXXX <XXXXXXXX@gmail.com>
Date: Mon, August 13, 2018 3:13 pm
To: Elam Property Management <elam@elamproperty.com>

Hi Bobby,

I just wanted to get back to you to let you know I've received this but I'm being pulled in too many directions here at work today and, if you don't mind, I would like to give this some thought.

I do have a question: Would the residents know who provided testimony? One carries a gun and the other is a martial arts black belt.

Thanks,

Brian

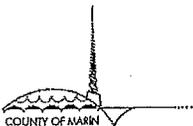
**Share your thoughts:
Just Cause for eviction policies**

Bayside Martin Luther King Jr. Academy
Thursday, September 6, 2018

Dear Board Members:

Tonights conversation included alot of discussion around affordable housing, & ~~the~~ ^{the} problem with high rents & retaliation for habitability complaints without rent control, just cause addressed neither problem.

And mediation is just an opportunity for the LL to explain their rent increases. Retal protection is already a part of state law & not related just cause.



Additional comments may also be emailed to: BOS@marincounty.org

From: John Palmer <jp@montgomerypartners.net>

Sent: Thursday, September 06, 2018 12:54 PM

To: Marin IJ - Opinion <opinion@marinij.com>

Cc: Sears, Kathrin <KSears@marincounty.org>; Arnold, Judy <JArnold@marincounty.org>; Rice, Katie <KRice@marincounty.org>; Rodoni, Dennis <DRodoni@marincounty.org>; Connolly, Damon <DConnolly@marincounty.org>; Marin IJ - Dick Spotswood <spotswood@comcast.net>

Subject: Just cause eviction

Editor

The IJ has printed letters urging the Board of Supervisors to pass an ordinance for just cause eviction, but not one from a housing provider who has had to evict a bad apple tenant in a jurisdiction where such laws are in place. I have owned and operated rental housing for 40 years, including in San Francisco and other jurisdictions where well-meaning officials

have enacted various forms of eviction protection, and can tell you, from real-world, hard experience, that once such protections are in place, it is next to impossible to evict problem tenants.

Loud partiers, people who bring in dangerous pets, or bring in roommates who become problems, hoarders whose possessions constitute a fire hazard, those who sub-let to short term tenants in violation of local law and their own leases, and turn apartment buildings into unsupervised hotels, are just some examples of those who become protected under these laws. When threatened with eviction for violating rules of conduct, they often engage lawyers who demand expensive jury trials; the burden of proof is on the landlord, who then has to wait until enough neighbors get sick of the resulting issues and are willing to testify, in court, that their neighbor, who may be intimidating or threatening, is a problem tenant. Meanwhile the destructive behavior continues. Problem tenants are often skilled at using the law to their advantage to threaten owners, who may be simply responding to the complaints of neighbors. What usually happens is that the hapless property owner winds up hiring a lawyer to negotiate a settlement with the tenant's lawyer, and paying the tenant to leave, with a clause in the settlement agreement prohibiting the owner from divulging the cause of the action. Then the bad tenant, without an eviction on his record, is free to repeat the troublesome behavior elsewhere.

Just cause eviction laws are a trap that have the unintended consequence of protecting the wrong people.

--

John Palmer

Montgomery Partners

100 Shoreline Highway Suite 160B

Mill Valley, CA 94941

(415) 332 4440 (O)

(415) 272 1728 (C)

ke:18

Rifkind Law Group

100B Drake's Landing Road, Suite 260, Greenbrae, CA 94904
Telephone: (415) 785-7988 * Facsimile: (415) 785-7976
www.rifkindlawgroup.com

Leonard A. Rifkind
len@rifkindlawgroup.com

September 9, 2018

Supervisor Damon Connolly, Board President
Supervisor Judy Arnold
Supervisor Katie Rice
Supervisor Dennis Rodoni
Supervisor Kate Sears
3501 Civic Center Drive, Room 329
San Rafael, CA 94903

Re: We urge the Board of Supervisors to Discontinue Consideration of a Just Cause
Eviction Ordinance

Dear Board President Connolly and Members of the Board of Supervisors:

Your Board should adopt ordinances to address problems. The stated goal is to "prevent displacement." Based upon statistics compiled by the Marin Rental Property Association, less than *one percent* of all rentals in the County's jurisdiction experience a Marin County Superior Court filing for unlawful detainer annually. The statistics do not lie—there is no displacement problem. And for good reason, the vast majority of landlords in Marin County own 10 units or less and are small business people. The cost of unit turn over and payment of leasing commissions is significant. No landlord evicts unless there is no other alternative. In sum, there is no factual basis to impose just cause eviction controls in Marin County with the number of evictions affecting less than one percent of the units and the number of filed evictions has decreased by approximately 50 percent over the past seven years.

However, there are significant adverse consequences to adopting just cause eviction controls:

1. **Just cause eviction controls decrease property values**, resulting in lower property tax and less revenue to the County. Eviction controls result in the public subsidizing the cost.

2. **Just cause eviction controls discourages developers from building new rental housing and focus on building for sale market rate housing.** The only thing that will decrease rents is building more housing, the law of supply and demand. While the present proposal is for just cause eviction controls, landlords and the real estate industry in Marin County fear the next step will be rent control, which will further depress property values. With eviction controls in place, instead of creating or maintain rental units, developers are incentivized to remove rental units from the market and replace the units with market rate for sale housing, defeating the intention to maintain rental housing stock.
3. **Landlord evict for three reasons: Rent due, problem tenant, and desire to sell or remodel the unit.** As indicated above, no landlord processes an eviction without good reason because of the cost incurred: attorneys' fees, court costs, process server fees, sheriff's fees, locksmith, uncertainty, stress, turnover costs, leasing commissions. Just cause eviction controls will upset this process, particularly when a problem tenant exists, who is either damaging the unit or unreasonably disturbing other tenants. A just cause ordinance will interfere with this natural self-regulation process. Again, no landlord evicts a tenant, unless there really is a problem. With just cause controls in place, the problem tenant remains in possession often to the harm of surrounding tenants, creating unsafe conditions, and increasing policing costs.
4. **Unnecessary Bureaucracy.** Going down the slippery slope of rental controls leads to bureaucracy run amok. One need only to review the San Francisco Rent Board's website to ascertain this is a train wreck for all involved. The SF Rent Board has multiple ordinances: The Rent Ordinance, The Rent Board Fee Ordinance, Security Deposit Interest Ordinance, Tenant Communications Ordinance, and 122 pages of Rules and Regulations that change frequently (some say hourly).

Please do not fix a problem that does not exist.

Sincerely,

RIFKIND LAW GROUP

By: 
Leonard A. Rifkind

From: Barbara Freitas <freitasb@sbcglobal.net>

Sent: Sunday, September 09, 2018 11:15 PM

To: Connolly, Damon <DConnolly@marincounty.org>; Rice, Katie <KRice@marincounty.org>; Sears, Kathrin <KSears@marincounty.org>; Rodoni, Dennis <DRodoni@marincounty.org>; Arnold, Judy <JArnold@marincounty.org>

Subject: Negatives effects of Just Cause Eviction and rent control-style restrictions on rental property owners

Marin County Board of Supervisors,

As a rental property owner I have always been committed to providing safe, clean and well-maintained housing. If Just Cause Eviction restrictions are placed on property owners, it will be extremely difficult, expensive and time-intensive to remove tenants who choose to not comply with terms of the lease, who bring in strangers including criminals and people who willfully destroy property. The burden of proof is placed on the property owner to prove the tenant isn't in compliance with the lease or rental agreement. Never has an eviction been issued.

Examples of tenant actions that have destroyed my property and good will among neighbors:

- 1) Tenant who was a landscape gardener who potted large 4 ft. trees in the center of the living room on hardwood floors. Floors were destroyed from water and soil. Stopped paying rent, eviction not required.
- 2) Mechanic disassembled and rebuilt his motorcycle in the living room on the beige carpet. Oil soaked thru the carpet to the hardwood floor. Moved out by choice.
- 3) Chain-smoker destroyed the paint. Constantly fried food which caused the walls to be covered in spattered grease. Never vacuumed or cleaned the apartment. Walls had to be replaced because of staining and odor. Tenant denied smoking. Moved out by choice.
- 4) Young child drew, painted and marked interior and exterior walls, doors and furnace. Scrubbing does not remove the marker drawings. Parents claim normal wear and tear. Burden of proof on the landlord.
- 5) Drug user breaks windows, breaks-in when keys lost, constant parties and extra people not on the rental agreement, burden of proof on landlord. When finally jailed, allowed his younger drug abusing brother to live in the apartment. Constant police activity. Stopped paying rent, moved out by choice.
- 6) Sex worker who employed other sex workers causing continual intruders at late-night hours. Strangers hanging around and entering the buildings at all hours. Four good tenants moved out of because of fear and from the constant disturbances from sex workers. Clients of the sex workers broke windows, fought on the property, had loud drunken parties. Burden of proof on landlord. Moved out by choice.
- 7) Tenant curses and threatens landlord with every annual rent increase, rent increases that never exceeded 4% annually. Nearby, a tenant not only threatened but killed the landlord in Mill Valley earlier this year. Property owners should not be required to put up with this type of abuse.

With Just Cause Eviction, it could take months to go thru the court process to remove these kinds of tenants.

Disrespectful, law-breaking tenants don't care about maintaining a good neighborhood nor respecting their fellow tenants. If given a notice to move, they will go to a tenant's rights attorney and find way to stay even though all house rules have been broken. These types of tenants cause good, decent, respectful tenants to move out.

It isn't possible to keep a respectable rental property when a few tenants abuse the property and rental agreement. A few abusive tenants can affect the neighborhood and remove the rights of tenants to the quiet enjoyment of their residence.

Just Cause Eviction creates the ability for dishonest, disrespectful tenants to take advantage of the landlord, the property and the other residents. They become almost impossible to remove without huge legal fees and months of court proceedings.

From: Eric Andrewsen <eandrewsen@comcast.net>

Date: September 9, 2018 at 5:39:29 PM PDT

To: <dconnolly@marincounty.org>

Subject: Just Cause Eviction

Dear Mr. Connolly,

I am concerned about the just cause eviction ordinance you are contemplating. I have owned a duplex in Tam Valley for over 40 years that would be subject to such an ordinance.

I had a problem several years ago, where I was glad to have the right to request that the tenant move. He started working on cars and took up most of the available street parking on our narrow hillside road. This was very upsetting for my neighbors, and I was not able to get any cooperation from my tenant. Thank goodness I had the right to request that the tenant move. Will I be able to do that if just cause evictions become law?

In the past, I have had complaints at other rentals that could be difficult to handle with a just cause eviction ordinance in place:

- * repeated smoking complaints
- * repeated noise complaints
- * repeated behavior disturbing to other tenants

Because of the abusive actions of a few, do you have to limit the rights of all landlords??

As an alternative, have you considered requiring landlords to submit 30 day and 60 day notices to the county, as a start to getting some accurate figures on the size and scope of this "problem"?

Sincerely,
Eric Andrewsen
219 Richardson Dr
Mill Valley, CA 94941
415-264-1626



Community Land Trust Association
of West Marin

September 10, 2018

Board of Supervisors
County of Marin
3501 Civic Center Drive
San Rafael, CA 94903

9/10/2018

Dear Board Members,

CLAM strongly supports the passage of a Just Cause Eviction ordinance. It benefits the renter, and it benefits a County in the midst of a crisis.

In West Marin, the need for such an ordinance is clear. The havoc caused by the housing crisis is destabilizing our communities, schools, and businesses. Hundreds of renters have moved out of West Marin over the past 5-6 years, and local employers have a hard time filling jobs – whether in the education, agricultural, medical, emergency, tourist or nonprofit/social service sectors. In an environment like this, there is a civic responsibility to ensure that people of moderate to low income have basic mechanisms of home stability in place.

The consequences of renter instability, individually and collectively, are simply too profound to continue the status quo.

CLAM submits this letter as a Community Land Trust property manager/landlord to twenty local households. Like many other landlords, CLAM sets up rental and lease agreements and monitors them regularly. We set aside funds annually for maintenance costs, we make expenditures for the stewardship of properties. And, we are in relationship with each of our renters. We feel that there are sufficient mechanisms already in place for landlords, and as an organization that creates affordable homes – as well as a *property manager* of those homes – we strongly support a just cause ordinance, which promotes *renter stability* by simply asking property owners to *give a reason for termination of tenancy*.

Respectfully,

Kim Thompson
Executive Director CLAM

On behalf of the:
Community Land Trust Association of West Marin

Ph. 18

Patterson, Diane

From: Lorrie Goldin <lorriegoldin@sbcglobal.net>
Sent: Monday, September 10, 2018 10:53 AM
To: BOS
Subject: Support Just-Cause Eviction Ordinance

Dear Supervisors,
I cannot attend tomorrow's BOS meeting, but I want to urge you to vote for a just-cause eviction ordinance. It is terrible how little protection Marin's renters have, and this is the least we can do to try to stabilize our community with its far-too-precarious housing situation.

Thanks,

Lorrie Goldin, LCSW
6 Allemand Lane
San Anselmo, CA 94960
415-652-0287

The Board needs to look at the actual number of evictions per year. The number of evictions, while not reported anywhere in the county records, is reportedly small and there is no proven need for Just Cause Eviction because there are already laws in place that protect tenant rights.

Mediation, that was put in place in January, has only been used a few times since it was instituted, further proof that additional restrictions on rental property are not necessary.

Property owners who are supplying good, decent housing with fair pricing are not being given the respect and consideration from the board that is due to us. We have increases in taxes, school bonds, sewer bonds, water rates, PG&E, insurance, maintenance and engineering costs that are far in excess of 5% per year cap that is in place currently unless going to mediation.

The board needs to realize that the rents for a two-bedroom apartment quoted in the Marin IJ are not accurate. Two bedroom apartments in my building, directly across the street from a major transit stop and two blocks from Hwy 101 are \$2475, not at the mid-\$3000 range quoted in the Marin IJ. Current market surveys do not agree with that high rental amount.

I would urge you to carefully consider that the current long-term rental property owners will leave Marin after selling to large, commercial property owners who will not provide the personal attention to maintenance and property needs but will maximize their bottom line. Affordable rental properties will completely disappear.

Restrictions on property owners will not increase the number of rental units.

Please consider carefully the consequences of restrictions on property owners. Many of us have tenants who have rented from us for many years; we respect and value our tenants.

Barbara Freitas
Rental property owner in unincorporated Mill Valley

From: Alex Khalfin <AKhalfin@caanet.org>
Sent: Monday, September 10, 2018 11:21 AM
To: Sackett, Mary <MSackett@marincounty.org>
Subject: Just Cause September 4 Stakeholder Meeting

Hi Mary,

It was a pleasure to meet you last week during the stakeholder “just cause” meeting. I thought the meeting was very productive and covered some really good points. I realize Marin County is facing some significant housing challenges, much like the rest of the state, and I appreciate Supervisor Connolly’s effort to bring folks to the table. As we briefly discussed after the meeting, there are several alternatives to just cause policies that should be considered and they are listed below for your reference. Please let me know if you have any questions. Thank you and I look forward to continuing our conversation.

1. Expand current Marin County Rental Housing Dispute Resolution (RHDR) program to include lease termination
 - RHDR was approved by Marin County Board of Supervisors last year and offers an opportunity for tenants and landlords to discuss rent increases and housing services reductions that create a net increase in monthly rent of more than 5%
 - RHDR should be used as a venue to address lease terminations, using a third-party mediator
 - Landlords seeking to terminate a lease of longer than one year would be required to participate in the RHDR program, and failure to participate may result in an invalid lease termination
 - RHDR will continue to be a non-binding mediation process between a tenant and landlord

2. Consider a housing ordinance establishing minimum lease terms and relocation assistance
 - Requires landlords to offer a minimum one-year lease term to provide more stability for tenants by protecting them against rent increases and evictions for the duration of the lease period
 - Tenants have an option to negotiate a term of less than one year
 - When the term of the lease is over, landlord may renew the lease with the tenant at market rate.
 - Applicable to three or more units; single family and duplexes are exempt
 - Modeled after ordinances in Redwood City, Palo Alto, Menlo Park

3. Relocation Assistance
 - Require a minimum of two months’ rent to assist low income tenants with first and last month’s rent and a security deposit for securing a replacement unit in cases of displacement triggered by a unit being redeveloped or a building undergoing change in use.
 - “Mom and Pop” landlord with four or less units are exempt
 - Modeled after ordinances in Redwood City and Mountain View

Alex Khalfin | Vice President of Public Affairs
California Apartment Association
755 Baywood Drive, 2nd Floor, Petaluma, CA, 94954
akhalfin@caanet.org | (707) 200-9070

*CAA is your partner in the rental housing industry.
Find out how we're working for you.*

Patterson, Diane

From: Parton, Maureen
Sent: Monday, September 10, 2018 2:08 PM
To: Sears, Kathrin
Cc: BOS
Subject: FW: Just Cause Eviction

FYI.

From: Eric Andrewsen <eandrewsen@comcast.net>
Sent: Sunday, September 09, 2018 5:44 PM
To: Parton, Maureen <MParton@marincounty.org>
Subject: Just Cause Eviction

Dear Ms. Parton,

I am concerned about the just cause eviction ordinance you are contemplating. I have owned a duplex in Tam Valley for over 40 years that would be subject to such an ordinance.

I had a problem several years ago, where I was glad to have the right to request that the tenant move. He started working on cars and took up most of the available street parking on our narrow hillside road. This was very upsetting for my neighbors, and I was not able to get any cooperation from my tenant. Thank goodness I had the right to request that the tenant move. Will I be able to do that if just cause evictions become law?

In the past, I have had complaints at other rentals that could be difficult to handle with a just cause eviction ordinance in place:

- * repeated smoking complaints
- * repeated noise complaints
- * repeated behavior disturbing to other tenants

Because of the abusive actions of a few, do you have to limit the rights of all landlords??

As an alternative, have you considered requiring landlords to submit 30 day and 60 day notices to the county, as a start to getting some accurate figures on the size and scope of this "problem"?

Sincerely,
Eric Andrewsen
219 Richardson Dr
Mill Valley, CA 94941
415-264-1626

Patterson, Diane

From: Jack Gundersheim <jack1111@pacbell.net>
Sent: Monday, September 10, 2018 3:29 PM
To: BOS
Subject: Rent-eviction controls

As the owner of a tenant screening company for over 15 years, I have talked with hundreds of landlords about many subjects, including rent and eviction controls. I am confident that the views below reflect the views of the great majority of landlords on this subject.

Rent controls and eviction ordinances **do not work to control rent amounts in the long run.** They only lead to less people wanting to invest in rental properties or be landlords. The harder it is to be a landlord, the less attractive it is to be one.

Over time, more landlords will sell their rentals to people who want to live in the places, **decreasing the supply of rental units and leading to higher rents.**

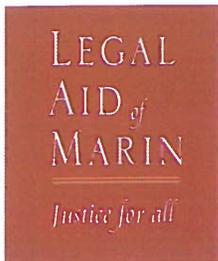
More landlords will not maintain their properties as they did before. Not something that is good for tenants. They will be more inclined to do major improvements and raise their rents to much higher levels as has happened in San Francisco, Oakland, Palo Alto & other rent controlled cities.

Rent controls and eviction ordinances will lead to **higher** costs for tenants because more landlords will shift the usual maintenance cost burden to tenants.

The economic factors that affect supply and demand and the cost of rental units will be the same, with or without rent controls. The only good way to moderate rent increase is to increase the supply of **lower-income** rental housing units. Losing jobs & population (and decreasing the demand for rentals) will have the same effect, but we don't want to lose jobs and we will continue to increase the population in Marin by a small amount each year.

You can do what you want, but the **WORST** thing you can do for renters is pass restrictive laws on rent and eviction controls. What you need to understand is that the great majority of landlords and tenants want **cooperation** with each other. Not an adversarial relationship. When tenants don't like landlords or landlords want to ignore tenant wishes or do the most they can in the short run to benefit themselves, it rarely works out to the benefit of either side.

Jack Gundersheim



September 11, 2018

Marin County Board of Supervisors
Marin County Civic Center
San Rafael, CA 94903

*Via email to: BOS@marincounty.org
AND HAND DELIVERY*

Re: Workshop for Just Cause for Eviction
September 11, 2018, 5:30 p.m. Meeting

Honorable Supervisors Arnold, Connolly, Rice, Sears and Rodini:

We write for Legal Aid of Marin to urge that the Board move forward with an ordinance to provide just cause for evictions in Marin County. We also submit these comments on behalf of our renter clients, including those who are persons with disabilities, seniors, immigrants, and low-income families.

The Board has taken important steps in leading Marin County to address the County’s housing crisis – including rent mediation program, and successful measures to more fully utilize existing rental vouchers. Yet, most Marin County renters do not enjoy the same security that any homeowner enjoys – knowing that if the bills are paid and the property is maintained, they can continue to stay in their home. That stability allows children to attend school without disruption, seniors to have continuity of care and support, and people from all walks of life to contribute daily to Marin’s quality of life.

In the current housing market, normal incentives for owners to avoid evicting renters without valid business reasons are not present as there are multiple applicants for every available unit. Tenants face special challenges when trying to determine whether a case is based on unlawful grounds, such as retaliation or discrimination. For example, our office took the deposition of a landlord under oath earlier this year who asserted she had no reason for evicting her tenant and would not explain this action (a redacted copy of the deposition excerpt is attached to this letter).

In July and August of this year, our office tracked the number of eviction cases and notices issued that do not rely on any stated grounds.

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CATHERINE VEGA
Staff Attorney

tel 415.492.0230
fax 415.492.0947
1401 Los Gamos Drive, Suite 101
San Rafael, CA 94903
www.LegalAidMarin.org

One third of all 59 matters we handled over two months involved no cause notices to leave. Looking at just those matters that did not concern rent, *half* involved no stated reason.

Legal Aid of Marin
Eviction Notices & Unlawful Detainers
July and August 2018

Cause	21	35.59%
No Cause	20	33.90%
Rent	18	30.51%
Total	59	

The extreme market imbalance makes our clients reluctant to assert many legal rights. We often counsel clients about their legal right to live in safe and sanitary housing, but they express fear that any complaint might result in an eviction notice. Many do not complain. We also meet regularly with clients who could benefit from the new mandatory mediation ordinance in unincorporated Marin County, who also express fear that engaging the owner in this process may simply result in their eviction, and so they forgo exercising this right.

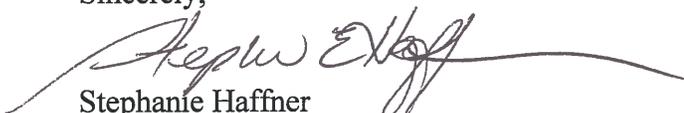
And, we see clients living in subsidized housing where owners already must provide a specified cause to seek eviction of their tenants. The extra obligation for owners provides a measure of housing security for low-income renters. Mobile home parks also require a specific cause to evict a renter, for similar reason, a protection that has been in place for decades.

Just cause eviction protection will provide a modest but important improvement in housing security for our clients who seek to maintain their local support networks, which may include medical providers, job opportunities, and educational resources. The housing crisis has caused many well-documented health impacts that could be mitigated by just cause eviction protection. Such an ordinance stops well short of steps such as rent stabilization, and it's important to recognize the modest additional requirement for landlords represents a small duty to balance the harms faced by renters in this difficult and challenging market.

Many other Bay Area jurisdictions have implemented just cause eviction protections in order to restore a measure of balance in the current housing crisis. We strongly urge you to instruct staff to draft sound just cause eviction protection as an initial measure toward restoring balance in a housing market that is causing such hardship, instability, and inequity for our client communities.

Thank you for your consideration, and for all of your historic efforts to protect housing for all Marin County residents.

Sincerely,



Stephanie Haffner
Executive Director

David Levin
Managing Attorney

1 we're here for today?

2 A. It's regarding a sixty-day notice to move and
3 an objection to that.

4 Q. The sixty-day notice that you just referred to,
5 that was a notice you signed, right?

6 A. Yes.

7 Q. Who was it given to?

8 A. The tenant in Apartment No. 2, Mr. .

9 Q. Was it your decision to have sixty-day notice
10 given to Mr. ?

11 A. Yes.

12 Q. What was the reason for your decision?

13 A. I don't believe I need a reason or cause to
14 give a notice.

15 Q. Did you have any reason for serving that
16 sixty-day notice you just referred to?

17 MR. : That question's -- I'm going to
18 object to your questions because it was just asked and
19 answered.

20 MR. LEVIN: Are you instructing her not to
21 answer?

22 MR. : I'm not instructing her not to
23 answer, but I'm telling you that you asked the question
24 and she answered, she didn't believe she had to have a
25 reason.

1 MR. LEVIN: Okay. I'm going to ask for my
2 first question to be read back, please.

3 (Record read as follows: Did you have
4 any reason for serving that sixty-day
5 notice you just referred to?)

6 BY MR. LEVIN:

7 Q. You said it's your understanding that you don't
8 need a reason to serve a sixty-day notice; is that
9 correct?

10 A. That's correct.

11 Q. Where does that understanding come from?

12 MR. : I'm going to object to that
13 question because it asks my client to form a legal
14 conclusion.

15 You may answer.

16 THE WITNESS: From what I have read of the law
17 and the code, I feel that that is my right, to give a
18 notice to move.

19 BY MR. LEVIN:

20 Q. Do you mean you feel it's your right to give a
21 notice to move without having any reason at all?

22 A. Yes.

23 Q. Are you saying you didn't have any reason for
24 serving a sixty-day Notice to Vacate to Mr. ?

25 MR. : Objection. That has been asked

1 and answered twice now. I'm instructing her not to
2 answer.

3 MR. LEVIN: Actually, I don't think it has been
4 answered at all. My question was what was your reason
5 and the witness answered that she believed she didn't
6 need a reason. That's not giving a reason, that's
7 providing her opinion, and then you objected to me
8 asking where the opinion comes from, so you're really
9 preventing us from taking any kind of a deposition today
10 and, if necessary, we'll go to court and get a court
11 order.

12 MR. : I know you will.

13 MR. LEVIN: These are important questions.

14 MR. The question was -- I think the
15 response was, maybe we need to go back, but I understood
16 her to say that she didn't have a reason, she understood
17 she didn't need a reason, she didn't have a reason.

18 MR. LEVIN: No. Now you're answering for the
19 witness.

20 MR. : I'm not. That's what I'm saying I
21 just heard.

22 MR. LEVIN: Well, we have a transcript so we
23 don't need to argue about what the answers were.

24 MR. : Then let's ask for it to be read
25 back.

1 MR. LEVIN: You're asking for a question and
2 answer to be read back?

3 MR. : I thought that's what she said.

4 MR. LEVIN: Well, it's not your deposition here
5 today, so I'm just trying to make the record as clear as
6 possible because eventually we will be going in front of
7 a judge.

8 MR. : Then ask a very specific question.

9 MR. LEVIN: I tried before, I'll try again.

10 BY MR. LEVIN:

11 Q. What was your reason for serving a sixty-day
12 Notice to Vacate to Mr. ?

13 A. I don't have a reason.

14 Q. So your testimony, and I need to make this very
15 clear for the record, is you had no reason for serving a
16 sixty-day Notice to Vacate to Mr. ; is that
17 correct?

18 MR. : Objection, asked and answered.

19 MR. LEVIN: Are you instructing her not to
20 answer?

21 MR. : I didn't instruct her not to
22 answer.

23 BY MR. LEVIN:

24 Q. Could you answer, please?

25 A. Could you ask it again? I'm going to be -- it

1 seems repetitive. I want to make sure we're being
2 specific.

3 MR. LEVIN: Let's ask the court reporter to
4 read back the question, please.

5 (Record read as follows: So your
6 testimony, and I need to make this very
7 clear for the record, is you had no
8 reason for serving a sixty-day Notice to
9 Vacate to Mr. ; is that correct?)

10 THE WITNESS: Am I supposed to answer now?

11 BY MR. LEVIN:

12 Q. Yes.

13 A. I have no reason.

14 Q. There's no business reason for serving a notice
15 to Mr. to vacate, is that what you're
16 testifying?

17 MR. : Objection, that misstates her
18 testimony.

19 MR. LEVIN: That's why I'm asking her.

20 MR. I will object and I will instruct
21 her not to answer. She's answered your question three
22 different ways. She said she did not have a reason.

23 MR. LEVIN: Okay. And I want to make that even
24 clearer.

25 BY MR. LEVIN:

1 Q. You're saying you have no business reason for
2 serving a Notice to Vacate to Mr. ; is that
3 correct?

4 MR. : Objection. She answered your
5 question. No reason means no reason and you're
6 qualifying as a business reason. She has no reason.

7 MR. LEVIN: And you're not allowing her to
8 answer the question?

9 MR. : I'm not allowing her to answer the
10 question, no. You asked it, she answered it. She's
11 answered it three or four times now. She said she had
12 no reason.

13 BY MR. LEVIN:

14 Q. You didn't serve the Notice to Vacate to Mr.
15 because of any problem he caused at the
16 property; is that correct?

17 A. That's correct.

18 Q. You didn't serve the notice to Mr. '
19 because of any complaints you received from any of his
20 neighbors or anybody else; is that correct?

21 A. That's correct.

22 Q. You didn't serve the notice to Mr. , the
23 Notice to Vacate, because he owed you any money; is that
24 correct?

25 A. That is correct.

1 Q. You didn't serve the Notice to Vacate to Mr.
2 because of any problem he caused; is that
3 correct?

4 A. That's correct.

5 Q. And you won't answer the question whether you
6 had any other business reason for serving the Notice to
7 Vacate to Mr. ; is that correct?

8 MR. : Objection. That misstates her
9 testimony. She told you she had no reason. You have
10 twisted her answer and made new questions. It's the
11 same answer.

12 MR. LEVIN: So you're instructing her not to
13 answer?

14 MR. : I don't even know what the
15 question is at this point because you keep going back to
16 whether it's a business reason. She said she had no
17 reason.

18 BY MR. LEVIN:

19 Q. Do you understand the last question I asked
20 you?

21 A. Not really.

22 Q. Do you understand the phrase "business reason"
23 for serving --

24 A. No.

25 Q. How many properties do you own?

La Rue, Debbi

From: Sackett, Mary
Sent: Tuesday, September 11, 2018 9:21 AM
To: BOSAgenda; La Rue, Debbi
Subject: FW: Just Cause Eviction

From: barry@strawberryshores.com
Sent: Monday, September 10, 2018 3:02 PM
To: Connolly, Damon ; Clark, Susannah ; Sackett, Mary
Subject: Just Cause Eviction

Dear Supervisor Connolly,

On September 11, 2018, you will be considering instituting a “Just Cause Eviction” ordinance. Many of the voices you will hear will be strongly in favor of such a thing. You will also hear from those of us in the rental industry opposed to the ordinance.

There is one main thing the proposed “Just Cause Eviction”, in addition to “Mandatory Mediation” ordinances, will not solve is that **no new housing will be created**. The next step would probably be “Rent Control” and an even larger bureaucracy. Again, you will be creating further disincentives for creation of new housing.

It’s easy to institute band-aid solutions. They will accomplish nothing but make it costlier for property owners and managers, thus having the potential of negative effects on service quality and maintenance.

Thank you,

Felipe R. Santiago, Trustee
Barry T. Joseph, Property Manager
Strawberry Shores Apartments
Mill Valley

La Rue, Debbi

From: Joy Massa <joymassa@comcast.net>
Sent: Tuesday, September 11, 2018 1:09 PM
To: BOS
Subject: Marin Housing Challenges

Hello BOS,

I attended the meeting held in Marin City on 9-6-18, but I am unable to attend the Board meeting on 9-11-18, because of a prior commitment. Please accept this statement of concern and request for your assistance.

I am very concerned about the status of rental housing in Marin, which is responsible for creating a climate of instability and anxiety among the most vulnerable Marin citizens. Any protection that you can provide for these vulnerable people will be very much appreciated. For those surviving on Social Security, the cost of renting, even a substandard unit, in Marin County exceeds the funding received from Social Security.

Added to this economic challenge is the problem of age discrimination in hiring practices. This is truly a Catch 22 situation.

My own situation confirms the general statement about the housing crisis in Marin County. I had been renting houses in Mill Valley, and trying to purchase a home in Mill Valley, since 1978. I rented the last two houses in which I lived for 12 years and 10 years each. When the house that I had occupied for 10 years was suddenly sold, I was forced to quickly put the bulk of my possessions into storage and scramble to find any housing. The only housing I could find was a very small and substandard apartment in Marin City, where I experienced two rent increases, each after only 11 months, and finally a rental increase of 19% last year. My entire Social Security check covers only my rent.

I am an experienced professional seeking employment in my field, but have been unable to overcome the resistance to hiring older members of the population. I need to work to be able to qualify for suitable housing. In the meantime I am in a Catch 22.

Thank you for your attention.

Yours truly,

Joy Massa

415-729-9740

La Rue, Debbi

From: Jason Kruta <jpkruta@gmail.com>
Sent: Tuesday, September 11, 2018 1:32 PM
To: BOS
Cc: La Rue, Debbi
Subject: Vote YES on Just Cause!

Dear Marin County Board of Supervisors,

My name is Jason Kruta, and I'm writing to express my strong support for the adoption of a just cause ordinance to prevent unfair evictions.

Just cause ordinances work. Where I live in San Francisco, I've seen first hand the positive effects our just cause legislation has had on tenants. Research also supports this claim; the [UCB Displacement Project](#) has identified just cause ordinances as one of 14 policies adopted in the Bay Area that is effective at keeping vulnerable tenants in their home.

As the cost of living continues to climb in Marin County, it is more important than ever that we help tenants stay in their homes. An eviction can be an enormous disruption for a family, and [evictions have been shown to have negative impacts on children's development and performance in school](#).

Please don't listen to objections. This ordinance is not unfair to landlords. Under this ordinance, landlords could still evict tenants for failure to pay or for breaking their lease, but it offers vulnerable tenants important protections from punitive landlords.

I urge you to move forward with this ordinance today instead of tabling the measure.

Best wishes,
Jason Kruta

La Rue, Debbi

From: Kyle Borland <kgborland23@gmail.com>
Sent: Tuesday, September 11, 2018 2:11 PM
To: BOS
Cc: La Rue, Debbi
Subject: Vote YES on Just Cause!

Hi Marin County Board of Supervisors,

My name is Kyle Borland, and I'm writing to express my strong support for the adoption of a just cause ordinance to prevent unfair evictions.

Just cause ordinances work. Where I live in San Francisco, I've seen first hand the positive effects our just cause legislation has had on tenants. Research also supports this claim; the [UCB Displacement Project](#) has identified just cause ordinances as one of 14 policies adopted in the Bay Area that is effective at keeping vulnerable tenants in their home.

As the cost of living continues to climb in Marin County, it is more important than ever that we help tenants stay in their homes. An eviction can be an enormous disruption for a family, and [evictions have been shown to have negative impacts on children's development and performance in school](#).

Please don't listen to objections. This ordinance is not unfair to landlords. Under this ordinance, landlords could still evict tenants for failure to pay or for breaking their lease, but it offers vulnerable tenants important protections from punitive landlords.

I urge you to move forward with this ordinance today instead of tabling the measure.

Best wishes,
Kyle Borland

--

Kyle Borland
kgborland.com | [@kgborland](#) | [LinkedIn](#) | 478.213.8784
Founder | [Ounce Strategy](#) | #ShareTheWeight
Writer | [Subscribe](#) | #ThirdCultureQueen

La Rue, Debbi

From: Jen Snyder <jencsnnyder@gmail.com>
Sent: Tuesday, September 11, 2018 2:36 PM
To: BOS
Cc: La Rue, Debbi
Subject: Vote YES on Just Cause!

Hi Marin County Board of Supervisors,

My name is [NAME], and I'm writing to express my strong support for the adoption of a just cause ordinance to prevent unfair evictions.

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Best wishes,

--

Jen Snyder
(510) 367-1984

La Rue, Debbi

From: Lorraine Burke <thedogladylady1@comcast.net>
Sent: Tuesday, September 11, 2018 2:49 PM
To: BOS
Cc: Emily Bao
Subject: Just Cause

Dear Board of Supervisors,

As a long time Marin renter (15 years plus), I hope you support the Just Cause Eviction under consideration tonight.

I have witnessed at least 12 people who were forced out of their rental homes for no reason. 30-60 days to find new housing, sever all ties to their community, disrupt their families and usually require coughing up a lot more rent in this tight rental market.

This is particularly true in the case of corporate managed properties, where profit margins are first and foremost. However, being a profit generator as a tenant is a precarious position to be in. When greed overtakes social consideration, it is time for a change, such as Just Cause Eviction.

Surely you can add amendments such as property owners wishing to make capital improvements, or offer some compromise to the owners. But Marin renters require your protection!

I would ask the current property owners how they would feel if their mortgages were increased 300/400% each year, or lived with the fact that after a year, they might be required to move. Year after year this anxiety would grip them.

As Supervisors, your role is to minimize the disturbance in our community - which includes renters and property owners alike - by making Marin residents feel safe in their homes.

Thank you for your time and consideration in this matter.

Best,
Lorraine Burke

La Rue, Debbi

From: Vincent Huang <vincom2@gmail.com>
Sent: Tuesday, September 11, 2018 3:01 PM
To: BOS
Cc: La Rue, Debbi
Subject: Vote YES on Just Cause!

Hi Marin County Board of Supervisors,

My name is Vincent Huang, and I'm writing to express my support for the adoption of a just cause ordinance to prevent unfair evictions.

Just cause ordinances work. Where I live in San Francisco, I've seen first hand the positive effects our just cause legislation has had on tenants. Research also supports this claim; the [UCB Displacement Project](#) has identified just cause ordinances as one of 14 policies adopted in the Bay Area that is effective at keeping vulnerable tenants in their home.

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I urge you to move forward with this ordinance today instead of tabling the measure.

Best wishes,
Vincent Huang

La Rue, Debbi

From: Connolly, Damon
Sent: Tuesday, September 11, 2018 3:19 PM
To: Rice, Katie; Hymel, Matthew; Crawford, Brian; La Rue, Debbi; Sackett, Mary; Thomas, Leelee
Subject: FW: Make A Conscious Decision Against "Just Cause Eviction" Tonight - We Represent 8 Votes Against Just Cause Eviction/Rent Control

From: Management Office <lisamonticelli777@gmail.com>
Sent: Tuesday, September 11, 2018 3:17 PM
To: Clark, Susannah <SClark@marincounty.org>; Rodoni, Dennis <DRodoni@marincounty.org>; Parton, Maureen <MParton@marincounty.org>; Sears, Kathrin <KSears@marincounty.org>; Vernon, Nancy <NVernon@marincounty.org>; Connolly, Damon <DConnolly@marincounty.org>; Rice, Katie <KRice@marincounty.org>; Sackett, Mary <MSackett@marincounty.org>; Gauna, Jennifer <JGauna@marincounty.org>; Weber, Leslie <LWeber@marincounty.org>; Albert, Tanya <TAlbert@marincounty.org>; Arnold, Judy <JArnold@marincounty.org>; Cordova, Lorenzo <LCordova@marincounty.org>; Kutter, Rhonda <RKutter@marincounty.org>
Cc: Jim Apffel <granitepeaks@att.net>
Subject: Make A Conscious Decision Against "Just Cause Eviction" Tonight - We Represent 8 Votes Against Just Cause Eviction/Rent Control

To Whom It May Concern:

Your decision tonight will either open or close the gates of "rent control" in Marin County. Please make a decision truly representative of population in Marin County. We have been here 43 years, are property owners, own rentals and residents of Marin County. We write because we stand united asking you to vote "NO" against the "Just Cause Eviction" ordinance.

This is why:

One obnoxious tenant is equivalent of your experience when one or several constituents are continually in your face. Truly, think about the ruckus and inner turmoil that one or several individuals cause in your work lives. And, lastly think about the lengths these folks push to. That's what one bad tenant does to a building. They effect absolutely everyone. It is not the rule it is the exception, but when it does happen we need freedom to act. We are in business to create quality housing for many, not one or some. Do any of you seriously think the majority of Landlords and property owners have punitive consciousness or money to evict tenants for "no reason"? We do not, nor would we ever consciously displace anyone undeserving. We are level-headed business people just like you. We are working don't have time or desire to come to each and every Board meeting to raise hell about decisions that do NOT take into account what has better (not best, but better) long-term consequences for Marin County. Rent control has more negative than positive effects. We are absolutely AGAINST for the following reasons:

- 1) This does not add one more housing unit to Marin County - it is not a pro-active solution. It is instead a reaction;
- 2) It does absolutely nothing to produce a safe building or neighborhood and ties our hands when we need to correct a bad situation;
- 3) It increases cost burden for everyone, the existing tenants, the property owner and government;

4) It makes Marin a less attractive place to purchase multi-residential housing. We moved out of San Francisco 40 years ago to avoid the mess of bureaucracy created there.

Please vote NO against Just Cause Eviction tonight.

Kind Regards,

Lisa Monticelli

, Property Owner/Manager

Aleasha Hickey Barnes, Property Owner/Manager

G

Gilbert J. Kucera, Property Owner

Heidi M. Kucera, Property Owner

Kari Sonnenberg, Property Owner

Kirstin Gibbs, Property Owner

Heidi Rebecca Kucera, Property Owner

Hollie Kucera, Property Owner

Lisa Monticelli:

415-847-0014 Direct

lisamonticelli777@gmail.com: General Business

Business For:

Tiburon 21 Marinero, LLC

Tiburon 6 Lyford, LLC

Novato 325 Rowland, LLC

Tiburon 48 Lyford, LLC

La Rue, Debbi

From: Caroline McNally <carolinemm@comcast.net>
Sent: Tuesday, September 11, 2018 5:25 PM
To: BOS
Cc: La Rue, Debbi
Subject: Vote YES on Just Cause!

Hi Marin County Board of Supervisors,

My name is Caroline, and I live in Kentfield. I'm writing to express my strong support for the adoption of a just cause ordinance to prevent unfair evictions.

Just cause ordinances work. The [UCB Displacement Project](#) has identified just cause ordinances as one of 14 policies adopted in the Bay Area that is effective at keeping vulnerable tenants in their home.

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I urge you to move forward with this ordinance today instead of tabling the measure.

Best wishes,
Caroline

La Rue, Debbi

From: Monica Bonny <mbonny@comcast.net>
Sent: Tuesday, September 11, 2018 7:25 PM
To: BOS
Cc: La Rue, Debbi
Subject: Vote YES on Just Cause!

Dear Marin County Board of Supervisors,

My name is Monica Bonny, and I live in Corte Madera. I have lived here for 20 years and served as a school board member for 8 years. I'm writing to express my strong support for the adoption of a just cause ordinance to prevent unfair evictions.

Just cause ordinances work. The [UCB Displacement Project](#) has identified just cause ordinances as one of 14 policies adopted in the Bay Area that is effective at keeping vulnerable tenants in their home.

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Kind regards,
Monica

La Rue, Debbi

From: Maria Schulman <maria.schulman@gmail.com>
Sent: Tuesday, September 11, 2018 9:51 PM
To: BOS
Cc: La Rue, Debbi
Subject: Vote YES on Just Cause!

Hi Marin County Board of Supervisors,

My name is Maria Schulman, and I'm writing to express my strong support for the adoption of a just cause ordinance to prevent unfair evictions.

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Best wishes,
Maria Schulman