



Community Development Agency Housing & Federal Grants Division 415 473.7309 T

Background

WORK PLAN: PRESERVE HOUSING AFFORDABILITY AND PREVENT DISPLACEMENT

- August 1, 2017 Board Hearing.
 - Two policies referred back to Housing Subcommittee for further review and recommendation.
 - 1. Rental Housing Dispute Resolution ("mandatory mediation") program, and
 - 2. Residential Landlord and Tenant Relations ("just cause for eviction") ordinance.
- Since August 1st, the Subcommittee met to review & analyze the policies:
 - Environmental Health Services' Housing Inspection program (Sept. 18)
 - District Attorney's Consumer Protection Unit (Sept. 18)
 - Legal Aid of Marin (Sept. 21)
 - Goldfarb & Lipman, CDA's outside legal counsel (Sept. 26)
 - Tenant and landlord meeting, St. Raphael's Church (Aug. 9)
 - Landlord meeting, Marin Civic Center (Aug. 23)
 - Additional staff meetings (Aug. 22, Nov. 2)



OPTION 1. Rental Housing Dispute Resolution only

BENEFITS & LIMITATIONS

- Responds to:
 - Displacement and housing instability caused by large and/or capricious rent increases.
- Achieves goals by facilitating constructive conversations in neutral and accountable environment.
 - Promotes community accountability.
- Overview:
 - Applies to rent increases of more than 5% within a twelve-month period.
 - Does not restrict a landlord's right to raise rent.
 - Requires "good faith" participation but does *not* require participants settle the matter.
 - Some landlords and tenants resist mediation because results are not binding.



OPTION 2. Residential Landlord and Tenant Relations Ord. only

BENEFITS & LIMITATIONS

- Responds to: Housing instability and displacement caused by unexpected or arbitrary residential lease terminations.
- Achieves goals by identifying acceptable reasons for which a landlord may terminate a tenancy.
- Overview:
 - o Provides greater security and stability for responsible renters.
 - Fully retains the rights of landlords to terminate lease for valid reasons such as:
 - Non-payment of rent, Or
 - Material breach of lease agreement.
 - Does not prevent or limit rent increases
 - o Relies on judicial system for enforcement.



OPTION 3. Rental Housing Dispute Resolution and Residential Landlord and Tenant Relations Ord.

BENEFITS & LIMITATIONS

These policies are likely to be mutually reinforcing.

- Responds to: Housing instability and displacement caused by large a/o capricious rent increases and arbitrary evictions.
- Implemented together, these Ordinances could address:
 - Steep rent increases (thru mediation)
 - Housing instability from arbitrary lease terminations
 - Unsafe or unsanitary rental housing conditions
 - Harassment and retaliatory evictions
 - Retaliatory rent increases
 - Lack of accurate data



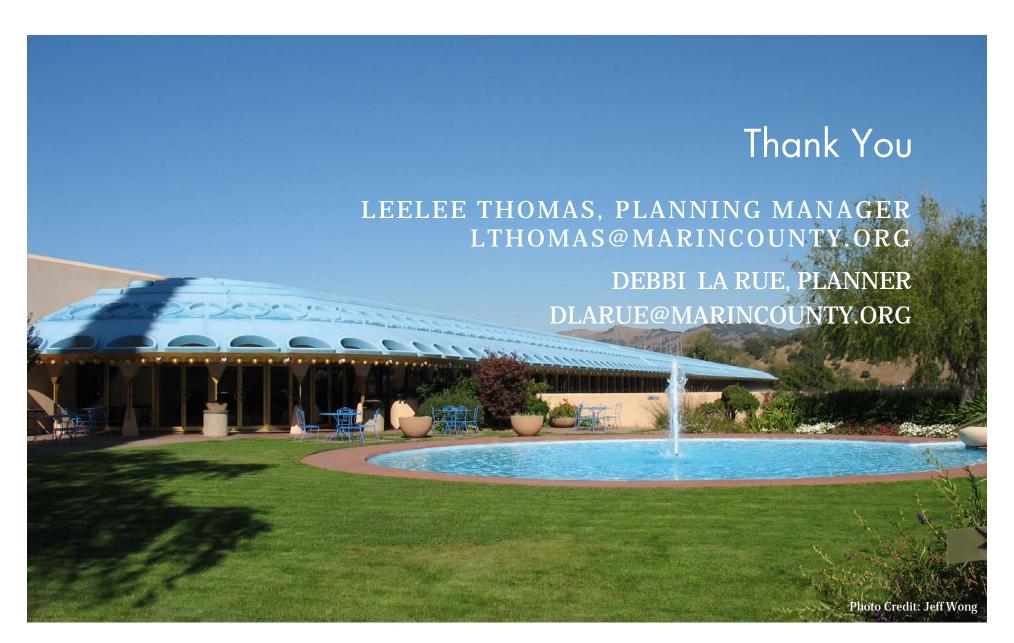
Housing Subcommittee recommendations

ACTION ITEMS FOR DECEMBER 5, 2017 BOARD HEARING

- Conduct First Reading –Rental Housing Dispute Resolution (mandatory mediation) Ordinance
 - Schedule Merit Hearing for December 12, 2017 at 5:30 p.m.
 - **Consider inclusion of potential provisions** (see Ord. Addendum):
 - Authorization of administration fee
 - Creation of a rental Dwelling Unit registration (data collection) program
 - Establishment of relocation assistance for "bad faith" evictions
- Defer consideration of Residential Landlord and Tenant Relations (just cause for eviction) Ordinance for twelve months.









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