

San Anselmo rent control referendum appears headed for ballot.

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San Anselmo residents could vote in November on whether to keep a new rent control ordinance.

A group seeking a referendum on the ordinance has submitted a petition with 1,568 signatures in support of the effort. The ordinance was adopted following a 3-2 vote of the Town Council on April 9.

If a minimum 952 signatures are verified, the Town Council will have three options: to repeal the ordinance, to submit the ordinance to the voters for approval on Nov. 5, or schedule a special election to resolve the issue. Marin County Registrar of Voters Lynda Roberts said she expects to complete the review by May 15.

“Obviously, this is going to go to a vote,” said Steve Burdo, one of the three San Anselmo council members who voted in favor of the ordinance. “It will be decided on the ballot.”

San Anselmo’s neighbor, Fairfax, has already scheduled a referendum on its rent control ordinance for the November election. The Fairfax Town Council approved that ordinance, the first in Marin at the time, in November 2022.

Paul Chignell, a former San Anselmo councilman who served several terms as mayor, helped coordinate signature gathering as well as collecting many himself.

“I collected about 250 signatures and walked a lot of the neighborhoods in town,” Chignell said.

He said this is the fourth instance in which former elected officials of the town and other activists have challenged the sitting council’s decisions by mounting initiatives or referendums.

In each of the previous three instances, the challenges succeeded. The group's bid to have San Anselmo withdraw from the Marin Flood Control District won with over 59% support in the March 5 election.

"This is the same group of people along with some Realtors and mom-and-pop owners of properties," Chignell said. "Our feeling is that with a highly controversial issue like rent control that the voters should decide."

Burdo said he felt comfortable approving the ordinance without a public vote because of the amount of outreach the council did leading up to its decision.

"We had over a year's worth of conversation," Burdo said. "We went way above and beyond."

Michael Sexton of Fairfax, director of Marin Residents, a nonprofit composed of Marin homeowners, housing providers and renters, is also backing the push for a referendum. Sexton helped organize the Fairfax referendum and has been closely monitoring developments in San Anselmo. He said the referendum petition was sent to the printer the day after the council approved the ordinance.

"We were able to start collecting signatures on April 11," Sexton said. "We hit the ground running."

San Anselmo's rent control ordinance limits annual increases to 5%, or 60% of the consumer price index, whichever is lower. It applies to properties with three or more dwellings on the same parcel, or contiguous parcels under common ownership. It also prohibits property owners from charging tenants for utilities in addition to rent.

By comparison, Larkspur's ordinance capped rent increases at 5% plus inflation or 7%, whichever is lower, and Fairfax's ordinance limited increases to 75% of the regional consumer price index and no more than 5%.

"We consider this extra rent control," Sexton said, "because California already has comprehensive rent control."

The state's rent-control law caps rent increases at 5% plus inflation or 10%, whichever is lower.

But a group of Marin nonprofits that included Legal Aid of Marin, Canal Alliance and Community Action Marin sent a letter to the San Anselmo Town Council in January stating that the state rent cap is not enough.

“With no action at all by the council,” the letter said, “tenants face an increase of over \$1,200 per month in rental costs in just 5 years.”

Lucie Hollingsworth, an attorney with Legal Aid of Marin, wrote in an email Wednesday, “Legal Aid of Marin is inundated with low-income Marin residents getting evicted for an inability to pay rent. It is standing room only at our two walk-in clinics per week.”

Sexton, however, asserts that rent control is ineffective in increasing the supply of affordable housing.

“We want to incentivize developers coming in and building appropriate affordable housing,” Sexton said. “You don’t do that by having rent control.”

On May 14 the San Anselmo Town Council will discuss a proposal submitted by several of the same nonprofits that sent the January letter, as well as the Marin Democratic Socialists of America, to adopt a “just-cause evictions” ordinance.

The proposal states that without a just-cause ordinance the rent control ordinance will incentivize landlords to evict long-term tenants so they can “jack up rents on new tenants.”

Sexton said the just-cause proposal is more problematic than the rent control ordinance and will result in landlords taking their units off the market and even higher rents.

“It includes things that really scare people,” Sexton said. “Like losing control over the number of subletters and treble damages for certain mistakes.”

Sexton asserts that the council is being guided by Marin Democratic Socialists of America.

“It’s not like the Town Council members are writing this stuff themselves,” Sexton said.

Burdo, however, said the group was just one of many whose ideas the council listened to before writing the ordinance.

“We did this totally in house with our staff and our attorneys,” he said.

Curt Ries of San Anselmo, co-chair of the group’s Marin County chapter, said, “We’ve been an active participant in pushing town councils across the county, but

mostly in Fairfax, San Anselmo, and Larkspur to adopt rent control policies. Marin DSA has been part of a broad coalition.”