



RENT STABILIZATION AND EVICTION PROTECTIONS

June 21, 2023

OUTLINE

1. Existing State Laws
2. Town of Fairfax
3. City of Larkspur
4. Living Unit Impact in San Anselmo

EXISTING STATE LAWS

LOCAL REGULATION MUST CONSIDER STATE LAW

- Costa-Hawkins Rental Housing Act (February 1, 1995):
 - Exempts certain units (single family homes and condos).
 - Exempts units built after the Act took effect.
 - Prohibits “vacancy control.”
- Vacancy control regulates how much the rent of a unit can increase when the tenant changes.

EXISTING STATE LAWS

LOCAL REGULATION MUST CONSIDER STATE LAW

Tenant Protection Act of 2019 (AB 1482)

- Established statewide rent regulation
 - Set rent increase ceiling at 5% + Regional CPI (max. of 10%)
 - Broader application than Costa-Hawkins Act
- Established statewide eviction protections
- Sunsets in 2030

SUMMARY

The Following Guidelines Apply Regarding Local Rent Control Ordinances:

Taken together, the following guidelines apply regarding local rent control ordinances:

- *No rent control allowed on buildings newer than 15 years, on a rolling basis.*
- *Rent control for pre-1995 buildings may be set at any amount.*
- *Rent control that results in lower rental increases than 5%+CPI/10% for buildings at least 15 years allowed is allowed.*
- *Condominiums, single-family homes, and buildings with two units one of which is owner-occupied, may not be rent-controlled.*
- *Landlord may set base rent at market rate upon change in tenancy.*

TOWN OF FAIRFAX

Process

March 2022 – Council receives presentation on rent stabilization by the Marin Democratic Socialists of America

May 2022 – Council directs staff and resources to draft a rent stabilization ordinance.

Sept 2022 – Held a Rent Stabilization and Just eviction forum

Sept 2022 – Introduces ordinances to Council

Oct 2022 – Reintroduced ordinances

Nov 2022 – Adopted ordinances

TOWN OF FAIRFAX

Process (continued)

May 2023 – Just Cause Eviction Workshop

June 2023 – Citizens Initiative to Allow for a Public Vote on the ordinances sent County Registrar of Voters for signature verification

TOWN OF FAIRFAX

Rent Stabilization

Ordinance introduced on Oct 11 and adopted on Nov 2, 2022

- Base rent set as of rate on Feb 2, 2022
- “Annual General Adjustment” shall be equal to 60% of the percentage of the Consumer Price Index

TOWN OF FAIRFAX

Eviction Protections

- Adopted a just cause eviction ordinance in 2019
- Updated ordinance introduced on Oct 11, and adopted on Nov 2, 2022

Ordinance exceeds state law in multiple categories

CITY OF LARKSPUR

Process

July 2022 – Council hears public comment from local tenant organization asking for a rent control ordinance

Aug 2022 – Council appoints an ad hoc committee to consider options around rent control

Sept/Oct 2022 – Ad hoc committee holds separate forums for tenants and property owners to solicit feedback

Jan 2023 – Holds workshop to review rent regulation, rent assistance and eviction protections

March 2023 – Council directs ad hoc committee prepare specific terms and regulations

CITY OF LARKSPUR

Process (continued)

May 8 and May 22, 2023 – Council holds public hearings to discuss rent stabilization and eviction protections

CITY OF LARKSPUR

Rent Stabilization

- Council introduced draft rent stabilization ordinance
- Council voted to approve a rent cap of 5% + CPI or 7%, whichever is lower

CITY OF LARKSPUR

Eviction Protections

- City Council is interested in three or four months of relocation assistance
- City Council consensus to establish the right of return no agreement on the time period reached

NUMBER OF POTENTIALLY IMPACTED UNITS IN SAN ANSELMO

Number of Duplexes: 191* (# of owner-occupied unknown)
Total Living Units: 382*

Number of Parcels with 3 or more Living Units: 117
Total Living Units: 838

Number of Parcels with 4 or more Living Units: 84
Total Living Units: 733

Total Number of Living Units in San Anselmo: 5,410

CONCLUSION

- Questions or Comments
- Next Steps