

CLAREMONT CITY COUNCIL

MEETING AGENDA

“We are a vibrant, livable, and inclusive community dedicated to quality services, safety, financial strength, sustainability, preservation, and progress with equal representation for our community.”

City Council Chamber
225 Second Street
Claremont, CA 91711



Tuesday
April 25, 2023
6:30 PM

COUNCILMEMBERS

ED REECE
MAYOR

COREY CALAYCAY

JENNIFER STARK

SAL MEDINA

JED LEANO

Meetings are open to the public for in-person attendance or remotely via Zoom. Should Zoom be disrupted, the in-person meeting will continue unless one or more Councilmembers are attending the meeting remotely pursuant to Assembly Bill 2449.

To participate in the meeting via Zoom, download Zoom on any phone or computer device cut and paste the following link into your browser to access and participate in the live City Council meeting at 6:30 p.m.: <https://zoom.us/j/256208090> or to only listen from the phone dial (213)338-8477, Webinar ID: 256 208 090.

Public comment may be provided by one of the following methods. Each speaker will be given up to four minutes to provide their comment.

OPTION 1: IN-PERSON LIVE COMMENTS – When the item you wish to speak to is announced, please proceed to the speaker’s podium one by one. Do not form a line in the center aisle.

OPTION 2: E-MAIL – Public comments may be sent via email to the City Clerk’s office at sdesautels@ci.claremont.ca.us and jcostanza@ci.claremont.ca.us. All emails will be distributed to the City Council and imaged into the record of the meeting.

OPTION 3: MAIL – Public comments may be mailed to Claremont City Hall, Attn: City Clerk’s Office, PO Box 880, Claremont, CA 91711. All comments received via mail will be distributed to the City Council and imaged into the record of the meeting.

OPTION 4: TELEPHONICALLY – Members of the public wanting to address the City Council telephonically are requested to inform the Claremont City Clerk’s office no later than 3:00 p.m. on the day of the meeting. The Claremont City Clerk’s office can be reached at (909) 399-5461 or (909) 399-5463. You will be called during consideration of the item you are interested in.

OPTION 5: REMOTE LIVE COMMENTS – Through Zoom, if you wish to speak, you may virtually select the "raise hand" button, which can be seen by the City Clerk. If you are dialing in by telephone and wish to speak, please push *9. This will "raise your hand".

The meeting will not be live streamed through Granicus as the meeting will be live streamed through Zoom instead. The recorded meeting will be uploaded to the City website and preserved.

CALL TO ORDER THE MEETING OF THE CITY COUNCIL

REMOTE PARTICIPATION REQUEST PURSUANT TO ASSEMBLY BILL 2449

If a member of the legislative body is attending pursuant to Assembly Bill 2499 and Zoom is disrupted, the meeting will be suspended until Zoom can be restored.

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

ROLL CALL

CLOSED SESSION REPORT

CEREMONIAL MATTERS, PRESENTATIONS, AND ANNOUNCEMENTS

Presentation:

Southern California Gas Company Service Update, by Kristine Scott, Public Affairs Manager

Employee Introduction:

Edgar Trenado, Information Systems Officer

FEDERAL HOLIDAYS AND OBSERVANCES

Holidays This Month and Upcoming - None

MAYOR AND COUNCIL

Council Items

Council Assignment Reports

City Councilmembers may serve as representatives on regional organizations. This time is allocated for reports about their activities. For information about the Council's local, intergovernmental and regional appointments please visit the City website: www.ci.claremont.ca.us/government/city-council/city-council-assignments-and-appointments.

CITY MANAGER REPORT

PUBLIC COMMENT

The Council has set aside this time for persons in the audience who wish to comment on items that ARE NOT LISTED ON THIS AGENDA, but are within the jurisdiction of the City Council. Members of the audience will later have the opportunity to address the City Council regarding ALL OTHER ITEMS ON THE AGENDA at the time the Council considers those items.

At this time the Council will take public comment for 30 minutes. Public Comment will resume later in the meeting if there are speakers who did not get an opportunity to speak because of the 30-minute time limit.

The Brown Act prohibits the City Council from taking action on oral requests relating to items that are not on the agenda. The Council may engage in a brief discussion, refer the matter to staff, and/or schedule requests for consideration at a subsequent meeting.

The Council requests, but does not require, speakers to identify themselves. When you come up to speak, please state your name unless you wish to remain anonymous. Each speaker will be allowed four (4) continuous minutes.

CONSENT CALENDAR

All matters listed on the consent calendar are considered to be routine. The City Council or one or more Commissions and/or Committees have previously considered most of the items on the consent calendar. The Council may act on these items by one motion following public comment.

Only Councilmembers may pull an item from the consent calendar for discussion.

The City Council will waive reading of resolutions and ordinances. Each resolution and ordinance will be numbered following Council approval.

Now is the time for those in the audience to comment on the consent calendar. Each speaker will be allowed four (4) continuous minutes to comment on items on the consent calendar.

1. ADOPTION OF A RESOLUTION APPROVING THE CITY WARRANT REGISTER

Recommendation: Staff recommends that the City Council adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLAREMONT, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, dated April 13, 2023.

Attachment(s): Resolution Approving City Warrant Register Dated April 13, 2023

2. CITY COUNCIL MINUTES OF APRIL 11, 2023 (REGULAR)

Recommendation: Staff recommends that the City Council approve and file the regular City Council meeting minutes of April 11, 2023.

Attachment(s): Draft Regular Meeting Minutes of April 11, 2023

3. ADOPTION OF A RESOLUTION APPROVING A PAUSE ON THE CITY'S COLLECTION OF UTILITY USERS' TAX FROM THE SOUTHERN CALIFORNIA GAS COMPANY IN RESPONSE TO AN INCREASE IN THE COST OF NATURAL GAS FOR RESIDENTIAL AND COMMERCIAL CUSTOMERS IN CLAREMONT (FUNDING SOURCE: GENERAL FUND)

Recommendation: Staff recommends that the City Council adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLAREMONT, CALIFORNIA, APPROVING A PAUSE ON THE CITY'S COLLECTION OF UTILITY USERS' TAX FROM THE SOUTHERN CALIFORNIA GAS COMPANY IN RESPONSE TO AN INCREASE IN THE COST OF NATURAL GAS FOR RESIDENTIAL AND COMMERCIAL CUSTOMERS IN CLAREMONT.

Attachment(s): Resolution Pausing the Utility Users' Tax from SCG

4. AWARD OF CONTRACT TO MOUNTAIN VIEW CHEVROLET FOR VEHICLE REPLACEMENTS (FUNDING SOURCE: MOTOR FLEET AND SANITATION FUNDS)

Recommendation: Staff recommends that the City Council authorize the City Manager to award a contract to Mountain View Chevrolet in the amount of \$264,078.71 for the purchase of six new vehicles.

5. AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH ATTIC PROJECTS FOR EMERGENCY PEST REMEDIATION SERVICES (FUNDING SOURCE: GENERAL FUND)

Recommendation: Staff recommends that the City Council:
A. Authorize the City Manager to enter into an agreement with Attic Projects for emergency pest remediation services for \$56,300; and
B. Appropriate \$56,300 from the unassigned General Fund balance to fund emergency pest remediation services.

6. AUTHORIZATION TO AMEND THE EXISTING AGREEMENT WITH FIRST CLASS HEATING AND AIR CONDITIONING, INC. TO INCREASE COMPENSATION FOR HEATING, VENTILATION, AND AIR CONDITIONING MAINTENANCE AND REPAIRS (FUNDING SOURCE: GENERAL FUND)

Recommendation: Staff recommends that the City Council:
A. Authorize the City Manager to execute an amendment to the existing agreement with First Class Heating and Air Conditioning, Inc., adding an additional \$60,000 in compensation, increasing the not-to-exceed contract amount to \$168,275; and
B. Appropriate \$60,000 from the unassigned General Fund balance for HVAC maintenance services.

Attachment(s): Excerpt from the 07-12-22 City Council Meeting Minutes

7. INVESTMENT REPORT - QUARTER ENDING MARCH 31, 2023

Recommendation: Staff recommends that the City Council receive and accept the Investment Report for the quarter ending March 31, 2023.

Attachment(s): Quarterly Investment Report

8. QUARTERLY FINANCIAL UPDATE - MARCH 31, 2023

Recommendation: Staff recommends that the City Council receive and file the Quarterly Financial Update for the quarter ending March 31, 2023.

9. 2022-23 CITIZENS' OPTION FOR PUBLIC SAFETY/SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUNDS GRANT SPENDING PLAN (FUNDING SOURCE: CITIZENS' OPTION FOR PUBLIC SAFETY/SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUNDS GRANT)

Recommendation: Staff recommends that the City Council approve the Citizens' Option for Public Safety/Supplemental Law Enforcement Services Funds funding expenditure recommendations for 2022-23 in the amount of \$165,271.

PUBLIC HEARINGS - None

ORDINANCE

10. CONSIDERATION OF TENANT PROTECTIONS - (1) FIRST READING AND INTRODUCTION OF AN ORDINANCE IMPOSING HEIGHTENED TENANT PROTECTIONS FOR JUST CAUSE EVICTIONS FOR CERTAIN RESIDENTIAL TENANCIES IN THE CITY OF CLAREMONT; AND (2) FIRST READING AND INTRODUCTION OF AN ORDINANCE IMPOSING HEIGHTENED RENT STABILIZATION REQUIREMENTS FOR CERTAIN RESIDENTIAL TENANCIES IN THE CITY OF CLAREMONT; AND (3) CONSIDERATION OF A TEMPORARY RENTAL ASSISTANCE PROGRAM (FUNDING SOURCES: GENERAL FUND AND AMERICAN RESCUE PLAN ACT FUNDS)

Recommendation: Staff recommends that the City Council:

- A. Consider introducing for first reading and that reading by title only AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLAREMONT, CALIFORNIA ADDING CHAPTER 8.34 ("JUST CAUSE FOR EVICTION") TO TITLE 8 ("HEALTH AND SAFETY") OF THE CLAREMONT MUNICIPAL CODE, PROHIBITING THE TERMINATION OF CERTAIN RESIDENTIAL TENANCIES WITHOUT "JUST CAUSE" IN THE CITY OF CLAREMONT;
- B. Consider introducing for first reading and that reading by title only AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLAREMONT, CALIFORNIA ADDING CHAPTER 8.36 ("RENT STABILIZATION") TO TITLE 8 ("HEALTH AND SAFETY") OF THE CLAREMONT MUNICIPAL CODE, PROHIBITING THE TERMINATION OF CERTAIN RESIDENTIAL TENANCIES WITHOUT "JUST CAUSE" IN THE CITY OF CLAREMONT;
- C. Consider approving a Temporary Rental Assistance Program with the use of American Rescue Plan Act (ARPA) funds in the amount of \$300,000 and direct staff to return to City Council with a program update in July 2024; and
- D. Find this item is exempt from environmental review under the California Environmental Quality Act (CEQA).

<u>Attachment(s):</u>	Summary of Key Decisions for Tenant Protection Ordinances
	Just Cause Eviction Ordinance
	Rent Stabilization Ordinance
	Proposed Rental Assistance Program
	Rent Stabilization Research
	Summary of Listening Sessions
	Public Comment Received after the 10/25/22 City Council Meeting

ADMINISTRATIVE ITEMS - None

CONTINUED PUBLIC COMMENT

This time is reserved for those persons who were unable to speak earlier in the agenda because of the 30-minute time restriction.

COMMISSIONS/COUNCIL APPOINTED COMMITTEES -

One Architectural Commission Vacancy

Two Upcoming Public Art Committee Vacancies

ADJOURNMENT

THE NEXT REGULAR MEETING OF THE CLAREMONT CITY COUNCIL WILL BE HELD ON, MAY 9, 2023, AT 6:30 P.M., IN THE CLAREMONT COUNCIL CHAMBER, 225 WEST SECOND STREET, CLAREMONT, CA 91711.

A LOOK AHEAD – Upcoming Meetings and Tentative Agenda Items

City Warrant Registers Dated April 27, 2023

Draft City Council Meeting Minutes of April 25, 2023

*Approval of 2023-24 Landscape and Lighting District Engineer's Report
and Declaration of June 13, 2023 Public Hearing Date*

Award of Contract for Local Roads Safety Plan

Amendment to Contract for Public Works Inspection Services

Claremont Library Maintenance Agreement

Annual Military Equipment Use Policy Report

SB1 Project List

MATERIALS RELATED TO AN ITEM ON THIS AGENDA, AND SUBMITTED TO THE CITY COUNCIL AFTER PUBLICATION OF THE AGENDA, ARE AVAILABLE TO THE PUBLIC IN THE CITY CLERK'S OFFICE AT 207 HARVARD AVENUE, CLAREMONT, MONDAY THROUGH THURSDAY, 7 AM – 6 PM. SUBJECT MATERIALS WILL BE MADE AVAILABLE ON THE CITY WEBSITE AS SOON AS POSSIBLE - www.ci.claremont.ca.us. For more information, please call the City Clerk's Office at 909-399-5461.

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, THIS AGENDA WILL BE MADE AVAILABLE IN APPROPRIATE ALTERNATIVE FORMATS TO PERSONS WITH DISABILITIES. ANY PERSON WITH A DISABILITY WHO REQUIRES A MODIFICATION OR ACCOMMODATION IN ORDER TO PARTICIPATE IN A CITY MEETING SHOULD CONTACT THE CITY CLERK AT 909-399-5461 "VOICE" OR 1-800-735-2929 "TT/TTY" AT LEAST THREE (3) WORKING DAYS PRIOR TO THE MEETING, IF POSSIBLE.

I, SHELLEY DESAUTELS, CITY CLERK OF THE CITY OF CLAREMONT, CALIFORNIA, HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING AGENDA WAS POSTED AT CLAREMONT CITY HALL, 207 HARVARD AVENUE, ON APRIL 20, 2023, PURSUANT TO GOVERNMENT CODE SECTION 54954.2.

POST THROUGH: April 26, 2023



Claremont City Council

Agenda Report

File #: 4667

Item No: 1.

TO: ADAM PIRRIE, CITY MANAGER

FROM: SHELLEY DESAUTELS, CITY CLERK

DATE: APRIL 25, 2023

Reviewed by:
City Manager: AP

SUBJECT:

ADOPTION OF A RESOLUTION APPROVING THE CITY WARRANT REGISTER

RECOMMENDATION

Staff recommends that the City Council adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLAREMONT, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, dated April 13, 2023.

PUBLIC NOTICE PROCESS

The agenda and staff report for this item have been posted on the City website and distributed to interested parties. If you desire a copy, please contact the City Clerk's Office.

Submitted by:

Shelley Desautels
City Clerk

Attachment:

Resolution Approving City Warrant Register April 13, 2023

RESOLUTION NO. 2023-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLAREMONT, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

NOW THEREFORE, THE CLAREMONT CITY COUNCIL DOES HEREBY RESOLVE:

SECTION 1. That the list of claims and demands dated April 13, 2023, totaling \$1,546,575.92 has been audited as required by law.

SECTION 2. That warrant numbers 4462 through 4464, 4999, and 251496 through 251604, inclusive, are hereby allowed in the amounts and ordered paid out of the respective funds.

SECTION 3. That the Mayor shall sign this Resolution and the City Clerk shall attest and certify to the passage and adoption thereof.

PASSED, APPROVED, AND ADOPTED this 25th day of April, 2023.

Mayor, City of Claremont

ATTEST:

City Clerk, City of Claremont



Claremont City Council

Agenda Report

File #: 4668

Item No: 2.

TO: ADAM PIRRIE, CITY MANAGER

FROM: SHELLEY DESAUTELS, CITY CLERK

DATE: APRIL 25, 2023

Reviewed by:
City Manager: AP

SUBJECT:

CITY COUNCIL MINUTES OF APRIL 11, 2023 (REGULAR)

RECOMMENDATION

Staff recommends that the City Council approve and file the regular City Council meeting minutes of April 11, 2023.

PUBLIC NOTICE PROCESS

The agenda and staff report for this item have been posted on the City website and distributed to interested parties. If you desire a copy, please contact the City Clerk's Office.

Submitted by:

Prepared by:

Shelley Desautels
City Clerk

Jamie Costanza
Deputy City Clerk

Attachment:

Draft Regular Meeting Minutes of April 11, 2023

**CLAREMONT CITY COUNCIL
MEETING MINUTES**

Tuesday, April 11, 2023 – 6:30 p.m.

Meeting Conducted In Person and Via Zoom. Video Recording is Archived on the City Website
<https://www.ci.claremont.ca.us/government/city-council/watch-city-council-meetings>

CALL TO ORDER

Mayor Reece called the meeting to order at 6:31 p.m.

PLEDGE OF ALLEGIANCE**MOMENT OF SILENCE****ROLL CALL****PRESENT**COUNCILMEMBER: CALAYCAY, LEANO, MEDINA, REECE,
STARK**ABSENT**

COUNCILMEMBER: NONE

ALSO PRESENT

Adam Pirrie, City Manager; Alisha Patterson, City Attorney; Jamie Earl, Assistant City Manager; Aaron Fate, Police Chief; Jeremy Swan, Director of Community Services; Melissa Vollaro, Director of Human Services; Nishil Bali, Finance Director; Shelley Desautels, City Clerk

CLOSED SESSION REPORT

There was no closed session meeting.

CEREMONIAL MATTERS, PRESENTATIONS, AND ANNOUNCEMENTS

The City Council recognized Ron Kosinski, Caltrans Deputy District 7 Director, for his 57 years of service and ambassadorship to Claremont, and the Claremont Foxes Women's Rugby Club, 2022 Division 2 Spring National Champions.

ANNOUNCEMENT OF FEDERAL HOLIDAYS/OBSERVANCES - None**MAYOR AND COUNCIL**Council Items - NoneCouncil Assignment Reports

This item starts at 13:32 in the archived video.

Councilmember Leano invited all to participate in Tri City Mental Health's budget development process.

CITY MANAGER REPORT

This item starts at 14:38 in the archived video.

City Manager Pirrie announced that the revised third draft of the 6th Cycle Housing Element Update is available for public review and following the public review period it will be sent to the State for their review. He also shared that volunteers are needed to survey the usage of the Claremont Hills Wilderness Park and invited all to attend the upcoming Heart of the Foothills event on April 23.

PUBLIC COMMENT

This item starts at 16:27 in the archived video.

Mayor Reece invited public comment.

Rachel Forester encouraged the City Council to enact strong tenant protections to keep people in Claremont.

Unidentified speaker raised concern regarding graffiti and drug paraphernalia in Claremont parks.

Bill Kauffman shared that he secured two locations for cannabis dispensaries and is prepared to submit a business license application to the City for the new dispensaries.

Unidentified speaker stated that she has received a 60-day eviction notice and asked the City Council to help families like hers.

Elaine Thompson asked the City Council to draft a strong and comprehensive tenant protection ordinance to include rent stabilization and address no fault evictions.

Nic Lucio, Claremont Streets for People, highlighted Southern California Association of Governments active transportation grant opportunities.

Priscilla Espinoza, Claremont Helen Renwick Library Manager, shared upcoming events taking place at the Library.

Noah Winnick spoke in support of the City's Psychiatric Assessment Care Team (PACT) program and asked the City Council to agendaize a discussion on using the remaining ARPA funds to fund the PACT team for a full 24/7 operation.

Medina Senghore spoke in support of the comments made by Mr. Winnick and encouraged the City Council to budget additional funding towards the PACT program.

Phalana Tiller spoke in support of the comments made regarding the PACT program.

Chris Naticchia spoke in support of expanding the PACT program and asked that in the upcoming tenant protection ordinance, rent stabilization is considered.

Gwen Tucker, Inclusive Claremont, spoke in support of Claremont renters and asked the City Council to draft a strong and comprehensive tenant protection ordinance.

Jacob, Claremont resident, shared that his rent in the past 4-years has increased by 40% and asked the City Council to help its renters.

As it has been over 30 minutes, the time set aside for general public comment, additional public comment was taken later in the meeting.

City Manager Pirrie responded to questions raised during the public comment period and shared that graffiti found on City property will be addressed within a 24-hour period, while graffiti on private property is a code enforcement issue.

City Attorney Patterson responded to a question from the City Council regarding State law for rent increases.

CONSENT CALENDAR

This item starts at 52:22 in the archived video.

Mayor Reece invited public comment on the Consent Calendar.

There were no requests to speak.

1. Adoption of a Resolution Approving the City Warrant Register
Adopted Resolution No. 2023-23, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLAREMONT, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID, dated March 30, 2023.
2. City Council Minutes of March 28, 2023 (Special and Regular)
Approved and filed the special and regular City Council meeting minutes of March 28, 2023.
3. General Services Agreement with the County of Los Angeles
Adopted Resolution No. 2023-24, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLAREMONT, CALIFORNIA, APPROVING A GENERAL SERVICES AGREEMENT WITH THE COUNTY OF LOS ANGELES.
4. Adoption of a Resolution Approving Side Letters of Agreement with City Employee Associations to Add Juneteenth as a Recognized City Holiday and Clarify the City's Practice for Floating Holidays (Funding Source: General Fund)
Adopted Resolution No. 2023-25, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLAREMONT, CALIFORNIA, APPROVING SIDE LETTERS OF AGREEMENT WITH CITY EMPLOYEE ASSOCIATIONS TO ADD JUNETEENTH AS A RECOGNIZED CITY HOLIDAY AND CLARIFY THE CITY'S PRACTICE FOR FLOATING HOLIDAYS.

Councilmember Stark moved to approve the Consent Calendar, seconded by Councilmember Calaycay, and carried on a roll call vote as follows:

AYES: Councilmember – Calaycay, Leano, Medina, Reece, Stark
NOES: Councilmember – None

PUBLIC HEARINGS - None

ORDINANCES – None

ADMINISTRATIVE ITEM

5. Community Development Block Grant Budget Amendment for 2022-23 and Job Creation & Business Incentive Program Funding for La Popular (Funding Source: Community Development Block Grant Fund)

This item starts at 53:50 in the archived video.

Councilmember Medina recused himself from the discussion and left the meeting due to the proximity of his business to Eureka Burger which owns La Popular.

Alex Cousins, Management Analyst, highlighted the staff report.

Mayor Reece invited public comment.

There were no requests to speak.

Councilmember Calaycay moved to:

- A. Approve the funding request in the amount of \$75,000 and authorize the City Manager to enter into an agreement with Eureka Restaurant Group LLC; and***
B. Appropriate \$75,000 from the Community Development Block Grant (CDBG) Fund and approve the allocation of \$75,000 from City's 2022-23 CDBG balance toward the Job Creation and Business Incentive Program;

Seconded by Councilmember Stark, and carried on a roll call vote as follows:

AYES: Councilmember – Calaycay, Leano, Reece, Stark

NOES: Councilmember – None

ABSENT: Councilmember – Medina

Councilmember Medina returned to the dais.

CONTINUED PUBLIC COMMENT

This item starts at 56:58 in the archived video.

Mayor Reece invited continued public comment from those who were not able to speak earlier due to the 30-minute time limit.

Lydia Hernandez highlighted a portion of the book *The Affordable City* by Shane Phillips and asked the City Council to create stringent tenant protections.

Russ Binder encouraged all to listen and participate in his podcast, Claremont Speaks.

Mike Boos, Claremont resident, spoke in support of the comments made regarding expansion of the PACT program and suggested the City Council review the City of Pomona's ordinance for tenant protection.

Phillipe Hernandez asked that the proposed tenant ordinance help everyone.

Seth Pringle spoke in support of strong renter protections to include no fault evictions and that annual rent increases be kept to a reasonable number.

There were no other requests to speak.

City Manager Pirrie announced that City staff will be meeting with Tri City Mental Health regarding the possibility of expanding the PACT program and will provide an update to the City Council. He also shared that the City has applied and been awarded transportation grants and will continue to do so.

ADJOURNMENT

Mayor Reece adjourned the meeting of the Claremont City Council at 7:47 p.m. The next regular meeting of the Claremont City Council will be held on Tuesday, April 25, 2023, at 6:30 p.m., in the Claremont Council Chamber.

Mayor

ATTEST:

Deputy City Clerk



Claremont City Council

Agenda Report

File #: 4682

Item No: 3.

TO: CLAREMONT CITY COUNCIL

FROM: ADAM PIRRIE, CITY MANAGER

DATE: APRIL 25, 2023

Reviewed by:
City Manager: AP

SUBJECT:

ADOPTION OF A RESOLUTION APPROVING A PAUSE ON THE CITY'S COLLECTION OF UTILITY USERS' TAX FROM THE SOUTHERN CALIFORNIA GAS COMPANY IN RESPONSE TO AN INCREASE IN THE COST OF NATURAL GAS FOR RESIDENTIAL AND COMMERCIAL CUSTOMERS IN CLAREMONT (FUNDING SOURCE: GENERAL FUND)

SUMMARY

The City of Claremont has imposed a utility users' tax ("UUT") for many years on the use of gas utility services in order to provide a portion of the General Fund revenues required to provide a host of essential services to the community.

On December 29, 2022, the Southern California Gas Company ("SCG") issued a press release, which in part read: "January [2023] bills are likely to be shockingly high. An unprecedented cold snap across the nation in part has caused natural gas market prices in the West to more than double between December and January - to the tune of 128% since December." In response to this, several Claremont residents have contacted the City asking how the City can reduce the financial burden of increasing natural gas costs on California's ratepayers.

City staff met with SCG staff on April 18, 2023, to discuss the feasibility of SCG temporarily pausing the City's collection of UUT from SCG customers for a period of three months (for usage during July 1, 2023, and September 30, 2023) in response to the increased costs that Claremont residents and business owners have been burdened with.

SCG requires 60-day notice by way of an approved Resolution or Ordinance to temporarily pause the City's collection of UUT from SCG. As such, if the City Council approves the attached Resolution, the City will effectively provide SCG with adequate notice to temporarily pause the City's collection of UUT from SCG for usage beginning on July 1, 2023, with the intent to end the temporary pause on said collection effective October 1, 2023.

SCG requires that a separate Resolution be approved by the City Council providing a 60-day notice to effectively end the temporary pause on the City's collection of UUT from SCG. Staff will return to the City Council in July with a Resolution so that at that time, the City Council can consider ending the temporary pause on the City's UUT collection from SCG effective October 1, 2023, as intended.

RECOMMENDATION

Staff recommends that the City Council adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLAREMONT, CALIFORNIA, APPROVING A PAUSE ON THE CITY'S COLLECTION OF UTILITY USERS' TAX FROM THE SOUTHERN CALIFORNIA GAS COMPANY IN RESPONSE TO AN INCREASE IN THE COST OF NATURAL GAS FOR RESIDENTIAL AND COMMERCIAL CUSTOMERS IN CLAREMONT.

ALTERNATIVES TO RECOMMENDATION

In addition to the recommendation, there are the following alternatives:

- A. Request additional information and direct staff to bring the Resolution back at a future meeting.
- B. Take no action.

FINANCIAL REVIEW

The City collected approximately \$125,000 in UUT revenues from SCG for gas usage in the first quarter of 2022-23. The City would expect to lose at least a similar amount of UUT revenues from SCG, if collections are paused from July 1, 2023, through September 30, 2023. This loss amounts to approximately 0.40% of estimated General Fund revenues for the next fiscal year and will not adversely affect the General Fund budget for 2023-24.

The cost of staff time to prepare the material for this meeting is estimated to be \$1,400. These costs are included in the operating budget of the Administrative Services Department.

ANALYSIS

The City of Claremont has imposed a utility users' tax ("UUT") for many years on the use of gas utility services in order to provide a portion of the General Fund revenues required to provide a host of essential services to the community.

On December 29, 2022, the Southern California Gas Company ("SCG") issued a press release, which in part read: "January [2023] bills are likely to be shockingly high. An unprecedented cold snap across the nation in part has caused natural gas market prices in the West to more than double between December and January - to the tune of 128% since December." In response to this, several Claremont residents have contacted the City asking how the City can reduce the financial burden of increasing natural gas costs on California's ratepayers.

City staff met with SCG staff on April 18, 2023, to discuss the feasibility of SCG temporarily pausing the City's collection of UUT from SCG for a period of three months (for usage during July 1, 2023, and September 30, 2023) in response to the increased costs that Claremont residents and business owners have been burdened with. Both SCG and the City acknowledge that supply and demand

factors impact the cost of natural gas, and appreciate that action is being taken at the state and federal levels to address the sudden spike in gas prices that Californians experienced earlier this year. Further, both agencies recognize that high gas bills add to the financial hardships that Claremont residents and business owners are already facing, such as rising inflation and high cost of living.

SCG requires a 60-day notice by way of an approved Resolution or Ordinance to temporarily pause the City's collection of UUT from SCG. As such, if the City Council approves the proposed Resolution (Attachment), the City will effectively provide SCG with adequate notice to temporarily pause the City's collection of UUT from SCG for usage beginning on July 1, 2023, with the intent to end the temporary pause on said collections effective October 1, 2023.

SCG requires that a separate Resolution be approved by the City Council providing a 60-day notice to effectively end the temporary pause on the City's collection of UUT from SCG. Staff will return to City Council in July with a Resolution so that at that time, the City Council can consider ending the temporary pause on the City's UUT collection from SCG effective October 1, 2023, as intended.

LEGAL REVIEW

The Resolution being considered by the City Council has been reviewed and approved as to form by the City Attorney.

RELATIONSHIP TO CITY PLANNING DOCUMENTS

Staff has evaluated the agenda item in relationship to the City's strategic and visioning documents and finds that it applies to the following City Planning Documents: 2022-24 Budget.

CEQA REVIEW

This item is not subject to environmental review under the California Environmental Quality Act (CEQA).

PUBLIC NOTICE PROCESS

The agenda and staff report for this item have been posted on the City website and distributed to interested parties. If you desire a copy, please contact the City Clerk's Office.

Submitted by:

Adam Pirrie
City Manager

Prepared by:

Katie Wand
Assistant to the City Manager

Attachment:
Resolution

RESOLUTION NO. 2023-**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLAREMONT, CALIFORNIA, APPROVING A PAUSE ON THE CITY'S COLLECTION OF UTILITY USERS' TAX FROM THE SOUTHERN CALIFORNIA GAS COMPANY IN RESPONSE TO AN INCREASE IN THE COST OF NATURAL GAS FOR RESIDENTIAL AND COMMERCIAL CUSTOMERS IN CLAREMONT**

WHEREAS, the City of Claremont has imposed a utility users' tax ("UUT") for many years on the use of gas utility services in order to provide a portion of the general fund revenues required to provide a host of essential services to the community; and

WHEREAS, on December 29, 2022, the Southern California Gas Company ("SCG") issued a press release, which in part, read: "January [2023] bills are likely to be shockingly high. An unprecedented cold snap across the nation in part has caused natural gas market prices in the West to more than double between December and January – to the tune of 128% since December"; and

WHEREAS, several Claremont residents have contacted the City asking how the City can reduce the financial burden on of increasing natural gas costs on California's ratepayers; and

WHEREAS, high gas bills add to the financial hardships that Claremont residents and business owners are already facing, such as rising inflation and high cost of living; and

WHEREAS, the City of Claremont acknowledges that supply and demand factors impact the cost of natural gas, and appreciate that action is being taken at the state and federal levels to address the sudden spike in gas prices that Californians experienced earlier this year; and

WHEREAS, City staff met with SCG staff on April 18, 2023 to discuss the feasibility of SCG temporarily pausing the City's collection of UUT from SCG for a period of three months in response to the increased costs that Claremont residents and business owners have been burdened with; and

WHEREAS, City staff has determined that the temporary pause of the City's collection of UUT from SCG will not pose a detrimental financial impact to the City of Claremont or any of its operations; and

WHEREAS, by way of this Resolution, the City Council is effectively providing SCG with the required 60-day notice to temporarily pause the City's collection of UUT from SCG for usage beginning on July 1, 2023, with the intent to end the temporary pause on said collection effective October 1, 2023; and

WHEREAS, SCG requires that a separate Resolution be approved by the City Council providing 60-day notice to effectively end the temporary pause on the City's collection of UUT from SCG.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CLAREMONT DOES HEREBY RESOLVE:

SECTION 1. The City Council finds that the above recitals are true and correct and are incorporated herein.

SECTION 2. The City Council approves and authorizes the Mayor to execute this Resolution and authorizes City staff to make the necessary arrangements with SCG to temporarily pause the City's collection of UUT for usage beginning on July 1, 2023.

SECTION 3. The City Council authorizes SCG to temporarily pause the City's collection of UUT from SCG for usage beginning on July 1, 2023, with the intent to end the temporary pause on said collection effective October 1, 2023.

SECTION 4. The City Council authorizes City staff to return with a Resolution in July 2023 so that the City Council can consider ending the temporary pause on the City's UUT collection from SCG effective October 1, 2023, as intended.

SECTION 5. The Mayor shall sign this Resolution and the City Clerk shall attest to the adoption thereof.

PASSED, APPROVED and ADOPTED this 25th day of April, 2023.

Mayor, City of Claremont

ATTEST:

City Clerk, City of Claremont

APPROVED AS TO FORM:



City Attorney, City of Claremont



Claremont City Council

Agenda Report

File #: 4672

Item No: 4.

TO: ADAM PIRRIE, CITY MANAGER

FROM: JEREMY SWAN, COMMUNITY SERVICES DIRECTOR

DATE: APRIL 25, 2023

Reviewed by:
City Manager: AP

SUBJECT:

**AWARD OF CONTRACT TO MOUNTAIN VIEW CHEVROLET FOR VEHICLE REPLACEMENTS
(FUNDING SOURCE: MOTOR FLEET AND SANITATION FUNDS)**

SUMMARY

The 2022-23 Motor Fleet and Sanitation budgets include funding to replace City vehicles that have reached the ends of their useful lives. In March 2023, the City issued a Notice Inviting Bids for vehicle purchases. The City has reviewed the bids received and recommends awarding a contract to Mountain View Chevrolet.

RECOMMENDATION

Staff recommends that the City Council authorize the City Manager to award a contract to Mountain View Chevrolet in the amount of \$264,078.71 for the purchase of six new vehicles.

ALTERNATIVE TO RECOMMENDATION

In addition to the recommendation, there is the following alternative:

- Request additional information.

FINANCIAL REVIEW

The 2022-23 Motor Fleet and Sanitation budgets include funding for scheduled vehicle replacements. One Chevrolet Colorado truck valued at \$33,745.85 will be utilized by the Sanitation Division and is budgeted in the 2022-23 Sanitation Fund. There is available funding in the 2022-23 Motor Fleet budget to cover the full cost of the remaining five vehicles, valued at \$230,332.86 combined. These vehicles will replace those used by the Human Services Department (Park Rangers), Maintenance Division, and Police Department.

This purchase complies with all City and State purchasing guidelines. Bid and contract documents are available for review in the City Clerk's office.

The staff cost to prepare this report and administer this contract is estimated at \$5,800 and is included in the operating budget of the Community Services Department.

ANALYSIS

Vehicle Replacement Schedule

The 2022-23 budget includes funding to replace the six vehicles included in the proposed contract, all of which have exceeded their useful lives. All six vehicles were retained beyond their scheduled replacement, but now require replacement based upon declining reliability and increasing maintenance costs. The Motor Fleet Supervisor has reviewed the maintenance history of each vehicle and has determined that replacement is warranted based upon the vehicles' age, mileage, and condition. The vehicles are listed in the table below:

Unit #	Existing Vehicle	Replacement Schedule (years)	Year	Replacement
51012	Chevrolet Silverado 1500	8	2012	Chevrolet Silverado 1500
26008	Ford Ranger	10	2008	Chevrolet Colorado
12208	Ford F-250 with Service Body	10	2008	Chevrolet Silverado 2500 with Service Body
27916	Chevrolet Colorado	5	2016	Chevrolet Colorado
14416	Chevrolet Colorado	5	2016	Chevrolet Colorado
282	Ford Ranger	10	2008	Chevrolet Colorado

The vehicles with the five-year replacement schedule are Park Ranger vehicles used extensively in the Claremont Hills Wilderness Park. These vehicles are subject to heavy wear and are experiencing mechanical issues.

Vendor Selection / Competitive Bidding

In March 2023, the City released a Notice Inviting Bids for vehicle replacements. The Notice was sent to eight local dealers and posted on the City website. Mountain View Chevrolet was the only responsive bidder that can deliver 2023 model vehicles within 120 days. SoCal Penske Dealer Group and Winners Chevrolet were considered non-responsive because they proposed providing 2024 models as they become available.

Vendor	Bid Price
Mountain View Chevrolet*	\$264,078.71
SoCal Penske Dealer Group	\$286,835.14
Winners Chevrolet, Inc.	\$300,131.38

*updated to include sales tax and e-filing fees

Mountain View Chevrolet did not include sales tax and e-filing fees in their initial bid submission. Since Mountain View Chevrolet was the only bidder able to provide the 2023 model vehicles, City staff negotiated with them directly to obtain updated pricing with sales tax and e-filing fees included. After including taxes and fees, staff determined that Mountain View Chevrolet is still the lowest bidder when compared to the other two non-responsive bidders.

Mountain View Chevrolet proposed two minor deviations from the specifications included in the bid document. Based upon vehicle availability, Mountain View proposed providing a Chevrolet Silverado 2500HD with a double cab rather than the regular cab identified in the bid specification. They also proposed to substitute a Harbor service body in lieu of the Pacific service body specified in the bid. The Motor Fleet Supervisor reviewed the proposed substitutions and pricing, and confirmed that the proposed substitutions are acceptable.

In an effort to secure 2023 model vehicles within a reasonable timeframe and at a competitive price, staff has determined that contracting with Mountain View Chevrolet is in the best interest of the City.

RELATIONSHIP TO CITY PLANNING DOCUMENTS

Staff has evaluated the agenda item in relationship to the City's strategic and visioning documents and finds that it applies to the following City Planning Documents: Council Priorities, Sustainable City Plan, Economic Sustainability Plan, General Plan, and the 2022-24 Budget.

CEQA REVIEW

This item is not subject to environmental review under the California Environmental Quality Act (CEQA).

PUBLIC NOTICE PROCESS

The agenda and staff report for this item have been posted on the City website and distributed to interested parties. If you desire a copy, please contact the City Clerk's Office.

Submitted by:

Jeremy Swan
Community Services Director

Prepared by:

Kristin Mikula
Community Services Manager



Claremont City Council

Agenda Report

File #: 4674

Item No: 5.

TO: ADAM PIRRIE, CITY MANAGER

FROM: JEREMY SWAN, COMMUNITY SERVICES DIRECTOR

DATE: APRIL 25, 2023

Reviewed by:
City Manager: AP

SUBJECT:

AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH ATTIC PROJECTS FOR EMERGENCY PEST REMEDIATION SERVICES (FUNDING SOURCE: GENERAL FUND)

SUMMARY

As part of the City's Energy Efficiency Project, Trane U.S., Inc. is installing new heating, ventilation, and air conditioning (HVAC) units at all City buildings. When work began, it became apparent that emergency pest remediation services were needed for City Hall and the Alexander Hughes Community Center (Hughes Center) to address significant rodent issues before HVAC work could continue.

The City received three bids for pest remediation services. Attic Projects was the lowest responsive and responsible bidder, with a bid of \$56,300, which includes the longest and most comprehensive warranty.

RECOMMENDATION

Staff recommends that the City Council:

- A. Authorize the City Manager to enter into an agreement with Attic Projects for emergency pest remediation services for \$56,300; and
- B. Appropriate \$56,300 from the unassigned General Fund balance to fund emergency pest remediation services.

ALTERNATIVE TO RECOMMENDATION

In addition to the recommendation, there is the following alternative:

- Request additional information from staff.

FINANCIAL REVIEW

The cost to perform the emergency pest remediation services is \$56,300. Attic Projects provided the lowest responsive and responsible bid and guaranteed their work for pest remediation services at City Hall and the Hughes Center. The bid for pest remediation services at City Hall was \$43,500, and the Hughes Center was \$12,800. Funding for the emergency pest remediation services is proposed to be appropriated from available unassigned General Fund balance.

The agreement does not require bidding and complies with all City and State purchasing guidelines, and all contract documents are available for review in the City Clerk's office.

The staff cost to prepare this report is estimated at \$500 and is included in the operating budget of the Community Services Department.

ANALYSIS

The City maintains an agreement for on-call pest control services for all City buildings. As Trane was installing new HVAC units at City Hall, it was apparent that emergency professional pest remediation services would be necessary to eliminate rodent problems and clean the area before the Trane project could continue. Staff reached out to three contractors directly to obtain bids. Attic Projects was the only responsive bidder that could provide a ten-year warranty for pest intrusion and remediation services.

As Attic Projects was working at City Hall, the Hughes Center was having an ongoing issue with pests that the on-call pest control services contractor could not handle. Attic Projects completed the remediation services at the Hughes Center to eliminate the ongoing concern.

The City's Purchasing, Bidding, and Contracting Policy allows the City Manager to determine that it is in the best interest of the City to shorten the selection process in order to begin work immediately on a City project. At the City Manager's direction, staff solicited bids directly from vendors. Attic Projects was the only responsive bidder that provided a ten-year guarantee on their work.

As standard practice, all purchases over \$25,000 are brought before the City Council for review and approval. With City Council approval, the City can render payment to the contractor for the emergency pest remediation services already completed.

RELATIONSHIP TO CITY PLANNING DOCUMENTS

Staff has evaluated the agenda item in relationship to the City's strategic and visioning documents and finds that it applies to the following City Planning Documents: Council Priorities, Sustainable City Plan, Economic Sustainability Plan, General Plan, and the 2022-24 Budget.

CEQA REVIEW

This item is not subject to environmental review under the California Environmental Quality Act (CEQA).

PUBLIC NOTICE PROCESS

The agenda and staff report for this item have been posted on the City website and distributed to interested parties. If you desire a copy, please contact the City Clerk's Office.

Submitted by:

Jeremy Swan
Community Services Director



Claremont City Council

Agenda Report

File #: 4669

Item No: 6.

TO: ADAM PIRRIE, CITY MANAGER

FROM: JEREMY SWAN, COMMUNITY SERVICES DIRECTOR

DATE: APRIL 25, 2023

Reviewed by:
City Manager: AP

SUBJECT:

AUTHORIZATION TO AMEND THE EXISTING AGREEMENT WITH FIRST CLASS HEATING AND AIR CONDITIONING, INC. TO INCREASE COMPENSATION FOR HEATING, VENTILATION, AND AIR CONDITIONING MAINTENANCE AND REPAIRS (FUNDING SOURCE: GENERAL FUND)

SUMMARY

On July 12, 2022, the City Council approved a one-year contract extension with First Class Heating and Air Conditioning, Inc. (First Class) for heating, ventilation, and air conditioning (HVAC) maintenance services. The one-year extension was offered at the current rate of \$108,275. First Class has also been assisting Trane U.S., Inc. (Trane) with fire and safety requirements for new HVAC units installed as part of the Energy Efficiency Project. These services are exclusions from the Trane U.S., Inc. agreement and are required to be completed by a licensed contractor. Fire and safety requirements were included in the Community Services operating budget; however, necessary repairs to the HVAC system required priority.

Staff anticipates that an additional \$60,000 will be necessary for First Class to perform routine maintenance and to continue assisting Trane with fire and safety requirements for the new HVAC units. To account for increased maintenance costs and assistance with Trane, an amendment to the existing agreement is recommended, which will bring the total not-to-exceed contract amount to \$168,275.

RECOMMENDATION

Staff recommends that the City Council:

- A. Authorize the City Manager to execute an amendment to the existing agreement with First Class Heating and Air Conditioning, Inc., adding an additional \$60,000 in compensation, increasing the not-to-exceed contract amount to \$168,275; and
- B. Appropriate \$60,000 from the unassigned General Fund balance for HVAC maintenance services.

ALTERNATIVE TO RECOMMENDATION

In addition to the recommendation, there is the following alternative:

- Request additional information from staff.

FINANCIAL REVIEW

The 2022-23 budget includes \$108,275 for HVAC preventative maintenance repairs. In addition, First Class Heating and Air Conditioning, Inc. is assisting Trane U.S, Inc. with safety controls on new units installed as part of the Energy Efficiency Project. Staff recommends an amendment to the current agreement, increasing the not-to-exceed contract amount from \$108,275 to \$168,275 to reflect anticipated additional costs for HVAC maintenance and repair services. Funding for HVAC maintenance services is proposed to be appropriated from available unassigned General Fund balance.

The staff cost to prepare this report and administer this report is estimated at \$916 and is included in the operating budget of the Community Services Department

ANALYSIS

The HVAC maintenance services contract includes routine preventative maintenance and on-call or emergency response to fix problems immediately to return the City to normal operations. There are 41 small, City-owned HVAC units that require semi-annual preventative maintenance, and five large, City-owned HVAC units that require quarterly preventative maintenance. Preventative maintenance includes, but is not limited to: cleaning, adjusting temperature controls, changing filters, lubricating, and inspection/calibration of heating controls and thermostats. Safety controls are also checked during preventative maintenance. Beyond routine maintenance, the HVAC contractor provides on-call services and emergency response services to address repairs when units become inoperable.

On July 12, 2022, the City Council approved a one-year contract extension with First Class Heating and Air Conditioning, Inc. at the current rate, in an amount not to exceed \$108,275 for the year. An excerpt from the meeting minutes is included as an Attachment to this report.

The City is currently working with Trane U.S., Inc. to implement an Energy Efficiency Project that includes the replacement of 32 of the City-owned HVAC units. As part of this process, First Class needs to work closely with Trane to remove and replace the safety elements of the HVAC units. Furthermore, First Class is assisting Trane by providing expertise on our systems as issues arise. The removal and replacement of the safety elements are exclusions from the Trane U.S., Inc agreement and required to be completed by a licensed contractor. Fire and safety requirements were included in the Community Services operating budget, however, other repairs to the HVAC system required priority.

Based upon increased maintenance calls and troubleshooting of the systems, staff recommends amending the current contract to increase the not-to-exceed amount to \$168,275. The billing structure for this agreement sets fixed pricing for preventative maintenance services, and repair services are billed based upon an approved hourly rate. Staff must review and approve all proposed repairs prior to work being completed. Although the not-to-exceed amount would be increased to \$168,275, First Class will only be compensated for the approved work they complete.

RELATIONSHIP TO CITY PLANNING DOCUMENTS

Staff has evaluated the agenda item in relationship to the City's strategic and visioning documents and finds that it applies to the following City Planning Documents: Sustainable City Plan, Economic Sustainability Plan, General Plan, and the 2022-24 Budget.

CEQA REVIEW

This item is not subject to environmental review under the California Environmental Quality Act (CEQA).

PUBLIC NOTICE PROCESS

The agenda and staff report for this item have been posted on the City website and distributed to interested parties. If you desire a copy, please contact the City Clerk's Office.

Submitted by:

Jeremy Swan
Community Services Director

Attachment:

Excerpt from the 07-12-22 City Council Meeting Minutes

6. Authorization to Amend the Professional Services Agreement with Houseal Lavigne to Increase Compensation for Preparation of the 6th Cycle Housing Element Update (Funding Source: General Fund and HCD Grants)
Authorized the City Manager to execute an amendment to the professional services agreement with Houseal Lavigne, increasing compensation by \$35,000, for a total not to exceed amount of \$384,947 for the update of the Claremont Housing Element for the 6th Cycle (2021-2029).
7. Participation in Monsanto Class Action Settlement – City of Long Beach, Et Al. V. Monsanto Company, Et Al., No. 2:16-CV-3493-FMO-AS (C.D. Cal.)
 - A. Directed City staff to do nothing at this time, and Claremont will automatically become a Settlement class member; and
 - B. Authorized City staff to prepare and execute any and all documents necessary to participate in the Settlement, including signing a Settlement Agreement releasing Claremont's claims against Monsanto submitting one or more claim(s) for Settlement funds.
8. Authorization to Amend the Existing Contract with First Class Heating and Air Conditioning, Inc., Extending the Term and Increasing Compensation for Heating, Ventilation, and Air Conditioning Maintenance Services (Funding Source: General Fund)
Authorized the City Manager to execute an amendment to the existing contract with First Class Heating and Air Conditioning, Inc., extending the term by one additional year through July 25, 2023, and adding \$108,275 in compensation for the additional year.
9. Historical Property (Mills Act) Agreement #22-MA01 Between the City of Claremont and Jonathan Margrave and Mikaela Ayala, Property Owners of 421 West 7th Street (Funding Source: General Fund)
Approved the Historical Property (Mills Act) Agreement between the City of Claremont and Jonathan Margrave and Mikaela Ayala, property owners of 421 West 7th Street.

Councilmember Stark moved to approve Consent Calendar Items No. 1-3 and 5-9, seconded by Councilmember Calaycay, and carried on a roll call vote as follows:

AYES: Councilmember – Calaycay, Leano, Medina, Reece, Stark
NOES: Councilmember – None

Item Removed from the Consent Calendar

4. Resolution Terminating the Proclamation Declaring the Existence of a Local Emergency Related to the Extreme Windstorm on January 21, 2022 (Funding Source: Various)

This item starts at 46:49 in the archived video.

Councilmember Calaycay explained that he pulled the item to share that this is a procedural process and lessons learned from the event will implement future policies and procedures.

City Manager Pirrie added that the City has appropriated funding to conduct an urban forest needs assessment and included additional funding in the City budget for tree removal, replacement, and trimming.

Mayor Leano invited public comment.



Claremont City Council

Agenda Report

File #: 4673

Item No: 7.

TO: ADAM PIRRIE, CITY MANAGER

FROM: NISHIL BALI, FINANCE DIRECTOR

DATE: APRIL 25, 2023

Reviewed by:
City Manager: AP

SUBJECT:

INVESTMENT REPORT - QUARTER ENDING MARCH 31, 2023

SUMMARY

As required by the City of Claremont Investment Policy and State law, a Quarterly Investment Report showing investment activity is to be presented to the City Council for its review and acceptance.

RECOMMENDATION

Staff recommends that the City Council receive and accept the Investment Report for the quarter ending March 31, 2023.

ALTERNATIVE TO RECOMMENDATION

In addition to the recommendation, there is the following alternative:

- Request additional information.

FINANCIAL REVIEW

The City's investment portfolio is highly liquid, with the Local Agency Investment Fund (LAIF) and the Collateralized Savings funds available with 24-hour notification. The weighted average of days to maturity of all City investments is approximately 70 days.

As of March 31, 2023, the market value of City-held investments totaled \$54,242,687 of which \$44,095,171 (81.29 percent) was invested in LAIF; \$9,994,000 (18.42 percent) in Certificates of Deposit; and \$153,516 (0.28 percent) in Collateralized Savings/Money Market Accounts. These investments fully comply with the City's current Investment Policy.

In addition to the above investments, the City established a Section 115 pension trust with Public

Agency Retirement Services (PARS) to prefund pension costs. As of March 31, 2023, the market value of the trust totaled \$2,596,948.

The cost of staff time to research this issue, prepare documentation, and complete this report is estimated to be \$544. Funding is included in the operating budget of the Financial Services Department.

ANALYSIS

During the quarter ending March 31, 2023, the City maintained investments in Certificates of Deposit (CD), Collateralized Savings/Money Market Accounts, and in the Local Agency Investment Fund (LAIF), which is managed by the Treasurer's Office of the State of California. Investments in LAIF earned interest in the amount of \$255,215, CD interest amounted to \$62,582, and collateralized savings/safekeeping account interest amounted to \$154.

There was an overall increase of \$10,680,054 in the City's treasury investment portfolio from the previous quarter as shown in the Investment Report (Attachment). The increase in invested funds was primarily the result of tax receipts received in the third quarter of the fiscal year and proceeds received from the sale of a former City-owned parcel.

In 2021, the City Council authorized the establishment of a Section 115 pension trust with PARS for future discretionary contributions and/or disbursements to the City's pension obligations, while allowing local control of funds in the Trust. The City selected a moderately conservative portfolio at the Trust's inception. The City Council approved a contribution of \$1 million to the Trust last fiscal year. In October 2022, the City Council authorized an additional contribution of \$1.5 million to the Trust, which was deposited and is reflected in this Investment Report. The market value of the Section 115 Trust totaled \$2,596,948 as of March 31, 2023, representing a return of 3.59 percent in the last quarter. To provide benchmarks for the returns in the City's Section 115 Trust, the S&P 500 and Dow 30 stock indices had returns of 7.03% and 0.38% during the same time period, respectively.

RELATIONSHIP TO CITY PLANNING DOCUMENTS

Staff has evaluated the agenda item in relationship to the City's strategic and visioning documents and finds that it relates to the following: Council Priorities, General Plan, and the 2022-24 Budget.

CEQA REVIEW

This item is not subject to environmental review under the California Environmental Quality Act (CEQA).

PUBLIC NOTICE PROCESS

The agenda and staff report for this item have been posted on the City website and distributed to interested parties. If you desire a paper copy, please contact the City Clerk's office.

Submitted by:

Nishil Bali
Finance Director

Attachment:

Quarterly Investment Report

**CITY OF CLAREMONT
INVESTMENT REPORT
JANUARY 1, 2023 THROUGH MARCH 31, 2023**

ATTACHMENT

INVESTMENT DESCRIPTION	PURCHASE DATE	MATURITY DATE	BALANCES @ DECEMBER 31, 2022			ADDS/(SELLS)/ (MATURITIES) DURING PERIOD @ COST	BALANCES @ MARCH 31, 2023			INTEREST EARNED DURING QTR	YIELD	INTEREST RECEIVED DURING QTR
			PAR VALUE	ORIGINAL COST	MARKET VALUE*		PAR VALUE	ORIGINAL COST	MARKET VALUE*			
CITY HELD INVESTMENTS												
BANK OF THE WEST COLLATERALIZED SAVINGS ACCOUNT	N/A	N/A	70,735	70,735	70,735	154	70,889	70,889	70,889	154	0.92%	154
MULTI BANK SECURITIES SAFEKEEPING ACCOUNT	N/A	N/A	30,579	30,579	30,579	52,048	82,627	82,627	82,627	-	0.00%	-
CERTIFICATES OF DEPOSIT (LIVE OAK BKG CO WILMINGTON NC)	02/04/22	02/05/24	250,000	250,000	250,000		250,000	250,000	250,000	524	0.85%	524
CERTIFICATES OF DEPOSIT (TEXAS EXCHANGE BK SSB CROWLEY)	02/04/22	02/02/24	250,000	250,000	250,000		250,000	250,000	250,000	616	1.00%	616
CERTIFICATES OF DEPOSIT (BEAL BK PLANO TEX)	02/09/22	02/07/24	250,000	250,000	250,000		250,000	250,000	250,000	586	0.95%	1,197
CERTIFICATES OF DEPOSIT (BEAL BK USA LAS VEGAS NEV)	02/09/22	02/07/24	250,000	250,000	250,000		250,000	250,000	250,000	586	0.95%	1,197
CERTIFICATES OF DEPOSIT (WORKERS FED CR UN LITTLETON MA)	02/08/22	02/08/24	250,000	250,000	250,000		250,000	250,000	250,000	555	0.90%	555
CERTIFICATES OF DEPOSIT (PEOPLES ST BK WAUSAU WIS)	02/11/22	08/11/23	250,000	250,000	250,000		250,000	250,000	250,000	370	0.60%	370
CERTIFICATES OF DEPOSIT (BMW BK NORTH AMER SALT LAKE CITY UT)	03/04/22	03/04/24	245,000	245,000	245,000		245,000	245,000	245,000	967	1.60%	1,944
CERTIFICATES OF DEPOSIT (GREENSTATE CR UN NORTH LIBERTY IOWA)	03/15/22	03/25/24	250,000	250,000	250,000		250,000	250,000	250,000	986	1.60%	986
CERTIFICATES OF DEPOSIT (JPMORGAN CHASE BK NO COLUMBUS OHIO)	03/15/22	06/15/23	250,000	250,000	250,000		250,000	250,000	250,000	616	1.00%	1,240
CERTIFICATES OF DEPOSIT (TRIAD BUSINESS BK GREENSBORO NC)	03/18/22	03/17/23	250,000	250,000	250,000	(250,000)	-	-	-	422	0.80%	488
CERTIFICATES OF DEPOSIT (BANK HAPQALIM BM NEW YORK BRH)	03/31/22	09/29/23	250,000	250,000	250,000		250,000	250,000	250,000	925	1.50%	1,870
CERTIFICATES OF DEPOSIT (STATE BANK INDIA NEW YORK)	04/04/22	04/04/24	250,000	250,000	250,000		250,000	250,000	250,000	1,264	2.05%	-
CERTIFICATES OF DEPOSIT (AMERICA FIRST CR UN BREA CALIF SH)	04/08/22	04/06/23	250,000	250,000	250,000		250,000	250,000	250,000	678	1.10%	678
CERTIFICATES OF DEPOSIT (INCREDIBLE BANK WAUSAU WIS)	04/08/22	01/09/23	250,000	250,000	250,000	(250,000)	-	-	-	52	0.85%	186
CERTIFICATES OF DEPOSIT (SYNCHRONY BK RETAIL)	04/22/22	04/22/24	250,000	250,000	250,000		250,000	250,000	250,000	1,479	2.40%	-
CERTIFICATES OF DEPOSIT (BARCLAYS BK RETAIL)	04/27/22	04/29/24	250,000	250,000	250,000		250,000	250,000	250,000	1,479	2.40%	-
CERTIFICATES OF DEPOSIT (CAPITAL ONE NATL ASSN MCLEAN VA)	04/27/22	04/29/24	250,000	250,000	250,000		250,000	250,000	250,000	1,572	2.55%	-
CERTIFICATES OF DEPOSIT (CAPITAL ONE BK USA NATL ASSN GLEN ALLEN VA)	04/27/22	04/29/24	250,000	250,000	250,000		250,000	250,000	250,000	1,572	2.55%	-
CERTIFICATES OF DEPOSIT (DISCOVER BANK GREENWOOLD DEL)	04/27/22	04/29/24	250,000	250,000	250,000		250,000	250,000	250,000	1,541	2.50%	-
CERTIFICATES OF DEPOSIT (CF BANK FAIRLAWN OHIO)	04/28/22	03/28/23	250,000	250,000	250,000	(250,000)				1,205	2.00%	1,233
CERTIFICATES OF DEPOSIT (MORGAN STANLEY PRIVATE BK NATL ASSN INSTL)	04/29/22	10/30/23	250,000	250,000	250,000		250,000	250,000	250,000	1,295	2.10%	-
CERTIFICATES OF DEPOSIT (MORGAN STANLEY BK NA MKT LKD INSTL)	04/29/22	10/29/24	250,000	250,000	250,000		250,000	250,000	250,000	1,664	2.70%	-
CERTIFICATES OF DEPOSIT (POPULAR BK NEW YORK BRH INSTL)	05/04/22	11/02/23	250,000	250,000	250,000		250,000	250,000	250,000	1,325	2.15%	1,355
CERTIFICATES OF DEPOSIT (BANKERS BK MADISON WIS)	05/06/22	11/06/24	250,000	250,000	250,000		250,000	250,000	250,000	1,541	2.50%	1,541
CERTIFICATES OF DEPOSIT (MEDALLION BK SALT LAKE CITY UTAH)	05/16/22	05/16/23	250,000	250,000	250,000		250,000	250,000	250,000	1,202	1.95%	1,202
CERTIFICATES OF DEPOSIT (WESTERN ALLIANCE BK PHOENIX AZ)	05/18/22	02/17/23	250,000	250,000	250,000	(250,000)	-	-	-	499	1.55%	648
CERTIFICATES OF DEPOSIT (ALLY BK SANDY UTAH)	05/19/22	05/20/24	250,000	250,000	250,000		250,000	250,000	250,000	1,849	3.00%	-
CERTIFICATES OF DEPOSIT (INSTITUTION FOR SVGS IN NEWBURYPORT & ITS VIC MA)	05/20/22	08/18/23	250,000	250,000	250,000		250,000	250,000	250,000	1,264	2.05%	1,264
CERTIFICATES OF DEPOSIT (JOHN MARSHALL BK RESTON VA)	05/20/22	02/21/23	250,000	250,000	250,000	(250,000)	-	-	-	421	1.50%	647
CERTIFICATES OF DEPOSIT (DIRECT FED CR UN NEEDHAM MASS SH)	05/24/22	01/24/23	250,000	250,000	250,000	(250,000)	-	-	-	263	1.60%	340
CERTIFICATES OF DEPOSIT (KERNDT BROS SVGS BK LANSING IOWA)	05/25/22	02/23/24	250,000	250,000	250,000		250,000	250,000	250,000	1,449	2.35%	1,449
CERTIFICATES OF DEPOSIT (LAFAYETTE FED CR UN ROCKVILLE MD)	05/25/22	11/27/23	250,000	250,000	250,000		250,000	250,000	250,000	1,479	2.40%	1,479
CERTIFICATES OF DEPOSIT (AMERICAN EXPRESS NATL BK BROKERED INTL)	08/01/22	08/05/24	250,000	250,000	250,000		250,000	250,000	250,000	2,065	3.35%	4,222
CERTIFICATES OF DEPOSIT (SALLIE MAE BK SALT LAKE CITY UT)	08/01/22	08/05/24	250,000	250,000	250,000		250,000	250,000	250,000	2,065	3.35%	4,222
CERTIFICATES OF DEPOSIT (EVANSVILLE TEACHERS FCU IND SH CTF)	08/01/22	08/07/23	250,000	250,000	250,000		250,000	250,000	250,000	1,973	3.20%	1,973
CERTIFICATES OF DEPOSIT (AUSTIN TELCO FED CR UN TEX SH)	08/01/22	08/11/23	250,000	250,000	250,000		250,000	250,000	250,000	1,973	3.20%	1,973
CERTIFICATES OF DEPOSIT (SKYONE FED CR UN HAWTHORNE CALIF SH)	09/13/22	09/23/24	250,000	250,000	250,000		250,000	250,000	250,000	2,219	3.60%	4,463
CERTIFICATES OF DEPOSIT (MOUNTAIN AMER FED CR UN WEST JORDAN UT)	10/14/22	10/13/23	249,000	249,000	249,000		249,000	249,000	249,000	2,763	4.50%	2,763
CERTIFICATES OF DEPOSIT (NUMERICA CR UN SPOKANE VY WASH SH CTF)	11/04/22	11/04/24	250,000	250,000	250,000		250,000	250,000	250,000	2,990	4.85%	2,990
CERTIFICATES OF DEPOSIT (SPOKANE TEACHERS CR UN LIBERTY LAKE WASH SH CTF)	11/23/22	11/25/24	250,000	250,000	250,000		250,000	250,000	250,000	3,082	5.00%	3,082
CERTIFICATES OF DEPOSIT (BAXTER CR UN VERNON HILLS ILL SH CTF)	11/28/22	11/29/24	250,000	250,000	250,000		250,000	250,000	250,000	3,021	4.90%	3,021
CERTIFICATES OF DEPOSIT (CALIFORNIA CR UN GLENDALE CALIF SH CTF)	01/09/23	12/27/24	-	-	-	250,000	250,000	250,000	250,000	2,724	4.85%	(432)
CERTIFICATES OF DEPOSIT (FIRST FAMILY FED CR UN HENRYETTA OLKA SH CTF)	01/24/23	01/17/25	-	-	-	250,000	250,000	250,000	250,000	2,226	4.85%	(166)
CERTIFICATES OF DEPOSIT (FIRST TECHNOLOGY FED CR UN MTN VIEW CA SH CTF)	02/17/23	02/18/25	-	-	-	250,000	250,000	250,000	250,000	1,428	4.85%	930
CERTIFICATES OF DEPOSIT (TECHNOLOGY CR UN SAN JOSE CALIF SH CTF)	02/24/23	02/24/25	-	-	-	250,000	250,000	250,000	250,000	1,267	5.00%	-
CERTIFICATES OF DEPOSIT (WELLS FARGO BK NA SIOUX FALLS SD CTF)	03/17/23	03/17/25	-	-	-	250,000	250,000	250,000	250,000	539	5.25%	-
LOCAL AGENCY INVESTMENT FUND (LAIF)	N/A	N/A	33,217,319	33,217,319	33,217,319	10,877,852	44,095,171	44,095,171	44,095,171	255,215	2.64%	255,215
TOTAL CITY HELD INVESTMENTS			\$ 43,562,633	\$ 43,562,633	\$ 43,562,633	\$ 10,680,054	\$ 54,242,687	\$ 54,242,687	\$ 54,242,687	\$ 317,951		\$ 307,417

PARS-SECTION 115 PENSION TRUST	N/A	N/A	2,507,003	2,507,003	2,507,003	89,945	2,596,948	2,596,948	2,596,948	89,945	3.59%	89,945
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CITY HELD INVESTMENT DATA:

DISTRIBUTION OF CITY INVESTMENTS:

Local Agency Investment Fund (LAIF)	81.29%
Brokered Certificates of Deposit	18.42%
Collateralized Savings/Safekeeping Accounts	0.28%

WEIGHTED AVERAGE DAYS TO MATURITY:

BEGINNING OF QUARTER:	88 Days
END OF QUARTER:	70 Days

* Investments are marked-to-market and reported at fair value at fiscal year end.



Claremont City Council

Agenda Report

File #: 4671

Item No: 8.

TO: ADAM PIRRIE, CITY MANAGER

FROM: NISHIL BALI, FINANCE DIRECTOR

DATE: APRIL 25, 2023

Reviewed by:
City Manager: AP

SUBJECT:

QUARTERLY FINANCIAL UPDATE - MARCH 31, 2023

SUMMARY

At the end of each quarter, staff provides the City Council with updates to apprise them and the community of the status of the current year's budget. This update will focus on financial results through March 31, 2023, the end of the third quarter of the 2022-23 fiscal year.

The next quarterly report will be provided for the quarter ending June 30, 2023.

RECOMMENDATION

Staff recommends that the City Council receive and file the Quarterly Financial Update for the quarter ending March 31, 2023.

ALTERNATIVE TO RECOMMENDATION

In addition to the staff recommendation, there is the following alternative:

- Request additional information.

FINANCIAL REVIEW

Financial data through March 31, 2023, indicates that for the full year, revenues are likely to meet or exceed budgetary estimates and that expenditures are generally expected to remain within the constraints of the budget. Any significant variances from the budget are discussed further in this report.

The staff cost to prepare this report and administer this project is estimated at \$1,500 and is included in the operating budget of the Financial Services Department.

ANALYSIS

In June 2022, the City Council adopted an operating and capital improvement budget for 2022-23 that included \$62,932,953 in revenues and transfers-in from other funds. Subsequent amendments have been made to the budget to account for grant revenues that have yet to be received, resulting in an adjusted total revenue budget of \$64,862,107.

This total revenue budget is spread across a number of fund categories, representing more than thirty distinct funds used to account for a wide variety of programs and activities. Total City revenues by fund category are shown in the table below:

Revenues/Transfers In	2022-23	2022-23	2022-23	2022-23
	Adopted Budget	Adjusted Budget	Actual Through March	% Through March
General Fund	30,600,506	30,758,790	24,018,902	78.09%
Special Revenue Funds	15,613,656	16,588,848	11,284,088	68.02%
Capital Projects Funds	619,300	927,800	326,807	35.22%
Enterprise Funds	10,352,447	10,790,124	7,490,784	69.42%
Internal Service Funds	2,261,575	2,311,076	1,878,644	81.29%
Successor Agency/Debt Service Funds	3,485,469	3,485,469	2,026,337	58.14%
Total	62,932,953	64,862,107	47,025,563	72.50%

Through March 31, 2023, \$47,025,563 in total revenues and transfers-in had been received, representing 72.50% of the full-year budget. This figure is higher than is typically received through the first three quarters of the fiscal year and includes receipt of the second installment of \$4.3 million in American Rescue Plan Act (ARPA) funding, as well as proceeds from the sale of the City-owned parcel at 451 W. Arrow Highway in December 2022.

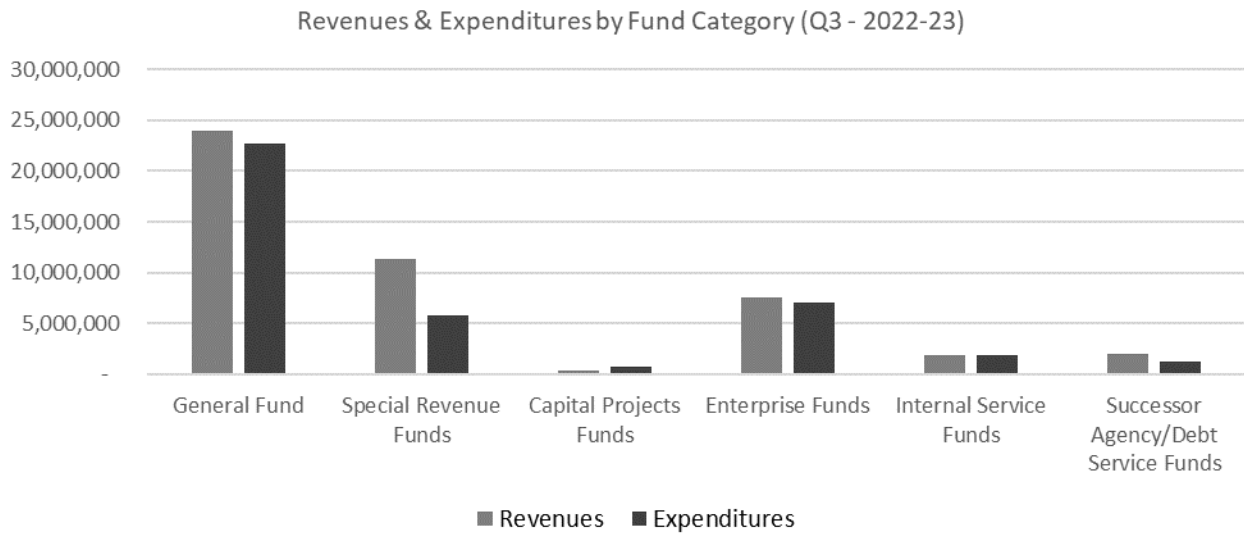
Total expenditures and transfers-out to other funds reflected in the original adopted budget amounted to \$62,811,560. Subsequent amendments to the budget for energy efficiency projects, other capital projects, equipment acquisitions, grants, and the carryover of funds from the prior year for projects that were not completed have resulted in an adjusted total budget of \$83,204,875.

Expenditures through March 31, 2023, totaled \$39,271,153, or 47.20% of the full-year adjusted budget. Given the current status of expenditures, it is expected that the City will remain within the constraints of the current budget.

The figure below shows total expenditures and transfers-out to other funds as of March 31, 2023:

<u>Expenditures/Transfers Out</u>	2022-23	2022-23	2022-23	2022-23
	Adopted Budget	Adjusted Budget	Actual Through March	% Through March
General Fund	30,090,972	31,923,099	22,739,349	71.23%
Special Revenue Funds	14,913,276	26,991,827	5,742,308	21.27%
Capital Projects Funds	503,800	4,880,606	677,607	13.88%
Enterprise Funds	11,099,799	12,909,830	7,032,284	54.47%
Internal Service Funds	2,781,344	2,977,145	1,882,257	63.22%
Successor Agency/Debt Service Funds	3,422,369	3,522,369	1,197,347	33.99%
Total	62,811,560	83,204,875	39,271,153	47.20%

The chart below compares revenues and expenditures across the major fund categories indicating that revenue receipts have been generally higher than expenditures at the end of the third quarter.



General Fund

General Fund revenues and transfers-in for 2022-23 were originally estimated at \$30,600,506. The budgeted revenues have been adjusted to account for additional grant funding to be received for 2022-23 and stand at \$30,758,790 through the third quarter of the fiscal year.

At March 31, 2023, \$24,018,902 of budgeted revenues had been received, representing 78.09% of the full-year budget. The amount is higher than typically expected in the third quarter of the fiscal year as it includes a one-time receipt of \$3.425 million from the sale of a former City-owned parcel at 451 West Arrow Highway. The latter is accounted for in the Miscellaneous Revenues category.

The figure below shows 2022-23 General Fund revenues and transfers-in as of March 31, 2023:

Revenues/Transfers In	2022-23	2022-23	2022-23	2022-23
	Adopted	Adjusted	Actual	% Through
	Budget	Budget	Through	March
			March	
Property Tax	11,495,600	11,495,600	6,141,320	53.42%
Sales Tax	7,180,000	7,180,000	4,878,608	67.95%
Transient Occupancy Tax	1,375,000	1,375,000	964,822	70.17%
Business License Tax	900,000	900,000	511,238	56.80%
Utility User Tax	4,375,000	4,375,000	3,620,571	82.76%
Other Taxes	920,000	920,000	289,671	31.49%
Licenses & Permits	945,500	945,500	1,283,964	135.80%
Fines & Forfeitures	560,000	560,000	422,166	75.39%
Use of Money & Property	572,698	572,698	707,872	123.60%
Charges for Services	1,206,750	1,206,750	1,012,167	83.88%
Miscellaneous Revenues	1,069,958	1,228,242	4,186,504	340.85%
Total	30,600,506	30,758,790	24,018,902	78.09%

The major General Fund revenues, and their budgetary highlights at March 31, 2023, are as follows:

1. Property Tax - To date, \$6,141,320 in property tax revenues have been received from Los Angeles County, representing approximately 53.42% of the full-year budget. At the same time last year, approximately 50.87% of full-year actual revenues were received by March 31.
2. Sales Tax - Sales tax revenues received through the third quarter of the fiscal year amounted to \$4,878,608. In the prior year, \$4,523,403 in sales tax revenue had been received by the end of the third quarter of the fiscal year. The percentage increase over the prior year amounts to approximately 7.85%. This increase is due to increases in automobile and restaurant sales, increased gasoline prices, and the allocation of additional sales tax to the City via the County pool for online sales compared to the prior year.
3. Transient Occupancy Tax (TOT) - TOT revenues through March 31, 2023, were \$964,822 compared with revenues of \$972,593 through the third quarter of 2022-23. TOT revenues in the third quarter reflect a slight increase from some hotels and a decrease in others, particularly those near the I-10 freeway.
4. Business License Tax - With revenues of \$511,238, business license tax revenues at the end of the third quarter are 13.71% lower than at the same point in the prior fiscal year. City Council approved an ARPA-funded rebate of base business tax in 2022-23. This has led to lower revenues for business license tax this year. The reduction in business license revenues will be reimbursed from the ARPA fund at the end of the fiscal year.
5. Utility User Tax (UUT) - At March 31, 2023, UUT revenues totaled \$3,620,571. Through the third quarter of 2021-22, these revenues totaled \$3,307,638. Revenues reflect an increase of approximately 9.46% over the same period in the prior year, primarily due to higher UUT related to electricity and gas.
6. Other Taxes - Other taxes include franchise fees and property transfer taxes. Through March 31, 2023, these revenues amounted to \$289,671, representing 31.49% of the full-year budget. At the same point in the prior fiscal year, \$309,154 in revenues had been received. Much of this revenue comes from franchise taxes paid by utility companies, which are typically received in the

latter part of the fiscal year.

7. Licenses and Permits - Revenues from public works, grading, and building permits totaled \$1,283,964 at March 31, 2023. Current year revenues reflect an increase of 62.53% over revenues of \$789,982 through the third quarter of the prior year. Year-to-date revenues are 35.80% over the full-year budget.
8. Fines and Forfeitures - Revenues from parking, traffic, and code enforcement citations amounted to \$422,166 at March 31, 2023. At the same point in the prior year, revenues totaled \$340,373. Current year revenues reflect an increase over the prior year of \$81,793 or 24.03%.
9. Charges for Services - Revenues through the end of the third quarter totaled \$1,012,167 compared with prior year revenues for the same period of \$646,407. These revenues represent an increase of 56.58% over the prior year, representing an increase in revenues related to building and grading plan check activity in 2022-23.

General Fund expenditures and transfers-out for 2022-23 were originally budgeted at \$30,090,972. The adjusted budget of \$31,923,099 represents amendments to the budget for the carryover of funds from the prior year for projects that were not completed, as well as amendments made through council-approved appropriations during the fiscal year.

The figure below shows 2022-23 General Fund expenditures and transfers-out as of March 31, 2023:

Expenditures/Transfers Out	2022-23	2022-23	2022-23	2022-23
	Adopted Budget	Adjusted Budget	Actual Through March	% Through March
Administrative Services	2,633,951	2,633,951	1,783,883	67.73%
General Services	2,615,244	4,297,522	4,215,619	98.09%
Financial Services	920,752	920,752	797,897	86.66%
Community Development	3,758,996	3,758,996	2,640,204	70.24%
Police	13,919,356	14,029,205	10,153,864	72.38%
Community Services	1,697,756	1,697,756	1,600,459	94.27%
Human Services	2,552,375	2,592,375	1,549,577	59.77%
Transfers Out to Other Funds	1,992,542	1,992,542	-	0.00%
	30,090,972	31,923,099	22,741,502	71.24%

At March 31, 2023, the total General Fund expenditures and transfers-out amounted to \$22,741,502, or 71.24% of the adjusted budget for the year. Given that one would reasonably expect 75% of the budget to have been expended at this point in the fiscal year, results to date show that the City is generally on track to remain within budgetary constraints.

Of the City's operating departments, General Services' expenditures (98.09%) exceeded the 75% threshold for the first three quarters of the fiscal year. This was primarily due to the full annual payment in July of approximately \$3.10 million towards the City's general liability, workers' compensation, and property insurance deposits for the year. These costs are distributed throughout the year to the City's operating departments and it is expected that by the end of the fiscal year, General Services' expenditures will be in line with the budget. Expenditures in Financial Services were higher than 75% of budgeted expenditures due to temporary staffing costs in utility billing and accounting for filling staffing vacancies and transitions. Expenditures in Community Services were

higher than 75% due to increased spending on general maintenance and higher utility costs.

All other departments expended between 59.77% and 72.38% of their General Fund budgets through the third quarter of 2022-23. Given these year-to-date figures, General Fund expenditures appear likely to remain within budgeted amounts for the full year.

Special Revenue Funds

Special Revenue Funds include those funds whose revenues are committed to specific purposes or projects. The City has twenty-two Special Revenue Funds that provide funding for a variety of activities, including supplemental public safety services, the operation of the City's impound lot, street repairs and upgrades, transportation programs, landscaping and streetlight maintenance, the senior meal program, housing rehabilitation, and economic development.

Revenues for the City's Special Revenue Funds totaled \$11,284,088 compared with a full-year budget of \$16,588,848. Receipts through March 31, 2023, represent 68.02% of the budget for the full year and include \$4.3 million received as the second installment for American Rescue Plan Act funding.

Expenditures for the Special Revenue Funds total \$5,742,308 against a full-year adjusted budget of \$26,991,827. These figures represent 21.27% of the 2022-23 adjusted budget, expended through March 31, 2023. All Special Revenue Funds' expenditures through March 31 indicate that they will not exceed budgetary constraints by the end of the year.

Capital Projects Funds

Capital Projects Funds are restricted in use to the funding of capital projects. The City has four active capital projects funds.

Revenues to date in the City's Capital Projects Funds totaled \$326,807 at March 31, 2023. These revenues represent 35.22% of the full-year budget of \$927,800. Much of the budgeted revenue relates to grants for capital projects for which reimbursement will be received later in the fiscal year.

Expenditures in the Capital Projects Funds totaled \$677,607 at March 31, 2023, out of a total adjusted budget of \$4,880,606, representing approximately 13.88%. Given year-to-date expenditures, it is anticipated that the Capital Projects Funds expenditures will end the year within the constraints of the current budget.

The budget for the Special Revenue Funds was increased from the original adopted current-year budget of \$503,800 to \$4,880,606 due to carryovers for capital project budgets from the prior fiscal year. Major special revenue funds that contributed to the increase in adjusted budget included State Gas Tax (resurfacing of non-residential streets), Federal Gas Tax (signalized intersection upgrades and resurfacing of non-residential streets), Measure R (sidewalk mitigation and accessibility improvements), and Measure M (pedestrian and bike Improvements). Special Revenue Funds' expenditures through March 31, 2023, indicate that they will not exceed budgetary constraints by the end of the year.

Enterprise Funds

The City operates four Enterprise Funds to provide transportation, sewer, sanitation, and cemetery

services. The activities of these funds are intended to be supported solely by revenues from fees charged for services provided.

At March 31, 2023, the City's Enterprise Funds generated revenues of \$7,490,784 versus a budget for 2022-23 of \$10,790,124. These revenues represent 69.42% of the full-year budgeted revenues for the year. All the City's Enterprise Funds are on track to meet budgetary revenue estimates by the end of the fiscal year.

Expenditures in the Enterprise Funds stand at \$7,032,284 as of March 31, 2023. This represents 54.47% of the full-year adjusted budget of \$12,909,830. The adjusted budget includes carryovers for vehicle replacements and the cemetery expansion. Given year-to-date expenditures, it is anticipated that the Enterprise Fund expenditures will end the year within the constraints of the current budget.

Internal Service Funds

The City's Internal Service Funds provide motor fleet and technology services to support each of the City's operating departments. Revenues for Internal Service Funds come from fees charged internally to each department for services provided.

At March 31, 2023, Internal Service Fund revenues totaled \$1,878,644 out of a total revenue budget of \$2,311,076. This amounted to 81.29% of the full-year budget.

Expenditures through the end of the third quarter of the fiscal year totaled \$1,882,257, representing 63.22% of the full-year budget of \$2,977,145. Internal Service Fund expenditures are expected to remain within budgeted amounts for the full year.

Successor Agency/Debt Service Funds

In addition to the funds already discussed, the City also operates a Debt Service Fund and a Successor Agency Fund. The Debt Service Fund, as its name suggests, is used to account for the expenditure of funds to make payments on outstanding debt obligations of the City. The Successor Agency Fund was established in the wake of the dissolution of redevelopment agencies in California to begin the wind-down of the affairs of the former Claremont Redevelopment Agency.

Revenues in Successor Agency/Debt Service Funds amounted to \$2,026,337 at March 31, 2023, representing 58.14% of the full-year budget of \$3,485,469. Expenditures totaled \$1,197,947 of a budgeted \$3,522,369, representing 33.99% of the full-year budget.

RELATIONSHIP TO CITY PLANNING DOCUMENTS

Staff has evaluated the agenda item in relationship to the City's strategic and visioning documents and finds that it applies to the following: Council Priorities, General Plan, and the 2022-24 Budget.

CEQA REVIEW

This item is not subject to environmental review under the California Environmental Quality Act (CEQA).

PUBLIC NOTICE PROCESS

The agenda and staff report for this item have been posted on the City website and distributed to interested parties. If you desire a copy, please contact the City Clerk's Office.

Submitted by:

Nishil Bali
Finance Director



Claremont City Council

Agenda Report

File #: 4676

Item No: 9.

TO: ADAM PIRRIE, CITY MANAGER

FROM: AARON FATE, POLICE CHIEF

DATE: APRIL 25, 2023

Reviewed by:
City Manager: AP

SUBJECT:

2022-23 CITIZENS' OPTION FOR PUBLIC SAFETY/SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUNDS GRANT SPENDING PLAN (FUNDING SOURCE: CITIZENS' OPTION FOR PUBLIC SAFETY/SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUNDS GRANT)

SUMMARY

In 1996-97, the Citizens' Option for Public Safety/Supplemental Law Enforcement Services Funds (COPS/SLESF) program was established through the passage of Assembly Bill 3229. The COPS/SLESF program was designed to provide State funds to local law enforcement agencies for the purpose of addressing and providing front-line law enforcement needs, as designated by the Chief of Police.

Historically, these grant funds have been used for equipment purchases, including night vision devices, mobile and portable radios, in-car Mobile Data Computers, in-car video cameras, as well as overtime for special enforcement or directed enforcement operations, and the trauma intervention specialist stipend.

The Police Department has received \$165,271 in 2022-23 as its share of COPS/SLESF funding and recommends the approval of expenditures detailed in this report.

RECOMMENDATION

Staff recommends that the City Council approve the Citizens' Option for Public Safety/Supplemental Law Enforcement Services Funds funding expenditure recommendations for 2022-23 in the amount of \$165,271.

ALTERNATIVES TO RECOMMENDATION

In addition to the staff recommendation, there are the following alternatives:

- A. Reject the staff recommendation.
- B. Delay the staff recommendation and request additional information.

FINANCIAL REVIEW

The City has received \$165,271 as part of its 2022-23 COPS/SLESF funding. Expenditures for these funds are included in the 2022-24 Budget

The staff cost to prepare this report and administer this project is estimated at \$1,232 and is included in the operating budget of the Police Department.

ANALYSIS

In 1996-97, legislation was passed which provides funds to law enforcement agencies. Funds are allocated to agencies based on population and must be used to supplement front-line police services. One of the requirements is that the Chief of Police provides the City Council with recommendations for allocation of these funds each year.

Staff recommends that the \$165,271 available in COPS/SLESF funding be used for the following expenditures:

Patrol Vehicle Replacement - Hybrid	\$29,500
Tasers	\$17,728
Rifle Replacements	\$24,432
Annual Wireless Communications for Mobile Data Computers	\$8,211
Motorcycle Officer Safety Equipment	\$10,150
Annual Trauma Intervention Stipend	\$4,800
FileOnQ Software Maintenance & Subscription	\$4,139
Armor Plates and Carriers	\$9,000
Overtime	<u>\$57,311</u>
	\$165,271

Patrol Vehicle Replacement - Hybrid (\$29,500)

A marked patrol unit was involved in a traffic collision in May of 2022 and deemed a total loss. In anticipation of the future patrol fleet replacement, it was determined that a hybrid vehicle be tested. The cost of the hybrid Ford Police Interceptor Utility was more than the Dodge Charger that was being replaced and the insurance payment only covered the cost of the vehicle. The insurance payment did not cover the outfitting and additional equipment required for this vehicle. An additional \$22,400 is required to outfit this vehicle with the necessary lights, siren, cages, and center console. A second purchase of \$7,100 for a new in-car camera system is also required to replace the now unsupported existing system.

Tasers (\$17,728)

The use of a Taser can be a safe and effective way to detain or arrest a violent individual who is actively resisting. In many cases, the use of a Taser can prevent Officers from having to use lethal force. New and additional Taser training for Officers is mandated as it relates to the adoption of Assembly Bill 392 and Senate Bill 230.

The current Taser devices issued to officers have been in service for over fifteen years and are past their warranties. Over the past year, the Claremont Police Department was required to send in five Taser devices due to required repairs. Axon, the company responsible for repairing Taser devices,

stated the Taser devices were unrepairable and past warranty. There are currently ten additional Tasers that require the same repairs with several more reaching the same service age within the next year.

The purchase of new Taser devices will allow the Claremont Police Department to be up to date on current Taser devices. Axon offers a subscription plan totaling \$177,271. The subscription is a five-year agreement. The first year (2023) of the plan would require a payment of \$17,728. The second year (2024) through the fifth year (2027) require an annual payment of \$39,886. At the completion of the subscription, the Taser devices will be owned by the Claremont Police Department.

The subscription would include forty-one Taser 7 devices, holsters, Axon software for the Taser 7 device, unlimited duty cartridges, yearly training cartridges based on the requirements set forth by Axon, a training Taser suit, and free warranty repair and replacement of the Taser 7 device.

Patrol Rifle Replacement (\$24,432)

The Police Department implemented a Patrol Rifle program more than two decades ago. Some of the current rifles were originally purchased at the beginning of the program and have reached their end of life as a duty weapon. The department has seen internal part failures on several of the rifles. The parts for these specific rifles have become difficult to obtain, often taking several months to get, which causes a delay to return the rifle back into service. The proposed rifles are modular and adjustable to an individual officer, unlike the current rifles. The parts for the replacement rifles are common and can be purchased from multiple sources, which would reduce the time required to return a broken rifle back into service. The new rifles are also consistent in operation and with the ammunition caliber carried by almost every surrounding police agency making their capabilities familiar if they are used in a mutual aid situation.

Annual Wireless Communications for Mobile Data Computers (\$8,211)

The Police Department has Mobile Data Computers (MDC) in fifteen patrol cars. These funds will be used to cover the annual cost to maintain the MDC wireless communications through Verizon.

Motorcycle Officer Safety Equipment (\$10,150)

With the increase in Police Department staffing levels, additional Officers have been assigned to motorcycle traffic enforcement. When riding these motorcycles, Officers are subject to additional dangers on the roadway. Custom protective uniforms manufactured by Motoport USA have become the industry standard for motorcycle officers throughout the country. These uniforms are made with Kevlar fabric and have additional padding to protect the rider from additional injury in the event of a crash. In addition to the uniforms, the purchase of new helmets equipped with communications equipment to interface with our existing radio equipment is necessary for each Officer.

Annual Trauma Intervention Stipend (\$4,800)

The Police Department has operated a Trauma Intervention Service for more than a decade under the guidance and supervision of a licensed Clinical Social Worker/Therapist. This volunteer has provided countless hours of assistance to the Police Department on death notifications, grief counseling, critical incident counseling, as well as debriefing with staff following a significant incident. Seven years ago, the City Council encouraged the payment of a stipend for this position and since then, the stipend has been funded through the COPS grant.

FileOnQ Software Maintenance & Subscription (\$4,139)

In 2018, evidence management software was purchased as a solution for maintaining and tracking property and evidence. As anticipated, this evidence management solution has streamlined evidence processing, reducing the time it takes for Officers to book evidence, as well as reducing the manpower required to complete annual inventories accounting for all evidence/property contained within the Department's evidence room. A portion of this SLESF funding will be used to pay for the annual maintenance and support.

Armor Plates and Carriers (\$9,000)

Due to increases in ambush-style attacks on law enforcement officers and active shooter incidents with rifles, approximately ten years ago, the Claremont Police Department purchased ballistic armor plates and carriers for officers to use on patrol. The purpose of the plates and carriers was to provide additional layers of protection for officers when responding to such incidents. The average service life for armor plates similar to the ones purchased ten years ago is five years. The current plate carriers and plates are past their suggested service life and require replacement.

Overtime (\$57,311)

These funds would be used to pay for directed enforcement or special enforcement operations including undercover details. The focus of these enforcement efforts would be directed traffic enforcement in problem areas, bicycle patrol, special enforcement operations at our local motels with an emphasis on detecting/preventing human trafficking, San Gabriel Valley Taskforce operations, and Department training.

RELATIONSHIP TO CITY PLANNING DOCUMENTS

Staff has evaluated the agenda item in relationship to the City's strategic and visioning documents and finds that it applies to the following: Council Priorities, General Plan, 2022-24 Budget, and Youth and Family Master Plan.

CEQA REVIEW

This item is not subject to environmental review under the California Environmental Quality Act (CEQA).

PUBLIC NOTICE PROCESS

The agenda and this staff report are available on the City's website. If you desire a copy, please contact the City Clerk's Office.

Submitted by:

Aaron Fate
Police Chief



Claremont City Council

Agenda Report

File #: 4680

Item No: 10.

TO: ADAM PIRRIE, CITY MANAGER
FROM: KATIE WAND, ASSISTANT TO THE CITY MANAGER
DATE: APRIL 25, 2023

Reviewed by:
City Manager: AP

SUBJECT:

CONSIDERATION OF TENANT PROTECTIONS - (1) FIRST READING AND INTRODUCTION OF AN ORDINANCE IMPOSING HEIGHTENED TENANT PROTECTIONS FOR JUST CAUSE EVICTIONS FOR CERTAIN RESIDENTIAL TENANCIES IN THE CITY OF CLAREMONT; AND (2) FIRST READING AND INTRODUCTION OF AN ORDINANCE IMPOSING HEIGHTENED RENT STABILIZATION REQUIREMENTS FOR CERTAIN RESIDENTIAL TENANCIES IN THE CITY OF CLAREMONT; AND (3) CONSIDERATION OF A TEMPORARY RENTAL ASSISTANCE PROGRAM (FUNDING SOURCES: GENERAL FUND AND AMERICAN RESCUE PLAN ACT FUNDS)

SUMMARY

On January 1, 2020, the California Tenant Protection Act of 2019 (AB 1482) established an annual rent increase cap of five percent plus inflation or ten percent, whichever is lower. AB 1482 also prohibits evictions without “just cause” (as defined). However, AB 1482 contains numerous exceptions. One of those exceptions allows owners to evict tenants in order “to demolish or to substantially remodel” a rental unit. This report refers to these as “substantial remodel evictions.” After the tenancy is terminated, the owner can raise rent on the newly-remodeled unit in excess of AB 1482’s rent cap.

Last year, several Claremont residents who are long-time renters in large apartment complexes reported that property owners were threatening to evict them when the County of Los Angeles’s eviction moratorium expired so that the owners could “substantially remodel” the tenants’ units and raise rents. These residents requested that the City Council consider tenant protection ordinances, including a “No Fault Eviction Ordinance” that provides stronger tenant protections than those provided by AB 1482. In response to these requests, at its regular meeting on October 25, 2022, the City Council approved a 6-month temporary moratorium on certain substantial remodel evictions. The temporary moratorium went into effect immediately and is set to sunset on June 30, 2023.

The City Council directed staff to use the moratorium period to conduct stakeholder and community outreach on tenant protections - specifically, permanent no-fault eviction and rent stabilization

ordinances and a rental assistance program. As such, in February 2023, staff held two Tenant Protections Listening Sessions, which were open to proprietors/owners, tenants, and the general public. More information on the listening sessions can be found in Attachment F. Staff also conducted extensive research on rent stabilization ordinances and rental assistance programs in other municipalities. This information can be found in Attachment E.

Staff has prepared two draft ordinances for the City Council's consideration, which would respectively require two readings (i.e., introduction and adoption) and would not go into effect thirty days after their second reading. The first draft ordinance (Attachment B) is a proposed permanent ordinance that would impose heightened tenant protections for "just cause" evictions, including but not limited to "no-fault" evictions due to substantial remodels for certain residential tenancies ("Just Cause Eviction Ordinance"). The second draft ordinance (Attachment C) is a Rent Stabilization Ordinance, which would limit increases in rent for certain residential tenancies beyond the limits currently imposed by AB 1482. A Summary Chart of Key Policy Decisions that the City Council is asked to provide direction on pertaining to these ordinances may be found in Attachment A.

As shown in Attachments B and C, neither of the draft ordinances is in final form. Both contain "placeholders" that staff will fill in after the City Council provides direction. If the City Council is inclined to approve a first reading and introduction of either or both ordinances at its April 25, 2023 meeting, staff will need a brief recess to fill in the placeholders and finalize the ordinance(s) the City Council intends to read/introduce. To approve a first reading and introduction of either or both of these ordinances, the City Council needs at least three votes (regardless of how many Councilmembers are present and voting).

In addition to the two tenant protection ordinances, staff has prepared a Temporary Rental Assistance Program ("Program") for the City Council's consideration. Understanding both the importance of keeping people housed and maintaining/increasing Claremont's rental housing supply, staff recommends that the City Council approve this Program. The Program would be funded with American Rescue Plan Act (ARPA) funds, which were distributed to local government agencies in an effort to help people recover from the economic effects of the COVID-19 pandemic. As currently drafted, the Program (Attachment D) is designed to provide temporary rental assistance to Claremont renters who are income-qualified, rent-burdened, being evicted at no-fault of their own, or are in need of emergency rental assistance due to certain qualifying circumstances without negatively impacting property owners.

RECOMMENDATION

Staff recommends that the City Council:

- A. Consider introducing for first reading and that reading by title only AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLAREMONT, CALIFORNIA ADDING CHAPTER 8.34 ("JUST CAUSE FOR EVICTION") TO TITLE 8 ("HEALTH AND SAFETY") OF THE CLAREMONT MUNICIPAL CODE, PROHIBITING THE TERMINATION OF CERTAIN RESIDENTIAL TENANCIES WITHOUT "JUST CAUSE" IN THE CITY OF CLAREMONT;
- B. Consider introducing for first reading and that reading by title only AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLAREMONT, CALIFORNIA ADDING CHAPTER 8.36 ("RENT STABILIZATION") TO TITLE 8 ("HEALTH AND SAFETY") OF THE CLAREMONT MUNICIPAL CODE, PROHIBITING THE TERMINATION OF CERTAIN RESIDENTIAL TENANCIES WITHOUT "JUST CAUSE" IN THE CITY OF CLAREMONT;
- C. Consider approving a Temporary Rental Assistance Program with the use of American Rescue Plan Act (ARPA) funds in the amount of \$300,000 and direct staff to return to City Council with a

program update in July 2024; and
D. Find this item is exempt from environmental review under the California Environmental Quality Act (CEQA).

ALTERNATIVES TO RECOMMENDATION

In addition to the recommendation, there are the following alternatives:

- A. Do not adopt one or more of the draft ordinances and/or the proposed Temporary Rental Assistance Program (“Program”).
- B. Direct staff to make changes to one or more of the draft ordinances (beyond filling in the “placeholders”) and/or the proposed Program, which, depending on the complexity and extent of the changes, may require the ordinance(s) and/or Program to be brought back at a future meeting.
- C. Request additional information and direct staff to bring one or more of the ordinances and/or Program back at a future meeting.
- D. Take no action.

FINANCIAL REVIEW

The cost of staff time to prepare outreach material; conduct two listening sessions; and prepare the material for this meeting is estimated to be \$4,500. The legal costs to prepare these ordinances are estimated to be \$20,000. These costs are included in the operating budget of the Administrative Services Department.

In accordance with the rules set forth by the federal government, American Rescue Plan Act (ARPA) funding must be obligated by December 31, 2024 and fully expended by December 31, 2026. Should the City Council obligate \$300,000 to fund a Temporary Rental Assistance Program (“Program”), the City Council would have \$3,831,298 in ARPA funding remaining. Depending on the demand for this Program, staff may recommend that additional ARPA funding be allocated toward this Program at a later date. Further, significant costs related to staff time will be necessary to implement and manage the Program.

ANALYSIS

Assembly Bill 1482

On January 1, 2020, the California Tenant Protection Act of 2019 (AB 1482) established an annual rent increase cap of five percent plus inflation or ten percent, whichever is lower, and prohibits evictions without just cause. However, even when tenants are not “at fault,” AB 1482 allows owners to terminate tenancies for a number of reasons, including:

- Intent to occupy the residential real property by the owner;
- Withdrawal of the residential real property from the rental market;
- An order issued by a government agency; or
- Intent to demolish or substantially remodel the residential real property.

It is important to note that many types of residential properties are exempt from AB 1482. These exemptions are discussed in more detail in the next section of this report.

The City has the authority under Civil Code Section 1946.2(g)(1)(B) to adopt local tenant protections, as long as the local protections are consistent with the terms of AB 1482 and the local requirements are more protective than AB 1482. A local ordinance is “more protective” than AB 1482 if it (i) further limits the reasons for just cause eviction, (ii) provides for higher relocation assistance amounts, or (iii) provides additional tenant protections not prohibited by other provisions of law.

AB 1482 Exemptions

In accordance with AB 1482, the following properties would also be exempt from both of the proposed ordinance(s) by the City Council (i.e., the Just Cause Eviction Ordinance and the Rent Stabilization Ordinance would not apply to these types of residences):

- A tenant renting a room in an owner-occupied unit where kitchen or bathroom facilities are shared.
- Accessory dwelling units (ADUs) or junior accessory dwelling units (JADUs) where the owner lives in one of the units.
- Duplexes where the owner lives in one of the units.
- Residential real property that is alienable separate from any other dwelling unit (e.g., single-family homes, condominiums, etc.), provided the owner is not a real estate investment trust, corporation, or an LLC where a member is a corporation. This exemption requires an owner to provide notice to the tenant(s) that the unit is not subject to AB 1482’s protections.
- Housing subject to affordability covenants.

A full list of the properties exempt from AB 1482 can be found in Sections 1946.2(e) and 1947.12(d) of the California Civil Code.

Just Cause Eviction Ordinance

Last year, several Claremont residents who are long-time renters in large apartment complexes reported that property owners were threatening to evict them when the County’s eviction moratorium expires so that they can “substantially remodel” their units and raise rents. These residents requested that the City Council consider tenant protection ordinances, including a “No Fault Eviction Ordinance” that provides stronger tenant protections than AB 1482. To more closely parallel AB 1482’s just cause for eviction provisions (set forth in Section 1946.2 of the California Civil Code), the proposed ordinance (Attachment B) is titled a “Just Cause Eviction Ordinance” (rather than a “No Fault Eviction Ordinance”). The proposed ordinance is drafted to incorporate and be identical to AB 1482’s just cause for eviction provisions except in narrow, discrete respects, such as heightened tenant protections for substantial remodel evictions and/or higher amounts of relocation assistance in the event of a no-fault eviction.

County of Los Angeles’ Eviction Moratorium

The County of Los Angeles’s eviction moratorium (which was implemented in response to the COVID -19 pandemic) expired on March 31, 2023. On March 21, 2023, the Los Angeles County Board of Supervisors rejected a resolution that would have extended certain residential tenant protections for one year throughout the county.

Temporary No Fault Eviction Moratorium

In response to renter concerns, at their regular meeting on October 25, 2022, the City Council

approved a 6-month temporary moratorium on certain substantial remodel evictions. The temporary moratorium went into effect immediately by way of an urgency ordinance and is set to sunset on June 30, 2023. The City Council also directed staff to use the moratorium period to conduct stakeholder and community outreach and conduct further research and gather feedback on additional tenant protections (i.e., permanent no-fault eviction and rent stabilization ordinances; rental assistance).

Proposed Permanent Just Cause Eviction Ordinance

Many cities and counties (including the County of Los Angeles and the Cities of Los Angeles, Long Beach, Pasadena, South Pasadena, and Pomona) have adopted measures to heighten protection for tenants, including those facing no-fault evictions, such as:

- Refining the definition of “substantial remodel,”
- Requiring property owners to obtain building permits before they can evict a tenant for a “substantial remodel,”
- Requiring property owners to provide tenants with a detailed scope of work confirming that the work qualifies as a “substantial remodel,”
- Increasing the amount of relocation assistance property owners must provide tenants in connection with a no-fault eviction, and/or
- Including ordinance language that prevents tenants from being retaliated against or harassed by proprietors.

Staff recommends that the City Council provide staff with further direction on potential components of a permanent Just Cause Eviction Ordinance. Please reference Attachment A, Key Decisions #1 through #6.

Rent Stabilization Ordinance

Subject to several exceptions, AB 1482 limits annual residential rent increases to five percent plus inflation or ten percent, whichever is lower. (Civ. Code §§ 1947.12 - 1947.13.) As a result, under AB 1482, non-exempt residential property owners may raise rent by five to ten percent in any twelve-month period.

Numerous local agencies throughout California have adopted rent control and rent stabilization measures. Since October 2022, staff has been conducting research that is specific to cities in Los Angeles County with local rent stabilization measures (Attachment E). Staff’s research also includes cities that have considered rent stabilization measures stronger than those prescribed in AB 1482.

While many Claremont renters have spoken out in support of a Rent Stabilization Ordinance, many Claremont property owners have expressed concern with rent caps that are more restrictive than those established in AB 1482 for two primary reasons:

- It is unknown at this time if AB 1482’s rent stabilization component is effective in keeping people stably housed. AB 1482 went into effect on January 1, 2020, which was shortly before the COVID-19 emergency protections went into effect. During this time, property owners were not able to evict tenants (even if they were not paying rent) and many property owners chose not to increase rent between 2020 and 2022.
- Some tenants have still not paid their arrears in full and as such, since 2020, property owners have not been receiving the rental income that they need to pay their mortgage, property tax

bills, utility bills, and property maintenance/repair bills. Property owners have expressed that Claremont's rental housing supply may be negatively impacted if the City enacts rent stabilization that further limits a property owner's financial ability to provide safe, well-maintained rental housing.

Based on the research and the feedback provided in Attachments E, F, and G, respectively, staff recommends that the City Council provide policy direction on a Rent Stabilization Ordinance. Please reference Attachment A, Key Decision #7.

Understanding both the importance of keeping people housed and maintaining/increasing Claremont's rental housing supply, staff also recommends that the City Council consider a Temporary Rental Assistance Program ("Program"), which is described in detail below and in Attachment D. As currently drafted, the Program is designed to provide temporary rental assistance to Claremont renters who are either income-qualified, rent-burdened or are in need of emergency rental assistance due to certain qualifying circumstances without negatively impacting property owners.

Further, staff recommends that the City Council receive a Program Update in July 2024 (after the Program has been in effect for one full year) to determine whether or not the Program criteria and funding amounts are adequate.

Temporary Rental Assistance Program

The proposed Claremont Temporary Rental Assistance Program ("Program") is designed to assist Claremont renters who are income-qualified, rent-burdened, being evicted at no-fault, OR are in need of "Emergency Rental Assistance" due to the reasons described below.

Staff recommends that this Program be funded with American Rescue Plan Act (ARPA) funds, which were distributed to local government agencies in an effort to help people recover from the economic effects of the COVID-19 pandemic. Staff recommends that the City Council allocate funding for three Program "Cycles" as described below, with the stipulation that staff will return to the City Council in July 2024 (after the Program has been in effect for one full year) to discuss whether or not the Program criteria and funding amounts are adequate. Please reference Attachment A, Key Decision #8.

Proposed Allocation of ARPA Funds

- \$100,000 for the first fiscal year cycle (July 1, 2023 - June 30, 2024 - "Cycle 1")
- \$100,000 for the first fiscal year cycle (July 1, 2024 - June 30, 2025 - "Cycle 2")
- \$100,000 for the first fiscal year cycle (July 1, 2025 - June 30, 2026 - "Cycle 3")

In accordance with the rules set forth by the federal government, ARPA funding must be spent by December 31, 2026. Depending on the demand for the Program, staff may recommend that additional ARPA funding be allocated toward this Program at a later date; however, unless a different funding source is identified and a permanent program is ultimately approved by the City Council, this Program will not be extended past Cycle 3.

Income Qualifications

Each fiscal year, the Department of Housing and Urban Development (HUD) sets income limits that determine eligibility for assisted housing programs, which are based on Median Family Income

estimates and Fair Market Rent area definitions for each metropolitan area, parts of some metropolitan areas, and each non-metropolitan county.

If the Claremont Temporary Rental Assistance Program is approved as proposed, the City will use the same limits to determine eligibility for this Program. Applicant households must qualify as Low, Very Low, or Extremely Low Income as defined by HUD.

Staff has proposed the following subsidies based on income; however, the City Council may choose to provide alternative direction:

- For HUD-Qualified Low-Income Households - This Program will subsidize no more than 10% of a household's monthly base rent.
- For HUD-Qualified Very Low-Income Households - This Program will subsidize no more than 15% of a household's monthly base rent.
- For HUD-Qualified Extremely Low-Income Households - This Program will subsidize no more than 20% of a household's monthly base rent.

In this circumstance, if the Program is approved as proposed, a housing subsidy will be paid to the property owner directly by the City of Claremont on behalf of the participating household. The household will then pay the difference between the actual rent charged by the property owner and the amount subsidized by the Program.

Emergency Rental Assistance

- **Qualifying Exigent Circumstances:**
 - A member of your household has been unemployed for 60 days or more, is at-risk of housing instability, and is actively seeking employment.
 - A member of your household has experienced a medical emergency within the past 60 days that has resulted in a loss of household income.
 - A member of your household has passed away within the past 60 days and their death has resulted in a loss of household income.

In these circumstances, if the Program is approved as proposed, emergency rental assistance will be paid directly to the property owner by the City of Claremont in the form of one lump sum equivalent to no more than the value of two months of a household's current rent.

- **A No-Fault Eviction:**
 - Understanding that a tenant may be moving from a below-market-rate unit to a market-rate unit can result in a cost burden to the tenant, the Program may provide financial assistance to tenants who received a no-fault eviction and whose relocation expenses exceeded the amount paid to them by their proprietor.

In this circumstance, if the Program is approved as proposed, and if a renter can prove that their total cost to relocate exceeded the amount of relocation assistance that was provided by their former proprietor/owner, the City of Claremont may reimburse the renter for some or all their out-of-pocket relocation costs (i.e., costs not covered by the relocation assistance that the tenant received from their former proprietor). The total amount reimbursed by the City shall not exceed \$3,000 per household.

- **Rent-Burdened Participants:**

- If a tenant can provide proof that their proprietor/owner has served them with notice of a rental increase and that the tenant is (a) already a rent-burdened household or (b) the rental increase will result in the household becoming rent-burdened, the City may subsidize the cost of the imposed rental increase.
- For the purposes of this Program component, “rent-burdened” is defined as “spending more than 30 percent of gross household income on rent.”

In this circumstance, if the Program is approved as proposed, a housing subsidy will be paid to the property owner directly by the City of Claremont on behalf of the participating household. The household will then pay the difference between the actual rent charged by the property owner and the amount subsidized by the Program.

Program Priority

Staff recommends that complete Program applications (including all required, supporting documents) be processed based on the priorities described below; however, the City Council may choose to provide alternative direction:

- Tier 1 (Highest Priority) - Qualified applicants who can provide proof that are on a fixed income and/or are an “extremely low-income household” (as defined by HUD).
- Tier 2 - Qualified applicants who need emergency rental assistance due to certain exigent circumstances (as described below).
- Tier 3 - Qualified applicants who are either a “low” or “very low” income household (as defined by HUD).
- Tier 4 - Qualified applicants who received a rental increase and are already rent-burdened or received a rental increase that puts them at risk of becoming rent-burdened (as described below).
- Tier 5 (Lowest Priority) - Qualified applicants who need emergency rental assistance due to a no-fault eviction.

Within these tiers, applicants who can prove that they are at imminent risk of housing instability will be considered first in an effort to prevent the applicant from becoming unsheltered. Documentation proving imminent risk of housing instability includes one or more of the following:

- Any past-due rent notice.
- Notice to vacate or quit the rental unit.

LEGAL REVIEW

The ordinances being considered by the City Council have been reviewed and approved as to form by the City Attorney.

RELATIONSHIP TO CITY PLANNING DOCUMENTS

Staff has evaluated the agenda item in relationship to the City’s strategic and visioning documents and finds that it applies to the following City Planning Documents: Council Priorities and General Plan.

CEQA REVIEW

The tenant protection ordinances and Temporary Rental Assistant Program are not subject to the California Environmental Quality Act (CEQA) under State CEQA Guidelines Section 15060(c)(2), in that the adoption of either or both ordinances and/or approval of the Program will not result in a direct or reasonably foreseeable indirect physical change in the environment, and is further and independently exempt from the California Environmental Quality Act under State CEQA Guidelines Section 15061(b)(3), in that it can be seen with certainty there is no possibility these actions will have a significant effect on the environment.

PUBLIC NOTICE PROCESS

The agenda and staff report for this item have been posted on the City website and distributed to interested parties. If you desire a copy, please contact the City Clerk's Office.

Submitted by:

Adam Pirrie
City Manager

Prepared by:

Katie Wand
Assistant to the City Manager

Attachments:

- A - Summary Chart of Key Decisions
- B - Draft "Just Cause Eviction" Ordinance
- C - Draft "Rent Stabilization" Ordinance
- D - Proposed Rental Assistance Program
- E - Rent Stabilization Research
- F - Summary of Listening Sessions
- G - Public Comment Received after the 10/25/22 City Council Meeting

ATTACHMENT A

Summary of Key Decisions for Tenant Protection Ordinances

JUST CAUSE FOR EVICTION ORDINANCE	
KEY DECISIONS	NOTES
<p>KEY DECISION #1: Should Claremont have a <u>Just Cause For Eviction Ordinance</u> that imposes additional requirements for evictions based on an owner's desire to "substantially remodel" a rental unit beyond the requirements AB 1482 already imposes?</p> <p>AB 1482 Existing Limits:</p> <ul style="list-style-type: none"> • Work involves the replacement or substantial modification of any structural, electrical, plumbing, or mechanical system that requires a permit from a governmental agency, or the abatement of hazardous materials, including lead-based paint, mold, or asbestos, in accordance with applicable federal, state, and local laws; • Work cannot be reasonably accomplished in a safe manner with the tenant in place and requires the tenant to vacate the residential real property for at least thirty (30) days; and • Cosmetic improvements alone, including painting, decorating, and minor repairs, or other work that can be performed safely without having the residential real property vacated do not qualify. <p>Staff Recommendation: This is a policy decision for the City Council.</p> <p><u>Pros:</u></p> <ul style="list-style-type: none"> ▶ Tighter limits for "substantial remodel" evictions will likely result in fewer current tenants being displaced due to this type of eviction. ▶ Tenants currently have no way to verify whether the owner's work on their unit qualifies as a "substantial remodel" under AB 1482, and a Just Cause For Eviction Ordinance could provide that assurance. <p><u>Cons:</u></p> <ul style="list-style-type: none"> ▶ Making it more difficult or and/costly to evict tenants for "substantial remodels" could make it cost prohibitive for owners to invest in improving their rental properties. Over time, this could lead to rental properties falling into disrepair (or falling below Claremont's high standards for property maintenance). ▶ Tenant protection ordinances in general impact the housing market and can make prospective housing providers less likely to choose Claremont as a place to build and provide rental housing. Overall, the scarcity of rental units in Claremont may drive up rental rates, which ultimately hurts tenants. 	
<p>KEY DECISION #2: Assuming the City has a <u>Just Cause For Eviction Ordinance</u>, what additional requirements for "substantial remodel" evictions should it impose? Options for the City Council's consideration are listed below:</p>	

ATTACHMENT A

Summary of Key Decisions for Tenant Protection Ordinances

JUST CAUSE FOR EVICTION ORDINANCE	
KEY DECISIONS	NOTES
<p>1. Building permits (for a substantial remodel) and/or demolition permits (for a demolition) have been secured from the City of Claremont.</p> <p>2. The tenant has been provided with copies of the building and/or demolition permit(s).</p> <p>3. The tenant has been provided with a written detailed account of the scope of work, why the work cannot be reasonably accomplished in a safe manner with the tenant in place, and why the work cannot be completed within _____ (___) days.</p> <p>4. The owner has demonstrated to the satisfaction of the City's Building Official or his/her/their designee that the cost of the work is at least _____ (___) times the cost of the tenant's monthly rent. For purposes of this requirement, the monthly rent shall be the average of the preceding twelve (12) month period.</p> <p>5. The owner has demonstrated to the satisfaction of the City's Building Official or his/her/their designee that the work is necessary to bring the rental unit into compliance with applicable codes and laws affecting the health and safety of tenants of the building.</p> <p>Staff Recommendations:</p> <ul style="list-style-type: none"> • These are policy decisions for the City Council to consider; however, staff has concerns regarding Requirement #5 for the reasons listed as "Cons" below. • If the City Council wants to impose Requirement #3, staff recommends the anticipated displacement be at least thirty (30) days to qualify as a "substantial remodel" eviction (same as AB 1482). • If the City Council wants to impose Requirement #4, staff requests direction on the minimum value of the cost of renovation work. AB 1482 does not require a minimum cost for work to qualify as a "substantial remodel." <p><u>Pros:</u></p> <ul style="list-style-type: none"> ▶ Requirements #1 through #4 would give tenants a way to verify that the owner's work on their unit qualifies as a "substantial remodel" under AB 1482. ▶ Requirement #5 would make it very difficult for work to qualify as a "substantial remodel." If this requirement is included, it would greatly reduce the potential for tenant displacement due to substantial remodel evictions. <p><u>Cons:</u></p> <ul style="list-style-type: none"> ▶ See Cons listed for Key Decision #1 above. ▶ For Requirement #4, it is not clear why the cost of work should be a factor in determining whether the remodel qualifies, and it is unclear how the City or tenants would enforce this requirement 	

ATTACHMENT A

Summary of Key Decisions for Tenant Protection Ordinances

JUST CAUSE FOR EVICTION ORDINANCE	
KEY DECISIONS	NOTES
<p>because the actual cost of work will not be known until the eviction is complete.</p> <ul style="list-style-type: none"> ▶ Requirement #5 will be a significant deterrent to improving rental properties. Owners cannot evict tenants until their unit has fallen into such a bad state of repair that it has Code violations and/or is a threat to health or safety. Over time, this could lead to rental properties falling into disrepair (or falling below Claremont's high standards for property maintenance). 	
<p>KEY DECISION #3: Assuming the City has a <u>Just Cause For Eviction Ordinance</u>, should it require owners to provide a right of first refusal to tenants who are displaced due to a "substantial remodel" eviction? If yes, should owners be required to offer the tenant a replacement unit or a right to return to their remodeled unit at the same monthly rent?</p> <p>Staff Recommendation: These are policy decisions for the City Council to consider; however, staff has concerns for the reasons listed as "Cons" below.</p> <p><u>Pro:</u></p> <ul style="list-style-type: none"> ▶ Tenant(s) will not be displaced due to a "substantial remodel eviction." <p><u>Cons:</u></p> <ul style="list-style-type: none"> ▶ The right of first refusal creates logistical issues. It is unclear where tenants will reside while the substantial remodel occurs and who will bear the costs of the temporary displacement. These arrangements would need to be made and agreed on between a property owner and their impacted tenant(s). ▶ If the ordinance requires the owner to offer the displaced tenant a right of first refusal and the owner is permitted to raise the rent to fair market value for the newly-remodeled unit or the replacement unit, the owner will essentially be required to enter a lease agreement with a tenant who cannot afford the new rent. ▶ The United States and California constitutions require rent control ordinances to allow owners to receive a "a just and reasonable return on their property." (<i>MHC Operating Ltd. P'ship v. City of San Jose</i> (2003) 106 Cal. App. 4th 204, 220)" If the ordinance prohibits and owner from raising the rent to fair market value for the newly-remodeled unit or replacement unit, it arguably violates the owner's constitutional right to "fair return." To protect an owner's right to "fair return," other cities that impose a "right of first refusal at the same rent" requirement have a designated person or body of people who have the authority to approve rent increases on a case-by-case basis. Providing adjudications for rent increases on a case-by-case basis would require a significant commitment of budget and personnel resources. 	

ATTACHMENT A

Summary of Key Decisions for Tenant Protection Ordinances

JUST CAUSE FOR EVICTION ORDINANCE	
KEY DECISIONS	NOTES
<p>KEY DECISION #4: Assuming the City has a <u>Just Cause For Eviction Ordinance</u>, should it require owners to provide relocation assistance to tenants who are displaced by a no-fault eviction in higher amounts than those provided by AB 1482? If yes, what amount of relocation assistance should the ordinance require?</p> <p>AB 1482 Existing Relocation Assistance: 1 month's rent</p> <p>Staff Recommendations:</p> <ul style="list-style-type: none"> • This is a policy decision for the City Council. • If the City Council wants to impose relocation assistance beyond what is required by AB 1482, staff requests direction on the required amount of relocation assistance. The City Council may wish to impose a rate based on the tenant's current rent (i.e., relocation assistance = 3 months' rent) or the City Council may wish to impose a rate based on other factors, like the length of time the tenant has lived in the unit, whether the tenant is elderly, disabled, or a caregiver for minor(s)/dependent(s). The second approach would create a "range" of relocation assistance amounts. The City Council may also direct staff to exempt certain "mom and pop" property owners from the City's relocation assistance requirement. Staff will provide relocation assistance language options in the draft "Just Cause for Eviction" Ordinance for the City Council to consider and provide further direction. <p><u>Pro:</u></p> <ul style="list-style-type: none"> ▶ Providing tenants with additional relocation assistance further helps fund moving-related expenses (i.e., a security deposit and first month's rent needed for a new rental unit). <p><u>Con:</u></p> <ul style="list-style-type: none"> ▶ Requiring additional relocation assistance places a financial burden on proprietors. 	
<p>KEY DECISION #5: Assuming the City has a <u>Just Cause For Eviction Ordinance</u>, should it include anti-harassment provisions to prevent owners from harassing or retaliating against tenants they cannot evict?</p> <p>Staff Recommendation: This is a policy decision for the City Council. Staff will provide anti-harassment language options in the draft "Just Cause for Eviction" Ordinance for the City Council to consider and provide further direction.</p> <p><u>Pro:</u></p> <ul style="list-style-type: none"> ▶ Anti-harassment provisions prevent owners from harassing or retaliating against tenants. <p><u>Cons:</u></p> <ul style="list-style-type: none"> ▶ These provisions will make it more difficult to evict tenants who are creating nuisances because they can claim the eviction is 	

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Summary of Key Decisions for Tenant Protection Ordinances

JUST CAUSE FOR EVICTION ORDINANCE	
KEY DECISIONS	NOTES
<p>retaliatory and/or harassment. These provisions will likely result in owners allowing problem tenants to remain in their units because any enforcement activity risks a dispute about whether the owner has violated the City’s anti-harassment provisions.</p> <p>▶ Anti-harassment language could have the unintended consequence of deterring property owners from improving or maintaining their rental properties because doing so temporarily disturbs or inconveniences tenants and could be perceived by tenants as harassment.</p>	
<p>KEY DECISION #6: Assuming the City has a <u>Just Cause For Eviction Ordinance</u>, should it include an exception for “mom and pop” property owners? If yes, what is the maximum number of rental units a building/complex must have to be exempt from the ordinance(s)?</p> <p>Current Temporary Moratorium: Twenty (20) or fewer units are exempt.</p> <p>Staff Recommendation: This is a policy decision for the City Council. It should be noted that in industry practice, properties with five or more residential rental units are considered commercial property.</p> <p><u>Pros and Cons (depending on scope of exception):</u></p> <p>▶ Tenants who are displaced by a “substantial remodel” eviction face hardship regardless of how many units the property has. If the exception is limited (e.g., 4 or fewer units), the Just Cause For Eviction Ordinance will protect more of these tenants.</p> <p>▶ Owners of properties with fewer rental units typically have smaller margins. The costs and burdens of tenant protection ordinances will impact them more than larger corporate property owners who are better equipped to absorb compliance costs. In addition, in Claremont, many of the owners of properties with fewer rental units have voluntarily kept rents below market value, which exacerbates the hardship of complying with tenant protection ordinances. If the exception is broad (e.g., 20 or fewer units), more “smaller” property owners would be exempt from the requirements of the Just Cause For Eviction Ordinance (e.g., higher relocation assistance, etc.).</p>	

RENT STABILIZATION ORDINANCE	
KEY DECISIONS	NOTES
<p>KEY DECISION #7: Should the City have a <u>Rent Stabilization Ordinance</u> limits annual rent increases more than the limits set forth in AB 1482 and if so, what percentage/rent cap should the limit reflect?</p> <p>AB 1482’s Existing Limits: CPI plus 5% or 10%, whichever is lower.</p>	

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Summary of Key Decisions for Tenant Protection Ordinances

RENT STABILIZATION ORDINANCE	
KEY DECISIONS	NOTES
<p>Staff Recommendation: This is a policy decision for the City Council.</p> <p><u>Pros:</u></p> <ul style="list-style-type: none"> ▶ Tenants find it desirable to rent properties that are subject to rent stabilization because they know the outer limit of annual rent increases and can budget/prepare appropriately. Because of this, tenants tend to stay more long-term (i.e., tenants stay more than a year because they do not need to leave to find somewhere within their budget). ▶ Rent stabilization helps to prevent displacement (i.e., people being “priced out” of their rental unit where they have resided for many years). In Claremont, rental prices are high and vacancy rates are low, so a tenant who cannot afford their unit due to annual rent increases may be forced to find replacement housing in another city. <p><u>Cons:</u></p> <ul style="list-style-type: none"> ▶ Rent stabilization may lead to lower-quality rental properties. If a unit is subject to rent stabilization, property owners may not be able to afford to maintain the property or may not be able to afford utilities, increasing property taxes, and other housing-related expenses. ▶ Tenant protection ordinances in general impact the housing market and make prospective housing providers less likely to choose Claremont as a place to build and provide rental housing. Overall, the scarcity of rental units in Claremont may drive up rental rates, which ultimately hurts tenants. 	

TEMPORARY RENTAL ASSISTANCE PROGRAM	
KEY DECISIONS	NOTES
<p>KEY DECISION #8: Should the City use American Rescue Plan Act (ARPA) funding for a Temporary Rental Assistance Program (“Program”) through 2026?</p> <p>Staff Recommendation: Yes, staff recommends that the City Council allocate \$300,000 in ARPA funding for a Temporary Rental Assistance Program (July 1, 2023 through June 30, 2026). Exploring additional rental assistance programs was identified as a City Council 2022-24 Objective.</p> <p><u>Pro:</u></p> <ul style="list-style-type: none"> ▶ As currently drafted, the Program is designed to provide temporary rental assistance to Claremont renters who are either income-qualified, rent-burdened, or are in need of emergency rental assistance due to certain qualifying circumstances without negatively affecting property owners. 	

ATTACHMENT A
Summary of Key Decisions for Tenant Protection Ordinances

TEMPORARY RENTAL ASSISTANCE PROGRAM

KEY DECISIONS	NOTES
<p><u>Con:</u></p> <p>► The Program is designed to be temporary in nature. Should the City Council wish to extend the program past 2026, other funding sources would need to be identified as ARPA funds must be fully expended by December 31, 2026.</p>	

ORDINANCE NO. 2023-**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLAREMONT, CALIFORNIA, ADDING CHAPTER 8.34 (“JUST CAUSE FOR EVICTION”) TO TITLE 8 (“HEALTH AND SAFETY”) OF THE CLAREMONT MUNICIPAL CODE, PROHIBITING THE TERMINATION OF CERTAIN RESIDENTIAL TENANCIES WITHOUT “JUST CAUSE” IN THE CITY OF CLAREMONT**

WHEREAS, effective January 1, 2020, the Tenant Protection Action of 2019, Assembly Bill 1482 (“AB 1482”) added Sections 1946.2, 1947.12, and 1947.13 to the California Civil Code; and

WHEREAS, subject to certain exceptions, AB 1482: (1) limits rent increases over the course of any 12-month period to 5% plus the “percentage change in the cost of living” (as defined), or 10%, whichever is lower (the “rent stabilization provisions”); and (2) prohibits an “owner” (as defined) of “residential real property” (as defined) from terminating a tenancy without “just cause” (as defined) (the “just cause eviction provisions”); and

WHEREAS, AB 1482’s rent stabilization and just cause eviction provisions are intended to “help families afford to keep a roof over their heads, and... provide California with important new tools to combat our state’s broader housing and affordability crisis;” and

WHEREAS, AB 1482’s rent stabilization provisions do not apply to “a new tenancy in which no tenant from the prior tenancy remains in lawful possession of the residential real property” (Civ. Code § 1947.12(b)); and

WHEREAS, AB 1482’s just cause eviction provisions expressly permit a landlord to evict a tenant in order to “substantially remodel” the rental unit (Civ. Code § 1946.2(b)(2)(D)(i)); and

WHEREAS, AB 1482’s just cause eviction provisions define “substantially remodel” to mean:

“the replacement or substantial modification of any structural, electrical, plumbing, or mechanical system that requires a permit from a governmental agency, or the abatement of hazardous materials, including lead-based paint, mold, or asbestos, in accordance with applicable federal, state, and local laws, that cannot be reasonably accomplished in a safe manner with the tenant in place and that requires the tenant to vacate the residential real property for at least 30 days”

(Civ. Code § 1946.2(b)(2)(D)(ii)); and

WHEREAS, AB 1482’s just cause eviction provisions specify that “[c]osmetic improvements alone, including painting, decorating, and minor repairs, or other work that can be performed safely without having the residential real property vacated, do not qualify as substantial rehabilitation” (Civ. Code § 1946.2(b)(2)(D)(ii)); and

WHEREAS, AB 1482 permits a landlord to evict a tenant to “substantially remodel” the rental unit and then raise rents above AB 1482’s rent caps when a new tenancy begins; and

WHEREAS, AB 1482’s just cause eviction provisions expressly authorize local agencies (like the City of Claremont) to adopt ordinances that are “more protective” than AB 1482’s just cause eviction provisions, in which case, the “more protective” local ordinance will apply to non-exempt residential real property (Civ. Code § 1946.2(g)(1)(B)); and

WHEREAS, like many cities in Los Angeles County, the City of Claremont is experiencing a housing affordability crisis and a humanitarian crisis of homelessness that would be exacerbated by the displacement of renters; and

WHEREAS, the City is concerned that, without “more protective” local just cause eviction provisions, “substantial remodel” evictions will result in displaced tenants becoming homeless.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CLAREMONT, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Recitals

The City Council finds the foregoing recitals and their findings to be true and correct, and hereby incorporates such recitals and their findings into this ordinance.

SECTION 2. Environmental Review

The City Council finds and determines that the adoption of this Ordinance is not subject to the California Environmental Quality Act (CEQA) under State CEQA Guidelines Section 15060(c)(2), in that the adoption of this Ordinance will not result in a direct or reasonably foreseeable indirect physical change in the environment, and is further and independently exempt from the California Environmental Quality Act under State CEQA Guidelines Section 15061(b)(3), in that it can be seen with certainty there is no possibility the adoption of this Ordinance will have a significant effect on the environment.

SECTION 3. Findings

The City Council has the power to enact an ordinance, not in conflict with general laws, as necessary to protect public peace, health, and safety, via exercise of the powers provided to cities in Article XI, Section 7, of the California Constitution, and in compliance with Government Code sections 36931 through 39637. The adoption of this ordinance furthers the preservation of the public peace, health, and safety in at least the following respects:

- A. Independent of the COVID-19 crisis, the City of Claremont is experiencing a housing affordability crisis, which is driving homelessness and displacement of residents to an unprecedented scale.

B. When a household spends more than 30 percent of its income on housing costs (i.e., is “rent burdened”), it has less disposable income for other necessities such as health care. In the event of unexpected circumstances, such as loss of income or health problems, households with a burdensome housing cost are more likely to become homeless. In Claremont, approximately 52.4% of renter-households use more than 30% of their incomes to cover housing costs, and of those renter-households, approximately 44.2% spend 35 percent or more of their income on housing costs. (2014–2019 ACS 5-Year Estimates.)

C. As the cost of housing in Southern California continues to rise, homelessness has become more prevalent. In the 2020 Greater Los Angeles Homeless Street Count, 17 unsheltered individuals were counted in Claremont. That number increased to 26 individuals in 2022.

D. The Greater Los Angeles Homeless Street Counts do not include individuals who live with relatives or friends, in nearby hotels, or in other transitional housing. The Claremont Unified School District reported that, as of July 2021, there were 125 children that fit into the latter category (although the School District includes some neighborhoods outside Claremont).

E. One of the most effective ways to address the homeless crisis is to prevent individuals and families from becoming homeless in the first place. To that end, the City has programs to assist families threatened with homelessness. For example, the City’s Department of Human Services is responsible for overseeing the City Senior and Family Emergency Fund. This fund helps Claremont families and seniors through initial crises. Once resolved, Human Services Department staff works with the recipients to connect with agencies to assist them in obtaining ongoing financial support.

F. Starting in April of 2020, Claremont’s residential tenants were generally protected from evictions by a variety of temporary COVID-19-related governmental measures, such as: (1) the California Judicial Council’s temporary emergency measures which effectively provided for a moratorium on all evictions; (2) the State of California’s eviction moratorium (ultimately codified through Assembly Bill 3088 (2020), Senate Bill 91 (2021), and Assembly Bill 81 (2021)); and (3) the County of Los Angeles’ Tenant Protections Resolution; and the City of Claremont’s Moratorium on Certain “No Fault” Residential Evictions (Ord. No. 2022-07). However, with the exception of the City’s Moratorium, those measures have now expired or have been lifted. The City’s Moratorium is due to automatically expire June 30, 2023.

G. The City has determined, both through direct residential tenant complaints and through information available on a regional basis, that tenants throughout the Los Angeles County region have reported experiencing a surge of no-fault eviction notices and threats of eviction. In response to such threats and notices, other municipalities in this region, including the County of Los Angeles and the Cities of

Los Angeles, Long Beach, Pasadena, South Pasadena, and Pomona, have adopted tenant protection ordinances.

H. Starting in or around the summer of 2022, numerous residential tenants in Claremont reported that their landlords were threatening to evict them after the County of Los Angeles's tenant protections expired for the alleged purpose of substantially remodeling their units.

I. More protective local eviction control provisions are needed to prevent tenants displaced by "substantial remodel" evictions from becoming homeless.

In accordance with AB 1482's just cause eviction provisions set forth in subsection (g)(1)(B) of Section 1946.2 of the California Civil Code, the City Council hereby makes a binding finding that the tenant protections in this ordinance are "more protective" than AB 1482's just cause eviction provisions, set forth in Section 1946.2 of the California Civil Code. The City Council further finds that this ordinance is consistent with Section 1946.2. This ordinance [REDACTED] [STAFF TO FILL IN BASED ON CITY COUNCIL DIRECTION BELOW: further limits the reasons for termination of a residential tenancy, provides for higher relocation assistance amounts, and/or provides additional tenant protections that are not prohibited by any other provision of law].

SECTION 4. Code Amendment

Chapter 8.34 ("Just Cause Evictions") is added to Title 8 ("Health and Safety") of the Claremont Municipal Code to read as follows:

Chapter 8.34 Just Cause Evictions

8.34.000 Purpose of Chapter and Relationship to AB 1482

This chapter is consistent with the Tenant Protection Action of 2019, Assembly Bill 1482 (2019-2020), which is generally codified in Sections 1946.2, 1947.12, and 1947.13 to the California Civil Code ("AB 1482"). It is the City's intent that its residential tenants be afforded the strongest protections available under the law. This chapter is more protective than AB 1482's just cause eviction provisions set forth in Section 1946.2 of the California Civil Code.

As authorized by subsection (g) of Section 1946.2, this chapter [REDACTED] [STAFF TO FILL IN BASED ON CITY COUNCIL DIRECTION BELOW – e.g., provides for higher relocation assistance amounts and additional tenant protections for "no-fault just cause" evictions based on a property owner's intent to "substantially remodel" or demolish the residential real property]. In all other respects, this chapter is identical to Section 1946.2 of the California Civil Code, as amended from time to time or replaced by a successor statute.

If any other governmental entity (including without limitation, the United States Government, the State of California, and the County of Los Angeles) adopts stronger tenant protections that apply to residential tenants in the City of

Claremont, then the stronger tenant protections shall prevail, and the City shall not enforce conflicting tenant protections in this chapter.

8.34.010 Applicability of Chapter and Exceptions

A. Applicability. The tenant protections in this chapter apply to tenants and owners of real property that are subject to AB 1482's just cause eviction provisions set forth in subsection (a) of Section 1946.2 of the California Civil Code, as amended from time to time or replaced by a successor statute.

B. Exceptions. This chapter shall not apply to the types of residential real properties or residential circumstances that are exempt from AB 1482's just cause eviction provisions set forth in subsection (e) of Section 1946.2 of the California Civil Code, as amended from time to time or replaced by a successor statute. [CITY COUNCIL TO PROVIDE DIRECTION: In addition, this chapter shall not apply to residential tenancies in a building or in a complex of commonly-owned buildings with [REDACTED] ([REDACTED]) or fewer rental units.]

8.34.020 "Just Cause" Required for "No-Fault" Evictions

A. AB 1482 Requirements. An owner of residential real property shall not terminate a tenancy that is subject to this chapter without just cause, which shall be stated in the written notice to terminate tenancy, unless the termination of the tenancy fully complies with AB 1482's just cause eviction provisions set forth in Section 1946.2 of the California Civil Code, as amended from time to time or replaced by a successor statute.

B. Heightened Requirements for Evictions Based on Intent to Demolish or Substantially Remodel the Residential Real Property. An owner of residential real property shall not terminate a tenancy that is subject to this chapter based on the owner's intent to "demolish or to substantially remodel the residential real property" (as described and defined subsection (b)(2)(D) of Section 1946.2 of the California Civil Code, as amended from time to time or replaced with a successor statute) unless and until all of the following additional requirements have been met:

[CITY COUNCIL TO PROVIDE DIRECTION – CHOOSE ALL THAT APPLY AND RE-NUMBER AS NEEDED:]

1. Building permits (for a substantial remodel) and/or demolition permits (for a demolition) have been secured from the City of Claremont;
2. The tenant has been provided with copies of the building and/or demolition permit(s); and
3. The tenant has been provided with a written detailed account of the scope of work, why the work cannot be reasonably accomplished in a safe manner with the tenant in place, and why the work cannot be completed within [REDACTED] ([REDACTED]) days.

4. For a substantial remodel eviction, the owner has demonstrated to the satisfaction of the City's Building Official or his/her/their designee that the cost of the work is at least [REDACTED] ([REDACTED]) times the cost of the tenant's monthly rent. For purposes of this requirement, the monthly rent shall be the average of the preceding twelve (12) month period.

5. For a substantial remodel eviction, the owner has demonstrated to the satisfaction of the City's Building Official or his/her/their designee that the work is necessary to bring the rental unit into compliance with applicable codes and laws affecting the health and safety of tenants of the building.

6. The owner has provided tenant with one or both of the following options and can provide proof that the owner has provided the tenant with at least thirty (30) days advance written notice of the option(s):

a. A right of first refusal to any vacant rental unit owned by the owner at the same or a lower monthly rent, provided that the unit is of comparable or superior material living condition and convenience for the tenant, if such comparable or superior vacant unit exists. If the tenant elects to accept an offer to move to a comparable vacant rental unit, the tenant is not eligible for any relocation assistance pursuant to this chapter or AB 1482.

b. A first right of return to reoccupy the rental unit upon completion of the repairs at the same rent charged to the tenant before the tenant temporarily vacated the rental unit to the extent allowed by state law.]

C. Failure to Comply. An owner's failure to strictly comply with this section shall render a notice of termination of a tenancy void.

8.34.030 Relocation Assistance Required for "No-Fault" Evictions

If an owner of residential real property issues a termination notice based on a "no-fault just cause" (as defined in subsection (b)(2) of Section 1946.2 of the California Civil Code, as amended from time to time or replaced by a successor statute), the owner shall [REDACTED].

[CITY COUNCIL TO PROVIDE DIRECTION – CHOOSE ONE OF THE FOLLOWING OPTIONS:

provide relocation assistance in accordance with AB 1482's just cause eviction provisions set forth in subsection (d) of Section 1946.2 of the California Civil Code, as amended from time to time or replaced by a successor statute.

OR

provide relocation assistance in accordance with AB 1482's just cause eviction provisions set forth in subsection (d) of Section 1946.2 of the California Civil Code, as amended from time to time or replaced by a successor statute, provided however, the amount of relocation assistance shall be increased to at least equal to () months of the tenant's rent that was in effect when the owner issued the notice to terminate the tenancy.

OR

Direct staff to draft language based on the City of Los Angeles' relocation assistance provisions (Los Angeles Municipal Code § 165.06) – flat rates ranging from \$9,200 to \$22,950 depending on whether tenant is 62+ years old, has a disability, has children/dependents living with them, is very low-, low-, or moderate income, and/or has occupied their unit for at least three years.

OR

Direct staff to draft language based on the City of Santa Monica's relocation assistance provisions (Santa Monica Municipal Code Chapter 4.36) – flat rates ranging from \$17,250 to \$35,200 depending on size of unit and whether tenant is senior, disabled, or cares for a minor.]

An owner's failure to strictly comply with this section shall render the notice of termination void.

[CITY COUNCIL TO PROVIDE DIRECTION –

8.34.040 Harassment Prohibited

A. **Harassment.** No owner shall:

1. Interrupt, terminate, or fail to provide housing services required by a rental agreement or by Federal, State, County, or local housing, health, or safety laws, or threaten to do so, or violate or threaten to violate California Civil Code Section 789.3.

2. Acting in bad faith, (a) fail to timely perform repairs and maintenance required by a rental agreement or by Federal, State, County or local housing, health or safety laws; (b) fail to exercise due diligence in completing such repairs once undertaken; (ci) fail to follow appropriate industry repair, containment, or remediation protocols designed to minimize exposure to noise, dust, lead, paint, mold, asbestos, or other building materials with potentially harmful health impacts; or (d) conduct elective renovation or construction of a rental housing unit for the purpose of harassing a tenant.

3. Abuse the right of access into a rental housing unit as established by California Civil Code Section 1954 or other applicable law. Such abuse includes, without limitation, entries for inspections that are not

related to necessary repairs or services; entries excessive in number; entries or demands for entry at times outside normal business hours; entries contrary to a tenant's reasonable request to change the date or time of entry; photographing or otherwise recording portions of a rental housing unit that are beyond the scope of a lawful entry or inspection; and misrepresenting the reasons for accessing a rental housing unit.

4. Influence or attempt to influence a tenant to vacate a rental housing unit through fraud, misrepresentation, intimidation or coercion, which shall include threatening to report a tenant to the United States Department of Homeland Security.

5. Threaten a tenant, by word or gesture, with physical harm, or abuse tenant with words, either orally or in writing, which are inherently likely to provoke an immediate violent reaction.

6. Violate any law which prohibits discrimination based on race, gender, sexual preference, sexual orientation, ethnic background, nationality, religion, age, parenthood, marriage, pregnancy, disability, human immunodeficiency virus (HIV)/acquired immune deficiency syndrome (AIDS), occupancy by a minor child, or source of income.

7. Take action to terminate any tenancy, including service of any notice to quit or other eviction notice, or bring any action to recover possession of a rental housing unit, based upon facts which owner has no reasonable cause to believe to be true or upon a legal theory which is untenable under the facts known to owner.

8. Provide false written or verbal information regarding any Federal, State, County or local tenant protections, including mischaracterizing the nature or effect of a notice to quit or other eviction notice. False information includes, without limitation, requesting or demanding a tenant: (a) sign a new lease not in the tenant's primary language if (i) lease negotiations were conducted in the tenant's primary language, (ii) the existing lease is in the tenant's primary language, or (iii) owner is otherwise aware that the new lease is not in tenant's primary language; or (b) enter into a rent repayment plan to take advantage of tenant protection laws that do not require such plans.

9. Acting in bad faith, (a) refuse to acknowledge or accept receipt of a tenant's lawful rent payment as set forth in a rental agreement, by usual practice of the parties, or in a notice to pay rent or quit; (b) refuse to cash or process a rent check or other form of acceptable rent payment for over thirty (30) days after it is tendered; or (c) fail to maintain a current address for delivery of rent payments.

10. Acting in bad faith, (a) violate a tenant's right to privacy, including without limitation, by requesting information regarding residence

or citizenship status, protected class status, or Social Security number, except for, in the case of Social Security number, for purposes of obtaining information for the qualifications for a tenancy; (b) release such information except as required or authorized by law; or (c) request or demand an unreasonable amount of information from tenant in response to a request for reasonable accommodation.

11. Acting in bad faith, communicate with a tenant in a language other than the tenant's primary language for the purpose of intimidating, confusing, deceiving or annoying the tenant.

12. Interfere with the right of tenants to organize as tenants and engage in concerted activities with other tenants for the purpose of mutual aid and protection; deny property access to tenant organizers, advocates, or representatives working with or on behalf of tenants living at a property; prevent tenant or tenant organization meetings in an appropriate space accessible to tenants under the terms of their rental agreement(s); or discourage distribution or posting in common areas of literature informing tenants of their rights.

13. Commit other repeated acts or omissions of such significance as to substantially interfere with or disturb the comfort, repose, peace or quiet of any person lawfully entitled to occupancy of a rental housing unit and that cause, are likely to cause, or are intended to cause any person lawfully entitled to occupancy of a rental housing unit to vacate such rental housing unit or to surrender or waive any rights in relation to such occupancy.

B. Remedies and penalties.

1. If an owner violates the terms of this section, an aggrieved tenant may institute a civil action for injunctive relief, direct money damages, and any other relief that the court deems appropriate, which such relief shall include a civil penalty of no less than Two Thousand Dollars (\$2,000), and no more than Five Thousand Dollars (\$5,000), per violation, at the discretion of the court. If the aggrieved tenant is older than sixty-five (65) or disabled, the court may award an additional civil penalty of up to Five Thousand Dollars (\$5,000) per violation, at the discretion of the court.

2. The court may award reasonable attorneys' fees and costs to a tenant who prevails in any such action. The court may award reasonable attorneys' fees and costs to an owner who prevails in any such action if the court determines that the tenant's action was frivolous.

3. The above remedies are not exclusive and do not preclude any tenant from seeking other remedies or penalties provided by applicable law.

C. Lawful Evictions. Nothing in this Chapter shall be construed as to prevent an owner from lawfully evicting a tenant pursuant to applicable State or local law.]

8.34.050 Severability

If any provision of this chapter is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, that invalidity shall not affect the remaining provisions of this chapter which can be implemented without the invalid provisions, and to this end, the provisions of this chapter are declared to be severable. The City Council hereby declares that it would have adopted this chapter and each provision thereof irrespective of whether any one or more provisions are found invalid, unconstitutional or otherwise unenforceable.

SECTION 5. Effective Date.

This Ordinance shall take effect thirty (30) days after its adoption in accordance with Government Code Section 36937. The provisions of this Ordinance shall apply to all residential rental units not specified in Section 4 to be exempt, including where a notice to vacate or to quit any such rental unit has been served prior to, as of, or after the effective date of this Ordinance, but where an unlawful detainer judgment has not been issued as of the effective date of this Ordinance.

SECTION 6. Severability.

If any section, subsection, subdivision, paragraph, sentence, clause or phrase, or portion of this Ordinance is, for any reason, held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance irrespective of the fact that one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional or invalid or ineffective. To this end, the provisions of this Ordinance are declared to be severable.

SECTION 7. Posting of Ordinance.

The Mayor shall sign this Ordinance and the City Clerk shall attest and certify to its passage and adoption. The City Clerk shall cause a summary of this Ordinance to be published or posted as required by law. In accordance with Government Code Section 8634, this ordinance and any amendments, extensions, and rescissions thereof shall be given widespread publicity and notice.

PASSED, APPROVED AND ADOPTED this day of , 2023.

Mayor, City of Claremont

ATTEST:

City Clerk, City of Claremont

APPROVED AS TO FORM:

A handwritten signature in blue ink, appearing to read "A. H. ...", is written over a horizontal line.

City Attorney, City of Claremont

ORDINANCE NO. 2023-**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLAREMONT, CALIFORNIA, ADDING CHAPTER 8.36 (“RENT STABILIZATION”) TO TITLE 8 (“HEALTH AND SAFETY”) OF THE CLAREMONT MUNICIPAL CODE, PROHIBITING THE TERMINATION OF CERTAIN RESIDENTIAL TENANCIES WITHOUT “JUST CAUSE” IN THE CITY OF CLAREMONT**

WHEREAS, effective January 1, 2020, the Tenant Protection Action of 2019, Assembly Bill 1482 (“AB 1482”) added Sections 1946.2, 1947.12, and 1947.13 to the California Civil Code; and

WHEREAS, subject to certain exceptions, AB 1482: (1) limits rent increases over the course of any 12-month period to 5% plus the “percentage change in the cost of living” (as defined), or 10%, whichever is lower (the “rent stabilization provisions”); and (2) prohibits an “owner” (as defined) of “residential real property” (as defined) from terminating a tenancy without “just cause” (as defined) (the “just cause eviction provisions”); and

WHEREAS, AB 1482’s rent stabilization and just cause eviction provisions are intended to “help families afford to keep a roof over their heads, and... provide California with important new tools to combat our state’s broader housing and affordability crisis;” and

WHEREAS, AB 1482’s rent stabilization provisions do not apply to “a new tenancy in which no tenant from the prior tenancy remains in lawful possession of the residential real property” (Civ. Code § 1947.12(b)); and

WHEREAS, AB 1482’s rent stabilization provisions authorize local agencies (like the City of Claremont) to establish local policies regulating rents consistent with the Costa-Hawkins Rental Housing Act (commencing with Section 1954.50 of the California Civil Code) (Civ. Code § 1947.12(m)(2); see also Civ. Code § 1946.2(g)(1)(B)); and

WHEREAS, like many cities in Los Angeles County, the City of Claremont is experiencing a housing affordability crisis and a humanitarian crisis of homelessness that would be exacerbated by the displacement of renters due to inability to being able to afford rent increases; and

WHEREAS, the City is concerned that, without more protective local rent stabilization provisions, tenants will not be able to afford rent increases authorized by AB 1482 will become homeless.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CLAREMONT, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS

SECTION 1. Recital

The City Council finds the foregoing recitals and their findings to be true and correct, and hereby incorporates such recitals and their findings into this ordinance.

SECTION 2. Environmental Review

The City Council finds and determines that the adoption of this Ordinance is not subject to the California Environmental Quality Act (CEQA) under State CEQA Guidelines Section 15060(c)(2), in that the adoption of this Ordinance will not result in a direct or reasonably foreseeable indirect physical change in the environment, and is further and independently exempt from the California Environmental Quality Act under State CEQA Guidelines Section 15061(b)(3), in that it can be seen with certainty there is no possibility the adoption of this Ordinance will have a significant effect on the environment.

SECTION 3. Findings

The City Council has the power to enact an ordinance, not in conflict with general laws, as necessary to protect public peace, health, and safety, via exercise of the powers provided to cities in Article XI, Section 7, of the California Constitution, and in compliance with Government Code sections 36931 through 39637. The adoption of this ordinance furthers the preservation of the public peace, health, and safety in at least the following respects:

- A. Independent of the COVID-19 crisis, the City of Claremont is experiencing a housing affordability crisis, which is driving homelessness and displacement of residents to an unprecedented scale.
- B. When a household spends more than 30 percent of its income on housing costs (i.e., is “rent burdened”), it has less disposable income for other necessities such as health care. In the event of unexpected circumstances, such as loss of income or health problems, households with a burdensome housing cost are more likely to become homeless. In Claremont, approximately 52.4% of renter-households use more than 30% of their incomes to cover housing costs, and of those renter-households, approximately 44.2% spend 35 percent or more of their income on housing costs. (2014–2019 ACS 5-Year Estimates.)
- C. As the cost of housing in Southern California continues to rise, homelessness has become more prevalent. In the 2020 Greater Los Angeles Homeless Street Count, 17 unsheltered individuals were counted in Claremont. That number increased to 26 individuals in 2022.
- D. The Greater Los Angeles Homeless Street Counts do not include individuals who live with relatives or friends, in nearby hotels, or in other transitional housing. The Claremont Unified School District reported that, as of July 2021, there were 125 children that fit into the latter category (although the School District includes some neighborhoods outside Claremont).
- E. One of the most effective ways to address the homeless crisis is to prevent individuals and families from becoming homeless in the first place. To that end, the City has programs to assist families threatened with homelessness. For example, the City’s Department of Human Services is responsible for overseeing the City Senior and Family Emergency Fund. This fund helps Claremont families

and seniors through initial crises. Once resolved, Human Services Department staff works with the recipients to connect with agencies to assist them in obtaining ongoing financial support.

F. Starting in April of 2020, Claremont's residential tenants were generally protected from evictions by a variety of temporary COVID-19-related governmental measures, such as: (1) the California Judicial Council's temporary emergency measures which effectively provided for a moratorium on all evictions; (2) the State of California's eviction moratorium (ultimately codified through Assembly Bill 3088 (2020), Senate Bill 91 (2021), and Assembly Bill 81 (2021)); and (3) the County of Los Angeles' Tenant Protections Resolution; and the City of Claremont's Moratorium on Certain "No Fault" Residential Evictions (Ord. No. 2022-07). However, with the exception of the City's Moratorium, those measures have now expired or have been lifted. The City's Moratorium is due to automatically expire June 30, 2023.

G. More protective rent stabilization provisions are needed to prevent tenants displaced due to rent increases from becoming homeless.

In accordance with AB 1482's just cause eviction provisions set forth in subsection (g)(1)(B) of Section 1946.2 of the California Civil Code, the City Council hereby makes a binding finding that the tenant protections in this ordinance are "more protective" than AB 1482's tenant protections, set forth in Section 1946.2 of the California Civil Code. The City Council further finds that this ordinance is consistent with AB 1482.

SECTION 4. Code Amendment

Chapter 8.36 ("Rent Stabilization") is added to Title 8 ("Health and Safety") of the Claremont Municipal Code to read as follows:

Chapter 8.36 Rent Stabilization

8.36.000 Purpose of Chapter and Relationship to AB 1482

This chapter is consistent with the Tenant Protection Act of 2019, Assembly Bill 1482 (2019-2020), which is generally codified in Sections 1946.2, 1947.12, and 1947.13 to the California Civil Code ("AB 1482") and the Costa-Hawkins Rental Housing Act, codified commencing at California Civil Code Section 1954.50 (the "Costa-Hawkins Rental Housing Act"). It is the City's intent that its residential tenants be afforded the strongest protections available under the law. This chapter is intended to provide more protective rent stabilization limits than AB 1482 (Civ. Code § 1947.12). In all other respects, this chapter is identical to Section 1947.12 of the California Civil Code, as amended from time to time or replaced by a successor statute.

If any other governmental entity (including without limitation, the United States Government, the State of California, and the County of Los Angeles) adopts stronger tenant protections that apply to residential tenants in the City of

Claremont, then the stronger tenant protections shall prevail, and the City shall not enforce conflicting tenant protections in this chapter.

8.36.010 Applicability of Chapter and Exceptions

A. Applicability. The tenant protections in this chapter apply to tenants and owners of real property that are subject to AB 1482's rent stabilization provisions set forth in subsections (a) through (c) of Section 1947.12 of the California Civil Code, as amended from time to time or replaced by a successor statute.

B. Exceptions. This chapter shall not apply to the types of residential real properties that are exempt from AB 1482's rent stabilization provisions set forth in subsection (d) of Section 1947.12 of the California Civil Code, as amended from time to time or replaced by a successor statute. [CITY COUNCIL TO PROVIDE DIRECTION: In addition, this chapter shall not apply to residential tenancies in a building or in a complex of commonly-owned buildings with [REDACTED] ([REDACTED]) or fewer rental units.]

8.36.020 Residential Rent Increases

An owner of residential real property that is subject to this chapter shall not, over the course of any 12-month period, increase the gross rental rate for a dwelling or a unit by more than [CITY COUNCIL TO PROVIDE DIRECTION: [REDACTED] percent ([REDACTED] %) and the percentage change in the Consumer Price Index or [REDACTED] percent ([REDACTED] %), whichever is lower, of the lowest gross rental rate charged for that dwelling or unit at any time during the 12 months prior to the effective date of the increase.]

In all other respects, increases in rent for residential real property shall be governed by AB 1482's rent stabilization provisions set forth in Section 1947.12 of the California Civil Code, as amended from time to time or replaced by a successor statute.

SECTION 5. Effective Date.

This Ordinance shall take effect thirty (30) days after its adoption in accordance with Government Code Section 36937. The provisions of this Ordinance shall apply to all residential rental units not specified in Section 4 to be exempt, including where a notice to vacate or to quit any such rental unit has been served prior to, as of, or after the effective date of this Ordinance, but where an unlawful detainer judgment has not been issued as of the effective date of this Ordinance.

SECTION 6. Severability.

If any section, subsection, subdivision, paragraph, sentence, clause or phrase, or portion of this Ordinance is, for any reason, held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The City

Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance irrespective of the fact that one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional or invalid or ineffective. To this end, the provisions of this Ordinance are declared to be severable.

SECTION 7. Posting of Ordinance.

The Mayor shall sign this Ordinance and the City Clerk shall attest and certify to its passage and adoption. The City Clerk shall cause a summary of this Ordinance to be published or posted as required by law. In accordance with Government Code Section 8634, this ordinance and any amendments, extensions, and rescissions thereof shall be given widespread publicity and notice.

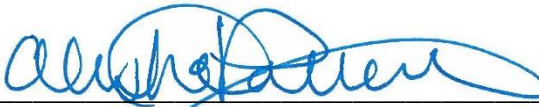
PASSED, APPROVED AND ADOPTED this day of , 2023.

Mayor, City of Claremont

ATTEST:

City Clerk, City of Claremont

APPROVED AS TO FORM:



City Attorney, City of Claremont



Claremont Temporary Rental Assistance Program Version 1.0 dated April 25, 2023

(PENDING CITY COUNCIL APPROVAL)

Purpose of Temporary Program

The Claremont Temporary Rental Assistance Program (“Program”) is designed to assist Claremont renters who are either income-qualified OR are in need of “Emergency Rental Assistance” due to:

- Qualifying as extremely low-, very low-, or low-income;
- Experiencing certain qualifying exigent circumstances (e.g., illness, job loss, etc.);
- Needing to move as a result of a no-fault eviction; and/or
- A rental increase imposed on an already rent-burdened household or a rental increase that would result in a household becoming rent-burdened.

More information on qualifications and eligibility is contained within this document. **Please make sure that you read this document carefully and in full before submitting a Program application.**

Term of Temporary Program

The City of Claremont is funding the Program with the use of American Rescue Plan Act (ARPA) funds, which were distributed to local government agencies in an effort to help people recover from the economic effects of the COVID-19 pandemic.

On April 25, 2023, the Claremont City Council allocated a total of \$300,000 in ARPA funding toward this Program:

\$100,000 for the first fiscal year cycle (July 1, 2023 – June 30, 2024 – “Cycle 1”)

\$100,000 for the first fiscal year cycle (July 1, 2024 – June 30, 2025 – “Cycle 2”)

\$100,000 for the first fiscal year cycle (July 1, 2025 – June 30, 2026 – “Cycle 3”)

In accordance with the rules set forth by the federal government, ARPA funding must be spent by December 31, 2026. Depending on the demand for the Program, staff may recommend that additional ARPA funding be allocated toward this Program at a later date; however, unless a different funding source is identified and a permanent program is ultimately approved by the City Council, this Program will not be extended past Cycle 3.

Applications

Applications opened on April 26, 2023 and will be accepted on an on-going basis, with the understanding that all required documentation will need to be current in accordance with the Program. For example, if you submit an application during Cycle 1 and funding is exhausted, we will keep your application on file but will require you to produce new dated documents in June 2024 to determine your eligibility for Cycle 2.

Complete applications (including all required, supporting documents) can only be received in-person at Claremont City Hall or via mail service.

To deliver your complete application **in person**, please visit Claremont City Hall, 207 Harvard Avenue, Claremont, CA 91711.

To send your complete application via **mail service**, please use the following mailing address:

City of Claremont
Attn: City Manager's Office
P.O. Box 880
Claremont, CA 91711

If your application is approved for one cycle, it does not guarantee that you will be approved or be given priority for subsequent cycles. All applicants will be required to produce dated documents in June 2024 and June 2025, respectively, to determine eligibility for Cycle(s) 2 and 3. Further, applicants may only apply for "Emergency Rental Assistance" one time per Cycle.

Applications can be found on the City of Claremont's website (<https://www.ci.claremont.ca.us/living/housing/tenant-assistance>); can be sent to you directly via email or U.S. mail; or can be picked up at Claremont City Hall. To request a copy by mail or email, please call the City Manager's Office at 909-399-5440 or complete the Interest Form on the City's website.

Priority

Complete applications (including all required, supporting documents) will be processed based on the following priorities:

Tier 1 (Highest Priority) – Qualified applicants who can provide proof that are on a fixed income and/or are an "extremely low-income household" (as defined by HUD).

Tier 2 – Qualified applicants who need emergency rental assistance due to certain exigent circumstances (as described below).

Tier 3 – Qualified applicants who are either a "low" or "very low" income household (as defined by HUD).

Tier 4 – Qualified applicants who received a rental increase and are already rent-burdened or received a rental increase that puts them at risk of becoming rent-burdened (as described below).

Tier 5 (Lowest Priority) – Qualified applicants who need emergency rental assistance due to a no-fault eviction.

Within these tiers, applicants who can prove that they are at imminent risk of housing instability will be processed first in an effort to prevent the applicant from becoming unsheltered. Documentation proving imminent risk of housing instability includes one or more of the following:

- Any past due rent notice
- Notice to vacate or to quit the rental unit

Temporary Program Eligibility – All Tiers

- Applicants must be renters of real property in the City of Claremont, California.
- Household cannot be more than 2 months (60 days) in arrears on rental payments.
- Applicants must have a legal, up-to-date lease in writing with appropriate addendums.
- **Property owner** must be willing to accept a third-party check for payment or rent and complete a W-9 Form.
- Applicant must have a working email and/or phone number, and every person in the household must have some form of ID (drivers' license, consular card, student ID, immunization record, birth certificate, medical insurance ID, etc.).
- Household must meet one or more the following criteria (each of which is described in more detail below):
 - Household is income-qualified (Tiers 1 and 3)
 - Household is currently experiencing exigent circumstances (Tier 2)
 - Household is rent-burdened/at-risk of becoming rent-burdened due to a rental increase (Tier 4)
 - Household is relocating due to a **no-fault** eviction (Tier 5)

Income Qualifications (Tiers 1 and 3)

Each fiscal year, the Department of Housing and Urban Development (HUD) sets income limits that determine eligibility for assisted housing programs, which are based on Median Family Income estimates and Fair Market Rent area definitions for each metropolitan area, parts of some metropolitan areas, and each non-metropolitan county.

The City of Claremont utilizes the same limits to determine eligibility for this Program. Applicant households must qualify as **Low, Very Low, or Extremely Low Income as defined by HUD**. To determine if you are income-qualified, please visit

<https://www.huduser.gov/portal/datasets/il.html>. The Los Angeles-Long Beach-Glendale, CA

HUD Metro Fair Market Rent (FMR) Area contains all of Los Angeles County, including Claremont. The City of Claremont will always use the current year's income limits provided by HUD in determining eligibility.

Note: HUD intends to delay the release of FY 2023 median family incomes and income limits until on or about May 15, 2023. The FY 2023 income limits will be utilized for Cycle 1.

For HUD-Qualified **Low Income** Households - This Program will subsidize no more than 10% of a household's monthly base rent.

For HUD-Qualified **Very Low Income** Households - This Program will subsidize no more than 15% of a household's monthly base rent.

For HUD-Qualified **Extremely Low Income** Households - This Program will subsidize no more than 20% of a household's monthly base rent.

Income-Qualified Participants – How It Works (Tiers 1 and 3)

A housing subsidy will be paid to the property owner directly by the City of Claremont on behalf of the participating household. The household then pays the difference between the actual rent charged by the property owner and the amount subsidized by the Program.

To supplement your application, you will be required to provide the following documents for **each adult member** of your household:

- A copy of your legal, up-to-date lease in writing with appropriate addendums
- Most recent pay stubs or similar documentation showing two months' or more of your household's monthly income
- Tax document, such as a W-2, Tax Return, 1099-MISC, or other applicable tax document
- Social Security or Social Security Disability Insurance statements or benefit letters (if applicable)

Emergency Rental Assistance – Exigent Circumstances (Tier 2)

This Program may also be utilized by individuals and households who are currently experiencing one or more events that have resulted in a risk of housing instability, such as:

- An adult member of your household has become unemployed for 60 days or more, provided that individual is actively seeking employment
- A member of your household has experienced a medical or psychiatric emergency within the past 60 days that resulted in significant unexpected expenses and/or a loss of household income
- A member of your household has passed away within the past 60 days and their death has resulted in significant unexpected expenses and/or a loss of household income

"Exigent Circumstances" Participants – How It Works (Tier 2)

Emergency rental assistance will be paid directly to the property owner by the City of Claremont in the form of one lump sum equivalent to no more than the value of two months of a household's current rent.

To supplement your application, you will be required to provide the following documentation:

- **All** applicants must provide a copy of their legal, up-to-date lease in writing with appropriate addendums.
- If you or a member of your household has been **unemployed** for 60 days or more and is actively seeking employment, you must also provide the following documentation:
 - Evidence of application for unemployment benefit OR evidence of expired unemployment benefits (dated within the past 60 days from application date) **OR**
 - Any correspondence (dated within the past 60 days from application date) from the individual's former employer documenting job loss, such as layoff notice, termination notice, or closure of business. The correspondence must be signed by the former employer and include their phone number, email address, and former business address.
- If you or a member of your household has experienced a **medical or psychiatric emergency** within the past 60 days that has resulted in significant unexpected expenses and/or a loss of household income, you must also provide the following documentation:
 - Significant unexpected expenses –
 - Proof of payment of medical bills, such as receipts or account statements (with redactions as needed to protect private medical or financial information).
 - Loss of household income –
 - Dated correspondence from the treating physician indicating the name of the individual in your household who is unable to return to work and what their anticipated return-to-work date is. The correspondence should not include any personal medical information, including information on the circumstances of the medical emergency or diagnosis. The correspondence must be signed by the treating physician and include their phone number, email address, and business address; **AND**
 - Employer verification of reduction in or loss of income. The correspondence must be dated, signed by the current employer, and include their phone number, email address, and business address.
- If a member of your household has passed away within the past 60 days and their **death** has resulted in a loss of household income, you must also provide the following documentation:
 - A copy of their death certificate/death record **OR** dated correspondence from the treating physician indicating the name of the individual in your household and their date of death. The correspondence should not include any personal medical

information, including a cause of death or diagnosis. The correspondence must be signed by the treating physician and include their phone number, email address, and business address; **AND**

- Significant unexpected expenses – Proof of payment of death-related expenses, such as receipts or account statements (with redactions as needed to protect private medical or financial information).
- Loss of household income – Verification of reduction in or loss of income, such as bank account statements (with redactions needed to protect privacy).

Emergency Rental Assistance – Rent Burdened Participants (Tier 4)

If a tenant can provide proof that their proprietor has served them with notice of a rental increase and that the tenant is (a) already a rent-burdened household or (b) the rental increase will result in the household becoming rent-burdened, the City of Claremont may subsidize the cost of the imposed rental increase (with the City subsidy capped at 5 percent plus the percentage change in the cost of living, or 10 percent, whichever is lower). For the purposes of this Program component, “rent-burdened” is defined as “spending more than 30 percent of gross household income on rent.”

Rent-Burdened Participants – How It Works (Tier 4)

A housing subsidy will be paid to the property owner directly by the City of Claremont on behalf of the participating household. The household then pays the difference between the actual rent charged by the property owner and the amount subsidized by the Program.

To supplement your application, you will be required to provide the following documents for **each adult member** of your household:

- A copy of your legal, up-to-date lease in writing with appropriate addendums.
- A dated Notice of Rent Increase that illustrates the new rental rate and the effective date.
- Most recent pay stubs or similar documentation showing two months’ or more of your household’s monthly income.
- Tax document, such as a W-2, Tax Return, 1099-MISC, or other applicable tax document.
- Social Security or Social Security Disability Insurance statements or benefit letters (if applicable).

Emergency Rental Assistance – No-Fault Eviction (Tier 5)

On April 25, 2023, the City Council approved a Just Cause Eviction Ordinance (**PENDING CITY COUNCIL APPROVAL**) requiring certain residential property owners to provide tenants with relocation assistance equivalent to three months of their current rent. Current law (AB 1482) also requires certain residential property owners to provide tenants with relocation assistance equivalent to one month of their current rent.

However, AB 1482 and the City's No Fault Eviction Ordinance have exceptions, so not all tenants are eligible for relocation assistance under State or local law. Moreover, even tenants who receive relocation assistance under AB 1482 or the City's No Fault Eviction Ordinance may experience financial hardship because they are moving from a below-market-rate unit to a market-rate unit. This aspect of the Program provides financial assistance to those tenants.

Renters who receive a no-fault eviction and then choose to purchase a primary residence instead of moving into another rental property are not eligible.

"No Fault Eviction" Participants – How It Works (Tier 5)

If a tenant can prove that their total cost to relocate exceeded the amount of any relocation assistance that was provided by their former proprietor, the City of Claremont may reimburse the renter for some or all their out-of-pocket relocation costs (i.e., costs not covered by any relocation assistance that the tenant received from their former proprietor). The total amount reimbursed by the City shall not exceed \$3,000 per household.

To supplement your application, you will be required to provide the following documentation:

- A copy of your new, legal, up-to-date lease in writing with appropriate addendums (the property that you moved into).
- A copy of your prior lease in writing with appropriate addendums (i.e., the property that evicted you at no-fault). This property must be located in Claremont.
- A receipt **OR** attestation from your former proprietor that shows the full amount of relocation assistance that you were paid. The receipt must be dated and must indicate the names of the payer and payee as well as the full amount paid. A copy of the original receipt is acceptable. If an attestation is provided as proof, it must include your full name (the applicant), the rental property address, and the full amount of relocation assistance that you were paid as well as the date that you were paid. The attestation must also be signed by the former proprietor and include their phone number, email address, and business address.
- A complete W-9 (for the applicant to receive payment from the City).
- Itemized receipts of all **eligible** relocation expenses. Copies of itemized receipts are acceptable. The following items are the **only** eligible relocation expenses that will be considered for reimbursement through this Program:
 - Moving expenses – The cost of hiring professional movers or renting equipment (such as a truck or van) to pack and/or move your personal belongings from your former unit to your new unit.
 - Security Deposit – The cost of the security deposit for your new unit.
 - Hotel/Motel/Short Term Housing Stay – If applicable, the cost of your hotel/motel/short term housing stay between the date of your (no fault) eviction and the date that your new lease commenced. The hotel/motel/short term housing itemized receipt or statement must list you (the applicant) as the primary

guest and must show the dates of your stay as well as the nightly room rate. The first 28 nights of your hotel/motel/short term housing stay are the only nights eligible for reimbursement.

- Lost Wages – Up to 5 days of lost wages for time off work to relocate. You must provide proof of loss of income (e.g., paystubs) that demonstrate your time off was relocation-related.

Attachment E – Rent Stabilization Research

What does Assembly Bill 1482 (AB 1482) effectively do and who does it apply to?

The California Tenant Protection Act of 2019 (AB 1482) established an annual rent increase cap of five percent plus inflation or ten percent, whichever is lower. AB 1482 also limited a property owner's ability to terminate a tenancy without just cause (as defined). AB 1482 does not prevent property owners from evicting tenants who are considered at-fault (i.e., certain lease violations, not paying rent).

AB 1482 does contain numerous exceptions in regards to what types of no-fault evictions are allowed, and what types of residential units are exempt.

Exempt residential rental properties include:

- Residential real property that is alienable separate from any other dwelling unit (e.g., single-family homes, condominiums, etc.), provided the owner is not a real estate investment trust, corporation, or an LLC where a member is a corporation and the owner has provided notice to the tenant(s) that the unit is not subject to AB 1482's protections.
- A tenant renting a room in owner-occupied unit where kitchen or bathroom facilities are shared.
- Accessory Dwelling Units (ADUs) or Junior Accessory Dwelling Units (JADUs) where the owner lives in one of the units.
- Duplexes where the owner lives in one of the units.
- Housing subject to affordability covenants.

City staff often gets calls from Claremont residents asking whether their unit is subject to AB 1482 and/or ask how much their property owner is allowed to raise their rent, and unfortunately, we cannot give such advice to private residents. We encourage residents to read the full bill text if there are specific questions regarding AB 1482 exceptions.

Source:

https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB1482&search_keywords=rent+cap

When did AB 1482 go into effect?

AB 1482 went into effect on January 1, 2020. Several additional tenant protections were imposed by the State and by the County just two months later in response to the COVID-19 pandemic.

What is the status of the COVID-19 related state and county tenant protections?

While California's statewide COVID-related tenant protections ended in June 2022, LA County's were extended. These protections were approved by the LA County Board of Supervisors effective March 4, 2020; however, many of them recently expired on March 31, 2023. These protections applied to residential tenants, commercial tenants and

mobile home space renters in unincorporated Los Angeles County, as well as cities in the County that do not have a moratorium in place (so, they applied here in Claremont). More information on the few protections that remain in place can be found on the Los Angeles County Consumer and Business Affairs' website.

In March 2023, the LA County Board of Supervisors considered yet another motion to extend the COVID-related tenant protections to March 2024, but the motion did not pass.

Sources:

<https://dcba.lacounty.gov/noevictions/#:~:text=WHO%20QUALIFIED%20FOR%20NONPAYMENT%20OF,2022%20and%20March%2031%2C%202023> and

<https://calmatters.org/california-divide/2023/03/eviction-protection-la/>

What is the difference between “rent control” and “rent stabilization”?

Rent stabilization means that there are city (or state) determined limits on how much your rent can increase while you are renting. Rent stabilization is what AB 1482 is currently doing. Rent control would instead have a maximum from the city or state that caps that cost.

What have other local cities done recently in terms of rent stabilization?

Cities have the authority to adopt local tenant protections, as long as the local protections are consistent with the terms of AB 1482 and the local requirements are more protective than AB 1482.

In August 2022, the City of Pomona adopted an urgency ordinance imposing, among other tenant protections, temporary rent stabilization measures. Pomona's urgency ordinance temporarily limits annual residential rent increases to four percent or inflation, whichever is lower. The ordinance does not have an end date.

In the November 2022 general election, Pasadena voters approved a rent control and “just cause” for eviction measure (“Measure H”). Measure H limits rent adjustments in the City of Pasadena annually to 75% of the percentage increase in the Consumer Price Index (CPI) for multifamily rental units built before February 1, 1995; prohibits evictions from rental units, except for just cause based on 11 specified criteria; and creates an independent Rental Housing Board appointed by the City Council to oversee and adopt rules and regulations.

What other Los Angeles County cities have rent stabilization or rent control laws that are more protective than AB 1482?

- Baldwin Park – Rent is effectively limited to 5% per 12-month period (based on the Consumer Price Index) of the "base rent ceiling" (rent in effect on March 5, 2019, or if none the initial rent charged on the first day of tenancy).

- Bell Gardens – Rent increases are limited to 50% of the local CPI or 4%, whichever is less.
- Beverly Hills – Landlord may increase rent once every 12 months, limited to 3% of the current rent, or the regional Consumer Price Index (CPI), whichever is higher.
- Culver City – The rent as of October 30, 2020 on then-existing tenancies, or the initial rent charged on tenancies beginning thereafter, is the "base rate" from which increases are calculated. Increases are limited per 12-month period to the average annual change in the Consumer Price Index (CPI) with a cap of 5%; if the CPA increase is less than 2%, the cap is 2%. Property owners can petition for an increase above the cap amount.
- Inglewood – The base rent amount for calculations is the rent in effect on June 18, 2019 or the initial rent for tenancies starting thereafter. Only one increase is allowed every 12 months, calculated from the day the increase first takes effect. For residential properties with five or more units, the maximum increase is 3% or the cost of inflation (whichever is greater), as measured by the local CPI. The increase cannot exceed 10%. For residential properties with four or less units, the maximum increase is 5% PLUS the cost of inflation as measured by the local CPI. The increase cannot exceed 10%.
- City of Los Angeles – Only one rent increase is allowed every 12 months based upon the regional Consumer Price Index (CPI). Effective July 1, 2020, the annual allowable increase is 3%. In unincorporated Los Angeles, only one rent increase is allowed annually, based on the change in the regional Consumer Price Index (CPI) up to a total of 8% including pass-through costs and fees.
- Santa Monica – The Rent Control Board determines each year's increase ("General Adjustment" or GA). The Maximum Allowable Rent (MAR) for any unit is its base rent plus the increase allowed per the annual GA. A tenancy must be in place for at least one year before a GA is allowed. A GA may then be implemented the following September 1st or anytime thereafter.
- West Hollywood – Rent increases are limited to 75% of the increase in the regional Consumer Price Index (CPI) during the preceding 12 months.

Is it true that a property owner's tax can only go up 2% annually due to Proposition 13?

Proposition 13 limits increases in assessed value to no more than 2 percent per year until the property has a change in ownership or any new construction is completed at which time the property must be reassessed. The assessed value is the full cash or market value at the time of the purchase plus the incremental market value of each subsequent new construction. This proposition was approved on June 6, 1978 and took effect as of July 1, 1978.

Source: <https://www.propertytax.lacounty.gov/Home/GeneralFAQ/5>

What are some potential pros and cons of rent stabilization?

- Many tenants find it desirable to rent properties that are subject to rent control or rent stabilization because they know more or less what to expect in terms of rent increases and can budget/prepare appropriately. Because of this, tenants tend to stay longer-term (i.e., tenants stay more than a year because they do not need to leave to find somewhere within their budget).
- Rent control/stabilization may help to prevent displacement (i.e., people being “priced out” of a city where they have resided for many years) and/or housing instability (i.e., people are unable to secure a new rental unit due to lack of income/savings, poor credit, etc.).
- Reliable, long-term tenants can save landlords expenses such as:
 - The risk of having a vacant rental property;
 - Finding and screening new tenants on an annual basis; and/or
 - Evicting “bad” tenants.
- Throughout the nation, some renters have reported that rent control/stabilization may lead to lower-quality rental properties. If a unit is subject to rent control/stabilization, property owners may be less motivated or cannot afford to maintain the property.
- If rent is “capped”, the increases may not be equivalent to property tax increases and maintenance/utility expenses, which may cause property owners to scramble to make up the difference between their rental income and their property-related expenses.
- Rent control/stabilization create “profitability caps,” which will likely be a concern for existing property owners as well as potential property owners. A property owner may choose to sell their property to avoid the risk of losing money, and the new owner may not be interested in renting. This may lead to a decrease in rental housing supply.

What are some of the most recent rental housing units that have been developed in Claremont?

- 2023 – Old School House (OSH) Garden Apartments, 30 Unit project of which 16 units are moderate income restricted.
- 2011 – Jamboree Housing College Ave. Intergenerational Housing Project subsidized with Redevelopment Agency set aside funds.

What does Southern California Association of Governments (SCAG)’s data show about Claremont renters?

SCAG is a Joint Powers Authority under California state law, established as an association of local governments and agencies that voluntarily convene as a forum to address regional issues.

In 2021, SCAG issued a Pre-Certified Local Housing Data report specific understanding housing need experienced in Claremont as a part of its 6th cycle housing element update. Across Claremont's 4,160 renter households (approximately 35% of total housing units in the city), 2,238 (53.8%) spend thirty percent or more of gross income on housing cost, compared to 55.3% in the SCAG region. Additionally, 1,126 renter households in Claremont (27.1%) spend fifty percent or more of gross income on housing cost, compared to 28.9% in the SCAG region. Renters who spend more than 30% of their gross income on housing are considered “rent-burdened” and those who spend more than 50% are considered “severely rent-burdened.”

The full report can be accessed here: <https://scag.ca.gov/sites/main/files/file-attachments/claremont-he-0421.pdf?1620799235>.

ATTACHMENT F – Summary of Listening Sessions

In February 2023, staff held two Tenant Protections Listening Sessions, which were open to property owners, tenants, and the general public. The first listening session was held in-person on February 8, 2023 and the second listening session was held via Zoom on February 15, 2023 for those who were unable to attend in-person. The structure of both listening sessions was the same – a brief staff presentation followed by open public comment. The presentation is available on the City’s website, for reference: <https://www.ci.claremont.ca.us/living/housing/tenant-assistance>.

February 8, 2023 (In-Person) Listening Session Summary

Number of Attendees (headcount taken by staff during meeting) – 56 people

Breakdown of Attendees

*Note: Sign-in sheets were placed in the back of the room and attendees were asked to sign in, but it was not required. This meeting was not recorded.

Of the 47 attendees who signed in...

- 14 identified as Renters
- 8 identified as Landlords
- 23 identified as “Other” (i.e., not a landlord or tenant)
- 2 did not identify as any category

Breakdown of Speakers

19 attendees spoke during the public comment period.

- 12 speakers identified themselves as renters or supporters of stronger tenant protections.
- 7 speakers identified themselves as landlords or landlord advocates.

February 8th Speaker Comments

*Note: These comments are summarized and are not verbatim.

Matthew: Matthew spoke on behalf of the California Apartment Association. Claremont will become LA if we adopt ordinances like LA – there will be more homelessness and run-down buildings. The housing crisis will still exist. Let AB 1482 work.

Rachel: Rachel has lived in Bonita Terrace since 2007, where they can still afford to live as a single-income family. Rents there are raised 2-4% annually; more when units are vacated. What is happening at Monarch Terrace Apartments could happen elsewhere. Claremont should adopt a fair ordinance to protect renters from money-

hungry outsiders. Tenants should receive adequate relocation fees and 120-day notice if they are being evicted at no-fault. Nothing in Claremont is affordable.

Kim: Kim lives in the Artisan Apartments and cannot afford 10% increases. That is not sustainable and as such she will need to move out of Claremont.

William: People need to consider the cost of maintaining a rental property, including small multi-family rentals. The cost of contractors has increased, as have utilities, insurance, and property tax. Rent control would result in reduced quality of rental housing. Both sides must be heard and considered.

Max: Max spoke on behalf of the Apartment Association of Greater Los Angeles, which is comprised of small family housing providers. Rent control does not create affordable housing. Housing needs to be more available. What can Claremont do to incentivize housing development? Max does not want undue stress on tenants or property owners. Rent control places all of the stress on property owners. Not all property owners are corporate investors. Housing supply is the key, as is rental assistance for renters.

Andrea: Andrea is a single mom with multiple sclerosis who has fled domestic violence. She is renting a place through Starpoint Properties and is being evicted.

Jose: Jose wants a permanent no-fault eviction ordinance in place as well as a rent stabilization ordinance. Property owners and tenants should work together to make this happen.

Stacey: Stacey is a realtor and a property manager here in Claremont. Evictions happen when a tenant does not pay rent. Property owners could not collect rent during COVID yet their costs have continued to increase. There are no resources for property owners like there are for tenants. Stacey just evicted a tenant after two and a half years of not receiving rent, which cost \$5,300 in court fees. She had to deplete her savings to keep a roof over someone else's head. Give AB 1482 an opportunity to work. Statistically, rent control does not work. There needs to be serious consideration for both tenants and property owners.

Gwen: Gwen spoke on behalf of Inclusive Claremont and 20 college students who stand in solidarity with renters. They want the most protective ordinances possible for renters. Students cannot afford to stay in Claremont after graduation. People like artists and college employees are being pushed out of Claremont.

Ilsa: Ilsa spoke on behalf of Housing Claremont. This is not an "us" vs. "them" issue. All of the tenant protection ordinances should address the housing crisis. Considerations do need to be made for both property owners and tenants. Housing Claremont supports reasonable rent increases. It is traumatic to feel "housing unstable." We need to be creative, bold, and thoughtful in our work together.

Andy: Andy is a member of Inclusive Claremont and he is considering building an ADU on his property. He plans to rent the ADU to pay for his mortgage. If the rent of the

ADU cannot cover his mortgage, then the ADU would be a burden. The definition of “no-fault eviction” should be further defined, as evictions are expensive. There needs to be considerations for property owners who cannot afford to rent their properties without adequate rental income. It is difficult to be fair on both sides.

Elaine: Elaine lives in Monarch Terrace Apartments where the new owners threatened to evict her so that they could remodel her unit. The new “luxury” units at Monarch Terrace are renting for three times the rate of the “old” units. The property manager is not addressing maintenance issues. The language in the ordinances should favor tenants. Elaine wants rent stabilization and stronger tenant protections. Renovations should only be allowed if they are needed for health and safety purposes and in those cases, current tenants should be given the first right of refusal.

Speaker: This speaker identified themselves as a new tenant in Claremont and a student who wants to stay here in Claremont after graduation. The speaker has a hard time understanding the 10% rent cap figure when wages do not increase that much each year. They have been involved in “union fights” in Claremont for living wages. People need better protections at work and at home, and the ordinances should reflect the strongest tenant protections possible. No new rental housing is being built in Claremont and that needs to be looked at as well.

Paul: Older buildings need a lot of work, which is a huge expense to property owners. Property owners in Claremont are fair and additional restrictions would hurt them. Every summer, the buildings at the colleges are vacated and rebuilt. There have been apartments and ADUs built in Claremont. If you impose additional restrictions on property owners, then they will raise rent as much as possible every year. Can you limit taxes for property owners if you limit rent increases for renters? Rent control would hurt the entire town.

Daryl: Daryl is a property owner who leases to high quality tenants in Claremont. The Monarch Terrace Apartments owner is a bad actor. Governor Newsom has mandated affordable housing and the City of Claremont needs to do a much better job at streamlining their development process. Daryl submitted an ADU permit application and has received horrible customer service from the City. The need for affordable housing is not being taken seriously in Claremont. Affordable housing will drive rents down.

Peter: Peter lives in Monarch Terrace Apartments. Peter will soon have two new neighbors due to his old neighbors being “reno-victed.” He is currently living off his savings to afford living at Monarch Terrace.

Lydia: Having a reasonable rent has allowed Lydia and her family to spend extra income in town. Lydia would like to codify the way that “good actor landlords” are already behaving in Claremont. She received rent increases throughout the COVID pandemic. Owner-occupied duplexes should be the only exemption from the “no fault eviction” ordinance; 20 units is too high. If a substantial remodel does occur, she would

like to see existing tenants get the “right of first refusal” at their current rental rate. Relocation expenses should account for more than first and last month’s rent and a security deposit. She also recommends a fee-generating rental registry so that the City can fund a Compliance Officer position to ensure that property owners are complying with ordinances/laws.

Octavio: Corporations are making it impossible to stay in this community. Claremont is not affordable and good tenants are not adequately protected. Teachers do not receive a 10% cost of living adjustment each year. Free resources are not protections for renters. The “no fault eviction loophole” should be closed by this city. Claremont Unified School District is losing students. Property owners and tenants are maintaining businesses in town. He would like to have the strongest tenant protections possible.

Emily: Emily supports the strongest tenant protections possible. The ordinances should not be balanced, they should favor tenants. Tenants face the possibility of homelessness and property owners do not. Larkin Place is proof that affordable housing is not possible in Claremont. Long-term solutions for housing affordability keep people in their homes.

February 15, 2023 (Virtual) Listening Session Summary

Number of Participants on Zoom – 20 people

Breakdown of Speakers

- 5 attendees spoke during the public comment period.
- 4 speakers identified themselves as renters or supporters of stronger tenant protections.
- 1 speaker identified himself as a landlord advocate.

February 15th Speaker Comments

*Note: These comments are summarized and are not verbatim. A recording of the virtual listening session is available on the City’s website:

<https://www.ci.claremont.ca.us/living/housing/tenant-assistance>.

Mike: Mike has been a renter for 32 years. He has lived in several locations and has had to move several times due to “no-fault” situations. It is stressful for renters when they have to move, especially when they have lived in a home for a long time. Rent caps should be lower, especially for seniors who are impacted by annual rent increases. Mike expressed that he is sympathetic to property owners who rely on rental income to survive.

Anne: Anne has had to move three times here in Claremont over the past three years. She cannot afford 10% annual increases. Claremont is becoming a giant dorm and 10% is not a realistic rental cap. Anne plans to move out of Claremont in 2024, and

although she works at Claremont High School, she cannot afford to stay here. She did not expect this when she moved here. Pasadena is more affordable than Claremont.

Lydia: Lydia would like tenant protections similar to those in Pasadena. She would like to see an updated permit process for substantial remodels to ensure that a scope of work is in place. She also recommends a fee-generating rental registry so that the City can fund a Compliance Officer position to ensure that property owners are complying with ordinances/laws. If a substantial remodel does occur, she would like to see existing tenants get the “right of first refusal” at their current rental rate. There also needs to be higher relocation assistance in the “no-fault eviction” ordinance.

Allison: Allison spoke on behalf of the San Gabriel Valley Tenants’ Alliance (SGVTA). Twenty units is too high of an exemption for the “no-fault eviction” ordinance. The only exemption should be owner-occupied duplexes. The City should support “mom and pop” property owners who want to make improvements but do not have the capital to do so. Substantial relocation assistance should be provided to tenants who are evicted at no-fault. The scope of work for substantial remodel evictions should be specific. SGVTA supports rent stabilization. Southern California Association of Governments’ (SCAG) data shows that Claremont renters are cost-burdened. Annual rental caps should be at 2%.

*Note: Below is a link to the SCAG data that Allison referenced.

SCAG So Cal Atlas: <https://rdp.scaag.ca.gov/socal-atlas>

Bill: Bill spoke on behalf of the Citrus Valley Association of Realtors. California desperately needs more housing, including low and moderate-income housing. Property owners are in debt post-COVID. They need a decent return to continue to operate.

Melanie Martinez

Subject: FW: 4/11 Written Public Comment

From: Debbie Whyte [REDACTED]
Sent: Friday, April 14, 2023 9:10 AM
To: Adam Pirrie <apirrie@ci.claremont.ca.us>; jcostanza@ci.claremont.ca; Shelley Desautels <SDESAUTELS@CI.CLAREMONT.CA.US>
Subject: 4/11 Written Public Comment

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear members of the City Council and city staff,

I am aware that the city staff is currently compiling and proposing an ordinance to the City Council regarding additional protections for renters in Claremont. I am writing to express my support for renters in Claremont, and to ask that city staff bring forward an ordinance with the strongest and most comprehensive renter protections possible. As Claremont renters are facing renovation evictions and disproportionate rent burdens, I would encourage city staff to consider policies that ensure renovation evictions are limited to cases of substantial tenant health and safety concerns, cap rent increases at a reasonable rate, and increase relocation assistance to cover market rent and moving expenses. I hope that the City Council will also consider an ordinance that applies to the greatest number of Claremont renters. An exemption of properties with 20 units or less will not meaningfully protect many Claremont residents. I appreciate your consideration, and look forward to seeing the ordinance in the coming weeks.

Thank you for your time,
Debbie Whyte

--
dw~

Melanie Martinez

Subject: FW: Documents to consider (drafting tenant ordinance)
Attachments: LA City Relocation-Assistance-English.pdf; Relocation-Assistance-FAQ-Revised-January-2023-RESOLUTION-version.pdf; LA city tenant protection ordinance.pdf; Keep LA Housed - LA City & County Tenant Protections_2.2.23.pdf

From: Claremont Tenants United [REDACTED]
Sent: Tuesday, April 11, 2023 10:28 AM
To: Katie Wand <kwand@ci.claremont.ca.us>
Subject: Fwd: Documents to consider (drafting tenant ordinance)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

It looks like I accidentally left off the end of your email address the first time!

----- Forwarded message -----

From: Claremont Tenants United [REDACTED]
Date: Tue, Apr 11, 2023 at 10:22 AM
Subject: Documents to consider (drafting tenant ordinance)
To: [REDACTED] <apirrie@ci.claremont.ca.us>, <kwand@ci.claremont.ca.us>, <apatterson@ci.claremont.ca.us>

Hello, and good morning. Thinking about relocation assistance, the attached documents have tables showing the updated rates passed in the City of Los Angeles in January 2023 as well as what County of Los Angeles revised to for its unincorporated areas. (City of LA starts at \$9,200 and goes up to \$22,950 for qualified tenants over 3 years in residence.) (LA County starts as low as \$7,654 for a studio and goes up to \$21,411 for low-income 4 bedroom rentals) These figures more closely reflect the reality of what it takes for people to get resettled in a new place.

Notice that even single family home no-fault evictions are covered with relocation assistance. Landlords have to pay only one month's rent to the tenants being evicted from a single-family dwelling if they are a small landlord (defined as owning no more than 4 units total in the city and one single-family home), otherwise they pay the regular relocation assistance. Claremont should do the same for our renters.

Another crucial tenant protection is raising the monetary threshold for nonpayment of rent evictions. (At least a month's current fair market value rent behind)

Consider this: California foreclosure process puts a home loan in default officially around day 90. At 180 days, notice of trustee sale can be given, and then 20 days later, the bank can set the auction. This gives 200 days to owners to save their housing (or rental property). Currently, California law allows rental property owners to give a 3-day notice to pay or quit after the first day *any* amount of rent is missed by a tenant. Then if the full amount is not paid within the 3 days, they can file an unlawful detainer in court for nonpayment of rent. Unless the landlord wants to take partial payment, a renter could be removed from their home within 30 days for getting behind even a few hundred dollars. That is a huge discrepancy in how the laws currently work for people behind in their housing payments may be treated. Your proposed rental assistance program could

help keep renters housed during a temporary crisis, and so could raising the threshold for nonpayment of rent evictions, as LA has done.

Thanks for considering some more of these protections in Claremont's ordinance.



Los Angeles Housing Department
1200 W. 7th Street, Suite 100
Los Angeles, CA 90017

RELOCATION ASSISTANCE BULLETIN

All tenant not-at-fault evictions require payment of relocation assistance and the filing of a *Declaration of Intent to Evict* form with the Los Angeles Housing Department (LAHD) prior to evicting tenants from units covered by the Rent Stabilization Ordinance (RSO) or the Just Cause Ordinance (JCO). Failure to file the Landlord Declaration with the LAHD makes the eviction a violation of the RSO or JCO.

Not-At-Fault Reasons for Eviction

1. The landlord evicts for the occupancy for her/himself, spouse, grandchildren, children, parents or grandparents, or a resident manager (Los Angeles Municipal Code (LAMC) 151.09.A.8, 165.03.H.). Evictions for the purpose of resident manager occupancy are only allowed if required by law or an affordable housing covenant or regulatory agreement. Landlords must comply with the restrictions and requirements of LAMC Section 151.30.
2. The landlord seeks in good faith to recover possession of the rental unit to demolish, convert to a commercial use, or remove the rental unit from rental housing use (LAMC 151.09.A.10, 165.03.I). For RSO units, these are considered Ellis Act (California Government Code 7060.4) evictions and the landlord must comply with the requirements of LAMC 151.22-151.28.
3. The landlord seeks to recover possession of the rental unit to complete substantial remodel, provided the landlord has secured permits necessary and served a copy of them with a written termination notice stating the reason for termination, the type of scope of the work, why the work cannot be reasonably accomplished in a safe manner with the tenant in place and why the work requires the tenant to vacate for at least 30 days. "Substantially remodel" shall have the same meaning as the term is defined in California Civil Code Section 1946.2. This is only for units which are subject to JCO and not for RSO units. (LAMC 165.03.I.(2))
4. The landlord evicts to comply with a governmental agency's Order to Vacate (LAMC 151.09.A.11, 165.03.J.). Landlords must file a Landlord *Declaration of Intent to Evict* prior to giving notice to tenants. A copy of the notice must also be filed with LAHD no later than 3 days after it is served. Notices can only be served after the landlord files the Declaration.
5. The Secretary of Housing and Urban Development is both the owner and plaintiff and seeks to recover possession to vacate the property prior to sale (LAMC 151.09.A.12, 165.03.K.).
6. Residential Hotel Unit conversion or demolition (LAMC 151.09.A.13, 165.03.L.).
7. The landlord seeks to recover possession of the rental unit to convert the subject property to an affordable housing accommodation (LAMC 151.09.A.14, 165.03.M.).
8. The landlord demolishes the property or converts the use of the property to condominiums, stock cooperatives, community apartment projects, hotels and commercial uses, regardless of whether the property is subject to the RSO OR JCO (LAMC 47.06 & 47.07).



Relocation Assistance Bulletin

How Much Relocation Assistance Is Required?

The amount of relocation fees due to the tenant by the landlord depends on whether the tenant is an **eligible** or **qualified** tenant, the length of tenancy, and the tenant's income. Relocation Assistance is paid per unit, not per tenant. For relocation amounts, refer to the Relocation Assistance and the HUD Low Income Limits charts on page 3.

- **Qualified tenant** - A qualified tenant is any tenant who on the date of service of the written notice of termination is 62 years of age or older; handicapped, as defined in Section 50072 of the California Health and Safety Code, or disabled, as defined in Title 42 of the United States Code, Section 423; or who has one or more minor dependent children (as determined for federal income tax purposes).
- **Eligible tenant** - Unless a tenant is a qualified tenant as explained above, the tenant is an eligible tenant and is entitled to receive a relocation assistance amount that depends on length of time in the unit and income.
- **Low Income Tenant** - A tenant whose income is 80 percent or less of the Area Median Income, as adjusted for household size, as defined by the U.S. Department of Housing and Urban Development, regardless of the length of tenancy.
- **Mom and Pop properties** may pay reduced relocation assistance payments to their tenants for a good faith eviction for occupancy by the owner or eligible relative, provided that requirements in Section 151.30 of the LAMC are met. Only for evictions for occupancy by owner, family or manager.
- **Single Family Dwellings Owned by Natural Persons** When the residential real property is a single-family dwelling subject to the JCO and the owner is a natural person, including natural persons who hold properties in a trust or registered legal entity controlled by that natural person, who owns no more than four dwelling units and a single-family home on a separate lot in the City of Los Angeles: one month's rent that was in effect when the landlord served the written notice to terminate the tenancy, as either a monetary payment or credit. Los Angeles Municipal Code Section 151.30(E) shall not apply. (LAMC 165.06.A.(6)).

The reduced fee for Mom and Pop properties applies, if all of the following conditions exist:

1. The building containing the rental unit contains four or fewer rental units;
2. The landlord has not utilized this provision during the previous three years;
3. The landlord owns no more than four units of residential property and a single-family home on a separate lot in the City of Los Angeles; and
4. Any eligible relative for whom the landlord is recovering possession of the rental unit does not own residential property in the City of Los Angeles.



Relocation Assistance Bulletin

Relocation Assistance Amounts

Effective July 1, 2022 through June 30, 2023

Tenant Household	Tenants with Less Than 3 Years	Tenants with 3 or More Years	Tenants Qualifying Under HUD Low Income Limits	Tenants Renting Units in Mom & Pop Properties	Single Family Dwelling owned by natural person (JCO only)
Eligible Household	\$9,200	\$12,050	\$12,050	\$8,850	One month's equivalent of tenant's rent
Qualified Household	\$19,400	\$22,950	\$22,950	\$17,850	

2022 HUD Low Income Limits for Los Angeles (Formerly known as 80% of AMI)

Household Size	1 Person	2 Person	3 Person	4 Person	5 Person	6 Person	7 Person	8 Person
Income Limit	\$66,750	\$76,250	\$85,800	\$95,300	\$102,950	\$110,550	\$118,200	\$125,800

A tenant whose income is 80 percent or less of the Area Median Income, as adjusted for household size, as defined by the U.S. Department of Housing and Urban Development. (Effective April 18, 2022)

How and When Shall Landlords Provide Payment

The Ordinance requires that relocation assistance payments be made as follows:

1. The entire fee shall be paid to a tenant who is the only tenant in a rental unit.
2. If two or more tenants occupy a rental unit, then each tenant shall be paid an equal pro-rata share of the fee.
3. If more than one fee payment amount applies to a unit, the landlord pays the higher amount for the unit.

The Ordinance requires timely relocation assistance payments as follows:

1. Payment shall be made available within fifteen (15) days of service of the written notice of eviction; however,
2. The landlord may, at the landlord's sole discretion and at the landlord's cost, elect to pay the monetary relocation benefits through an escrow account. The monies must be placed in the escrow account within the required 15-day period. The escrow account must provide for payments to the tenant(s) for actual relocation expenses incurred by the tenant prior to vacating the unit for the following relocation expenses: first and last month's rent; security deposit; utility connection charges; moving expenses. Payments from the escrow account shall be made within three (3) working days of receiving a request for payment. The remaining balance of the escrow account shall be disbursed upon certification of vacation of the rental housing unit. (Refer to bulletin *How to Set-Up Relocation Escrow Accounts* or RAC Regulations, Section 960.0



Relocation Assistance Bulletin

Exemptions from Relocation Assistance Payments

Landlords are exempt from paying relocation assistance when:

1. Evicting a resident manager to replace him/her with another resident manager. If the resident manager is a *Manager-Tenant* receiving free or reduced rent with no other compensation, he/she may be entitled to relocation assistance. (See RAC Regulations 920.00, Managers as Tenants.)
2. They are required to evict due to hazardous conditions caused by a natural disaster and, therefore, not caused by any negligence on the part of the landlord.
3. Relocation Offset: A landlord may offset the tenant's accumulated rent against any relocation assistance, unless the relocation assistance is owed because a termination of tenancy is required by a governmental agency order to vacate or comply issued for an unpermitted dwelling. (LAMC 151.09.G,5., 165.06.J.).

Administrative Fees Related to Relocation Assistance

1. All landlords who file an application which requires relocation assistance to be provided to tenants shall pay the *Relocation Service Fee*, according to the tenants Eligible or Qualified status AND a *Relocation Administrative Fee* per rental unit.
2. All property owners that seek the LAHD's clearance of a Planning or Building and Safety Department demolition permit shall pay a *Demolition Monitoring Administrative Fee*.
3. Requests for a hearing to appeal a decision regarding a tenant's relocation assistance eligibility for higher relocation assistance based on a tenant's income, age, length of tenancy, family status and/or disability status must be filed along with the *Relocation Assistance Dispute Resolution Fee* (LAMC 151.09.G, 165.06.C.).
4. When the termination of tenancy is due to recover possession of the rental unit for use of occupancy as a primary place of residence by the landlord, landlord's qualified family member, or resident manager, the landlord shall pay an administrative fee for the filing of the application (LAMC 151.09.C.2, 165.06.F.).

FEE TYPE	FEE PER UNIT
Relocation Service Fee for Eligible Tenants	\$522
Relocation Service Fee for Qualified Tenants	\$840
Relocation Service Administrative Fee	\$72
Demolition Monitoring Administrative Fee	\$45
Relocation Assistance Dispute Resolution Fee	\$300
Landlord Declaration for Owner, Eligible Relative, or Resident Manager Occupancy Filing Fee	\$75



Relocation Assistance Bulletin

RELOCATION ASSISTANCE QUESTIONS

Can a tenant request relocation fees and services prior to being served with a Notice to Terminate Tenancy, if a tentative parcel or tract map for a condominium conversion has been approved?

If a tentative parcel or tract map for a condominium conversion has been approved by the City of Los Angeles Planning Department, the tenant may elect to relocate without receiving a *Notice to Terminate Tenancy* from the landlord (LAMC Sec. 47.06.D.2). The landlord, however, is still responsible for the payment of relocation assistance in these cases.

How and where do I establish an escrow account, if I choose to do so?

The landlord may place the escrow account in any bank, savings and loan association, or credit union with federal deposit insurance, or with any broker who is licensed by the California Corporate Commission, or with a client trust account of an attorney currently eligible to practice law in California pursuant to the records of the State Bar of California that is reasonably accessible to the tenant(s) during normal business hours. (RAC Regulations, Section 960.00.)

On what basis does a tenant file a complaint, and how?

Non-payment dispute - In an action by the landlord to recover possession of a rental unit, the tenant may raise as an affirmative defense the failure of the landlord to provide relocation assistance. Complaint forms may be obtained and filed with the LAHD for illegal eviction when the landlord has not provided relocation assistance.

Escrow Dispute - Where there is an escrow dispute, dispute notices must be sent to the LAHD by the escrow holder. A copy of the escrow instructions must accompany the notice. (RAC Regulations, Section 967.00.)

THIS INFORMATION IS OFFERED FREE OF CHARGE TO THE GENERAL PUBLIC.

While this publication is designed to provide accurate and current information about the law, readers should consult an attorney or other expert for advice in particular cases, and should also read the relevant statutes and court decisions when relying on cited material. Laws and guidelines are frequently amended. The LAHD recommends that you verify information in the event that new changes are not yet reflected in this publication. The LAHD does not assume and hereby disclaims any liability to any party for any loss, damage, or disruption caused by errors or omissions, whether such errors or omissions result from negligence, accident, or any other cause.

AUXILIARY AIDS AND SERVICES: "As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and, upon request, will provide reasonable accommodation to ensure equal access to its programs, services and activities."



Los Angeles County Relocation Assistance FAQs

What is Relocation Assistance?

Relocation assistance is a benefit that a landlord may be required to provide residential tenants who are being displaced from their rental units (units) due to no fault of their own. Relocation assistance can be in the form of money, a comparable accommodation, and/or services from an experienced relocation specialist in locating a new place to live, such as assisting with applications and discussing housing needs – all provided at the landlord's own expense.

Who qualifies for relocation assistance?

Tenants who live in units subject to the County's Rent Stabilization and Tenant Protections Ordinance (RSTPO) ([Chapter 8.52](#)) and who are being evicted for a "No-Fault" reason are entitled to permanent relocation assistance. Additionally, residential tenants covered under the [COVID-19 Tenant Protections Resolution](#) who are being displaced due to a landlord or landlord's family member move-in are entitled to permanent relocation assistance.

What does it mean to be permanently displaced?

A tenant is **permanently displaced** if they are evicted for a No-Fault reason such as:

- A landlord or landlord family member move-in
- Withdrawal of the rental unit from the rental market (Ellis Act*); or
- Compliance with a government or court order.

**NOTE: Ellis Act evictions are prohibited while the Resolution is in effect.*

How much relocation assistance do permanently displaced tenants get?

The amount of relocation assistance paid shall be an amount as set forth in the regulations, executive orders, or municipal code of the local jurisdiction within which the unit is located. If no relocation assistance requirements are offered by the local jurisdiction for landlord or landlord family member move-in eviction, landlords shall pay the tenant relocation assistance as set forth in [Section 8.52.110 of the County Code](#).

Permanent relocation assistance is based on the size of the unit and not the number of tenants in the unit. However, if there is a Qualified or Lower-Income tenant in the household, landlords must pay the Qualified or Lower-Income relocation assistance amount.

Displaced tenants are eligible for the following relocation assistance amounts, per



LOS ANGELES COUNTY
CONSUMER & BUSINESS AFFAIRS
 Housing & Tenant Protections

tenant household:

LA County Permanent Relocation Assistance Amounts					
TYPE	Studio	1 Bedroom	2 Bedrooms	3 Bedrooms	4+ Bedrooms
Standard	\$7,654	\$8,662	\$10,797	\$13,115	\$14,759
Seniors, Minors, Terminally ill, Persons w/ Disabilities	\$9,272	\$10,675	\$13,359	\$16,043	\$17,995
Lower-Income Household	\$10,980	\$12,688	\$15,921	\$18,971	\$21,411

Who is considered a Qualified or Lower-Income tenant?

Tenants who are 62 years of age or older, persons with disabilities, terminally ill, or households with children under the age of 18 are considered Qualified. Lower-Income tenants are defined by the California Health and Safety Code Section 50079.5.




When will tenants receive the relocation assistance payment?

Landlords must provide tenants a direct payment or access to the funds in an established escrow account at the same time a notice of termination of tenancy is served on the tenant. The method of payment (escrow or direct) should be mutually agreed upon in writing by both the landlord and tenant.

What happens if there are disagreements about the relocation assistance tenants are eligible to receive?

Please contact the Department of Consumer & Business Affairs for further assistance.

Questions?

-  (800) 593-8222
-  Rent@dcba.lacounty.gov
-  320 West Temple Street Room G-10, Los Angeles, California 90012
 Attention: Rent Stabilization Program

Disclaimer: This is a brief summary of information related to the LA County Rent Stabilization and Tenant Protections Ordinance. It is not legal advice. Readers should consult an attorney for advice on how the Ordinance applies in their particular case. Laws and guidelines are frequently amended. DCBA recommends that readers verify information against the current Ordinance in the event that any new changes are not yet reflected in this bulletin.



187737
ORDINANCE NO. _____

An ordinance adding Article 5 to Chapter XVI of the Los Angeles Municipal Code prohibiting terminations of tenancies without just cause and requiring relocation assistance for no-fault evictions, as specified; amending the Rent Stabilization Ordinance's provisions on resident manager evictions, tenant notifications, and relocation assistance; and repealing duplicative or expired provisions of the Los Angeles Municipal Code relating to evictions.

WHEREAS, the City of Los Angeles is experiencing a rental housing shortage and a humanitarian crisis of homelessness at unprecedented levels;

WHEREAS, the City's Rent Stabilization Ordinance ("RSO"), Chapter XV of the Los Angeles Municipal Code, has helped stabilize rents and provide eviction protections to over 640,000 households citywide;

WHEREAS, the California legislature passed the Tenant Protection Act of 2019, Assembly Bill 1482 ("TPA"), which prohibits evictions without "just cause" and owners of residential rental property from increasing rents more than 5 percent plus the percentage change in the cost of living or 10 percent, whichever is lower, per year;

WHEREAS, the TPA provides renter protections to approximately 138,000 households in the City that are not protected by the RSO;

WHEREAS, the TPA implemented modest eviction protections for rental units built more than 15 years ago and does not protect all residential tenants;

WHEREAS, the TPA permits municipalities to adopt local ordinances with greater tenant protections;

WHEREAS, the City of Los Angeles wishes to provide stronger tenant protections citywide to protect renters from displacement and homelessness and to promote housing and neighborhood stability; and

WHEREAS, the City of Los Angeles wishes to extend just cause eviction protections to residential rental properties citywide.

NOW, THEREFORE,

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. Article 5 is added to Chapter XVI of the Los Angeles Municipal Code to read as follows:

ARTICLE 5

JUST CAUSE FOR EVICTION ORDINANCE

SEC. 165.00. TITLE.

This Article shall be known as the Just Cause for Eviction Ordinance of the City of Los Angeles.

SEC. 165.01. FINDINGS AND DECLARATION OF PURPOSE.

Displacement through arbitrary evictions affects the public health, safety and welfare of Los Angeles residents. Evictions destabilize communities by disrupting longstanding community networks, uprooting children from their schools, forcing low-income residents to pay unaffordable relocation costs, and pushing City residents away from important public services. Additionally, arbitrary evictions are a key driver of homelessness.

Approximately 76 percent of the multi-family rental units in the City of Los Angeles are regulated by the Rent Stabilization Ordinance ("RSO"), which protects renters from excessive rent increases and arbitrary evictions. The Tenant Protection Act of 2019 ("TPA"), codified at California Civil Code Sections 1946.2, 1947.12, and 1947.13, provides some protections against price gouging and evictions that did not previously exist for the approximately 138,000 households not covered by the RSO. Hundreds of thousands of Los Angeles households are not protected under either law.

Accordingly, the City adopts this Ordinance to provide just cause eviction protections to renters city-wide.

The TPA provides that municipalities may adopt protections after September 1, 2019, that are consistent and more protective than those provided under California Civil Code Section 1946.2. The local municipality must also make a binding finding that its ordinance is more protective than the provisions of Civil Code Section 1946.2. The City finds that this Ordinance is consistent with Civil Code Section 1946.2 and is more protective than Civil Code Section 1946.2 by further limiting the reasons for termination of a residential tenancy, providing for higher relocation assistance amounts, and providing additional tenant protections that are not prohibited by any other provision of law.

SEC. 165.02. DEFINITIONS.

The following words and phrases, whenever used in this Article, shall be construed as defined in this section.

Department. The Los Angeles Housing Department and any successor department.

Landlord. An owner, lessor, or sublessor (including any person, firm, corporation, partnership, or other entity) who is entitled to offer residential real property for rent, receive rent for the use or occupancy of residential real property, or maintain an action for possession of residential real property, or the agent, representative or successor of any of the foregoing.

Qualified Tenant. Any tenant who satisfies any of the following criteria on the date of service of the written notice of termination: aged 62 or older; handicapped as defined in Section 50072 of the California Health and Safety Code; disabled as defined in Title 42 United States Code § 423; or a person residing with and on whom is legally dependent (as determined for federal income tax purposes) one or more minor children.

Rent. The consideration, including any bonus, benefits or gratuity, demanded or received by a landlord for or in connection with the use or occupancy of residential real property, including, but not limited to, monies demanded or paid for the following: meals when required by the landlord as a condition of the tenancy; parking; furnishings; other housing services of any kind; subletting; or security deposits.

Residential real property. Any dwelling or unit that is intended for human habitation.

Tenant. A tenant, subtenant, lessee, sublessee or any other person entitled to use or occupancy of residential real property.

SEC. 165.03. JUST CAUSE EVICTIONS.

A landlord shall not terminate a tenancy unless it is based upon one or more of the following grounds:

- A. The tenant has defaulted in the payment of rent.
- B. The tenant has violated a lawful obligation or covenant of the tenancy and has failed to cure the violation after having received written notice from the landlord, except when:
 - (1) The obligation requires the surrendering of possession upon proper notice.
 - (2) The obligation limits the number of occupants if the additional occupant is one or more minor dependent children or one adult. The landlord has the right to approve the additional adult occupant provided that approval is not unreasonably withheld.

(3) The obligation is based on a change in the terms of the tenancy that is not the result of an express written agreement signed by both of the parties. For purposes of this subsection, a landlord may not unilaterally change the terms of the tenancy under California Civil Code Section 827 and then evict the tenant for the violation of the added covenant unless the tenant has agreed in writing to the additional covenant. The tenant must knowingly consent, without threat or coercion, to each change in the terms of the tenancy. A landlord is not required to obtain a tenant's written consent to a change in the terms of the tenancy if the change in the terms of the tenancy is authorized by federal, state, or local law. Nothing in this paragraph shall exempt a landlord from providing legally required notice of a change in the terms of the tenancy.

(4) A landlord shall not change the terms of a tenancy to prohibit pets and then evict the tenant for keeping a pet kept and allowed prior to the change, unless the landlord can establish that the pet constitutes a nuisance and the nuisance has not been abated upon proper notice to the tenant.

C. The tenant is committing or permitting to exist a nuisance in or is causing damage to residential real property, appurtenances or common areas of residential real property, or is creating an unreasonable interference with the comfort, safety, or enjoyment of other residents of the rental complex or within a 1,000 foot radius extending from the boundary line of the rental complex.

D. The tenant is using or permitting use of residential real property, common areas, or an area within a 1,000 foot radius from the boundary line of the rental complex for an unlawful purpose. The term "unlawful purpose" does not include the use of housing accommodations that lack a legally-approved use or that has been cited for occupancy or other housing code violations.

E. The tenant had a written lease that terminated on or after the effective date of this Article, and after a written request or demand from the landlord, the tenant has refused to execute a written extension or renewal of the lease for an additional term of similar duration with similar provisions, provided that those terms do not violate this Article or any other provision of law.

F. The tenant has refused the landlord reasonable access to the residential real property for the purpose of making repairs or improvements, for the purpose of inspection as permitted or required by the lease or by law, or for the purpose of showing the residential real property to any prospective purchaser or mortgagee.

G. The person in possession of residential real property at the end of a lease term is a subtenant not approved by the landlord.

H. The landlord seeks in good faith to recover possession of residential real property for use and occupancy as a primary place of residence by:

- (1) The landlord; or
- (2) The landlord's spouse, domestic partner, grandchildren, children, parents, or grandparents; or
- (3) A resident manager when a residential manager, janitor, housekeeper, caretaker, or other responsible person is required to reside upon the premises by law or under the terms of an affordable housing covenant or regulatory agreement.

Landlords seeking to recover possession under this subdivision must comply with the restrictions and requirements of Los Angeles Municipal Code Section 151.30.

I. The landlord seeks in good faith to recover possession of residential real property under the following circumstances:

- (1) to demolish the residential real property.
- (2) to substantially remodel the residential real property, provided the landlord has secured permits necessary to substantially remodel the residential real property from applicable government agencies, and served a copy of the permits with a written termination notice stating the reason for termination, the type and scope of the work to be performed, why the work cannot be reasonably accomplished in a safe manner with the tenant in place, and why the work requires the tenant to vacate the residential real property for at least 30 days. "Substantially remodel" shall have the same meaning as the term defined in California Civil Code Section 1946.2.
- (3) to withdraw the residential real property permanently from rental housing use when the landlord is withdrawing from rent or lease all residential real property on the same parcel of land.

J. The landlord seeks in good faith to recover possession of residential real property to comply with a court order or governmental agency's order to vacate, order to comply, order to abate, or any other order that necessitates vacating the residential real property.

K. The Secretary of Housing and Urban Development seeks to recover possession to vacate the property prior to sale and has complied with all tenant notification requirements under federal law and administrative regulations.

L. The residential real property is in a Residential Hotel, and the landlord seeks to recover possession to Convert or Demolish the unit, as those terms are

defined in Article 7.1 of Chapter IV of this Code. A landlord may recover possession only after the Los Angeles Housing Department has approved an Application for Clearance under Article 7.1 of Chapter IV of this Code.

M. The landlord seeks to recover possession of residential real property for conversion to affordable housing accommodations.

"Affordable housing accommodations" means housing accommodations with a government imposed regulatory agreement that has been recorded with the Los Angeles County Recorder, or which shall be recorded within six months of the filing of an exemption pursuant to this subdivision with the Department, guaranteeing that the housing accommodations will be affordable to either lower income or very low income households for a period of at least 55 years, with units affordable only to households with an income at 60 percent of the Area Median Income or less. None of the subject housing accommodations shall be affordable only to households with incomes greater than 60 percent of the Area Median Income, as these terms are defined by the U.S. Department of Housing and Urban Development. "Lower Income or very low income households" is defined according with California Health and Safety Code Sections 50079.5 and 50105.

To recover possession of residential real property under this subdivision, the landlord must first obtain an exemption from the Department indicating satisfaction of the following conditions:

- (1) the housing accommodations are only available to lower income or very low income households with none of the subject accommodations affordable only to households with income greater than 60% of Area Median Income; and,
- (2) the rent levels conform to the amounts set by the U.S. Department of Housing and Urban Development, or the California Department of Housing and Community Development, as applicable, based on the public funding source for the subject accommodations.

The Department shall have the authority to revoke an exemption issued pursuant to this subdivision for failure to adhere to any of the conditions for an exemption set forth in this subdivision.

If the landlord fails to record a government imposed regulatory agreement within six months of the filing of the affordable housing exemption with the Department, and the landlord seeks to offer the residential real property for rent or lease, the landlord shall first offer to rent or lease the unit to the tenant displaced from that unit pursuant to this subdivision, provided that the tenant advised the landlord in writing within 30 days of displacement of the tenant's desire to consider an offer to renew the tenancy and provided the landlord with an address to which that offer is to be directed. The tenant may subsequently advise the landlord of a change of address to which an offer is to be directed. A landlord who re-offers the unit pursuant to the provisions of this subdivision

shall deposit the offer in the United States mail, by registered or certified mail with postage prepaid, addressed to the displaced tenant at the address furnished to the landlord as provided in this subdivision, and shall describe the terms of the offer. The displaced tenant shall have 30 days from the deposit of the offer in the mail to accept the offer by personal delivery of that acceptance to the Department or deposit of the acceptance in the United States mail by registered or certified mail with postage prepaid.

N. The landlord seeks to recover possession of residential real property for conversion to non-residential use.

SEC. 165.04. APPLICABILITY.

This Article shall not apply until the expiration of an initial original lease or after six months of continuous and lawful occupancy, whichever comes first, or to the following types of residential real properties or residential circumstances:

(A) Rental units subject to the Rent Stabilization Ordinance.

(B) Transient and tourist hotel occupancy as defined in Subdivision (b) of California Civil Code Section 1940, unless the landlord violates California Civil Code Section 1940.1 to maintain transient occupancy status.

(C) Housing accommodations in any hospital, asylum, religious facility, extended care facility, licensed residential care facility for the elderly, as defined in Section 1569.2 of the California Health and Safety Code, or an adult residential facility, as defined in Chapter 6 of Division 6 of Title 22 of the Manual of Policies and Procedures published by the State Department of Social Services.

(D) Housing accommodations in a fraternity or sorority house or any housing accommodation owned and operated by an institution of higher education, a high school, or elementary school for occupancy by students.

(E) Housing accommodations in which the tenant shares bathroom or kitchen facilities with the owner who maintains their principal residence at the residential real property.

(F) A dwelling unit in a nonprofit stock cooperative while occupied by a shareholder tenant of the nonprofit stock cooperative.

(G) Housing accommodations in limited equity housing cooperatives, as defined in California Civil Code Sections 817 and 817.1, when occupied by a member tenant of the limited equity housing cooperative. However, if the cooperative acquired the property pursuant to California Government Code Section 54237(d), then all dwellings in the limited-equity housing cooperative shall be exempt from this Article.

(H) Housing accommodations in an Interim Motel Housing Project pursuant to Los Angeles Municipal Code Section 14.00(A)(12). This exception shall apply only to housing accommodations that have been issued an exemption by the Department indicating satisfaction of the following conditions:

(1) the housing accommodations are subject to and operating in accordance with a Supportive Housing or Transitional Housing contract; and

(2) any tenant remaining in the housing accommodations at the commencement of the Supportive Housing or Transitional Housing contract shall be afforded all rights and protections provided by this Article.

The Department shall have the authority to revoke an exemption issued pursuant to this subdivision for failure to adhere to any of the conditions for an exemption set forth in this subdivision.

This exemption shall be deemed automatically revoked upon termination of the Supportive Housing or Transitional Housing contract or failure to operate in accordance with the Supportive Housing or Transitional Housing contract.

(I) Housing accommodations 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 when the client has been informed in writing of the temporary or transitional nature of the housing at its inception.

(J) Housing accommodations in a nonprofit facility that provides a structured living environment that has the primary purpose of helping homeless persons obtain the skills necessary for independent living in permanent housing and when occupancy is restricted to a limited and specific period of time of not more than twenty-four (24) months and when the client has been informed in writing of the temporary or transitional nature of the housing at its inception.

(K) Occupancy in a housing accommodation leased by or otherwise paid for by a government entity or agency with the primary purpose of helping homeless persons obtain temporary or transitional housing.

(L) Housing accommodations owned and operated by the Los Angeles City Housing Authority, or housing accommodations owned, operated, or managed by any other government unit, agency, or authority and which are specifically exempted from municipal regulations on evictions by state or federal law or administrative regulation, or housing accommodations specifically exempted from municipal regulations on evictions by state or federal law or administrative regulation.

SEC. 165.05. NOTICES.

A. A landlord of residential real property subject to this Article shall provide notice of the protections of this Article as follows:

(1) For any tenancy commenced or renewed on or after the effective date of this Article as a written notice to the tenant.

(2) The landlord shall post a notification in a form prescribed by the Department in an accessible common area of the property.

B. In any action to recover possession of residential real property, the landlord shall serve on the tenant a written notice setting forth the reasons for the termination. The written notice shall be as described in Civil Code Section 1946 or Code of Civil Procedure Sections 1161 and 1161a. The notice shall be given in the manner prescribed by Code of Civil Procedure Section 1162 and must also comply with the following:

(1) When the termination of tenancy is based on any of the grounds set forth in Section 165.03(B) through 165.03(G), the termination notice must set forth specific facts to permit a determination of the date, place, witnesses and circumstances concerning the eviction reason.

(2) When the termination of tenancy is based on the grounds set forth in Section 165.03(H), the landlord shall file with the Department a declaration on a form and in the number prescribed by the Department identifying the person to be moved into the residential real property, the date on which the person will move in, the rent presently charged for the residential real property, and the date of the last rental increase. This declaration shall be served on the tenant in the manner prescribed by Code of Civil Procedure Section 1162. When filing the declaration, the landlord shall pay an administrative fee in the amount of \$75. The fee shall pay for the cost of administering and enforcing the provisions of Los Angeles Municipal Code Section 151.30.

(3) When the termination of tenancy is based on any of the grounds set forth in Section 165.03(I) or 165.03(K) through 165.03(N), the landlord shall file with the Department a declaration on a form and in the number prescribed by the Department stating the reason for eviction. This declaration shall be served on the tenant in the manner prescribed by Code of Civil Procedure Section 1162.

(4) When the termination of tenancy is based on the ground set forth in Section 165.03(J), then the landlord shall file with the Department a declaration on a form and in the number prescribed by the Department stating that the landlord intends to evict in order to comply with a court order or governmental agency's order to vacate residential real property. The landlord shall attach a

copy of the order to this declaration. This notice shall be served on the tenant in the manner prescribed by Code of Civil Procedure Section 1162.

(5) A copy of any written notice terminating a tenancy shall be filed with the Department within three business days of service on the tenant.

SEC. 165.06. RELOCATION ASSISTANCE.

A. If the termination of tenancy is based on any of the grounds set forth in Sections 165.03(H) through 165.03(N), then the landlord shall pay relocation assistance to the tenant as follows:

(1) For tenants who resided at the residential real property for fewer than three years: \$19,400 to qualified tenants and \$9,200 to all other tenants;

(2) For tenants who resided at the residential real property for three years or longer: \$22,950 to qualified tenants and \$12,050 to all other tenants;

(3) For tenants whose household income is 80% or below Area Median Income (AMI), as adjusted for household size, as defined by the U.S. Department of Housing and Urban Development, regardless of length of tenancy: \$22,950 to qualified tenants and \$12,050 to all other tenants.

(4) The amounts of relocation in Sections 165.06(A)(1) through 165.06(A)(3) do not apply if lower relocation assistance is applicable under Los Angeles Municipal Code Section 151.30(E).

(5) Relocation fees owed to terminate tenancies under Section 165.03(K) or 165.03(M) shall be based on the applicable provisions of the Uniform Relocation Act, California Relocation Assistance Act, or the amounts set forth in this section, whichever is greater.

(6) When the residential real property is a single-family dwelling and the owner is a natural person, including natural persons who hold properties in a trust or registered legal entity controlled by that natural person, who owns no more than four dwelling units and a single-family home on a separate lot in the City of Los Angeles: one month's rent that was in effect when the landlord served the written notice to terminate the tenancy, as either a monetary payment or credit. Los Angeles Municipal Code Section 151.30(E) shall not apply.

(7) If more than one relocation assistance payment applies, the landlord shall pay the highest of the applicable payment. Nothing relieves the landlord from the obligation to provide relocation assistance pursuant to City administrative agency action or any other provision of local, state or federal law. If a tenant is entitled to monetary relocation benefits pursuant to City administrative agency action or any provision of local, state or federal law, then

those benefits shall operate as a credit against any fee required to be paid to the tenant under this section.

B. Tenants who claim eligibility based on their income shall file a statement with the Department verifying their income on a form prescribed by the Department.

C. Requests for a hearing to appeal a decision regarding a tenant's relocation assistance eligibility, including disputes about eligibility for higher relocation assistance based on a tenant's income, age, length of tenancy, family status or disability status, must be filed in writing on the form prescribed by the Department and received by the Department within 15 calendar days of the date of the Department's notification of its decision regarding tenant relocation assistance. The Department shall charge a fee of \$300 for any hearing request to pay for the cost of the appeal hearing.

D. The payment amounts shall be adjusted on an annual basis pursuant to the formula set forth in Los Angeles Municipal Code Section 151.06.D. The adjusted amount shall be rounded to the nearest \$50 increment.

E. Relocation assistance payments to the tenant shall be made as follows:

(1) The entire fee shall be paid to a tenant who is the only tenant in the residential real property.

(2) If the residential real property is occupied by two or more tenants, then each tenant shall be paid an equal, pro-rata share of the fee.

F. If the termination of tenancy is based on the grounds set forth in Section 165.03(H), 165.03(I), 165.03(J), 165.03(K), or 165.03(N), then the landlord shall also pay the City a fee for the purpose of providing relocation assistance by the City's Relocation Assistance Service Provider, as defined in Los Angeles Municipal Code Sections 47.06.B. and 47.07.B. The fee shall be \$840 for each unit occupied by a qualified tenant and \$522 for each unit occupied by other tenants, and an additional \$72 per unit to pay for the administrative costs associated with this service. The fees may be increased in an amount based on the Consumer Price Index - All Urban Consumers averaged for the first 12-month period ending September 30, of each year, as determined and published by the Los Angeles Housing Department on or before May 30, of each year, pursuant to Los Angeles Municipal Code Section 151.07.A.6. The Relocation Assistance Service Provider will provide the relocation assistance services listed in Los Angeles Municipal Code Sections 47.06.D and 47.07.D. These fees shall not be charged when Section 165.06(A)(6) applies.

G. The landlord shall perform the acts described in this section within 15 days of service of a written notice of termination described in California Civil Code Section 1946. The landlord may in its sole discretion elect to pay the monetary relocation benefits pursuant to this section to an escrow account to be disbursed to the tenant upon certification of vacation of the unit. The escrow account shall provide for the

payment prior to vacation of all or a portion of the monetary relocation benefits for actual relocation expenses incurred or to be incurred by the tenant prior to vacation, including but not limited to security deposits, moving expense deposits and utility connection charges. Rent Adjustment Commission Regulations governing Relocation Assistance Escrow Accounts, Section 960.00 et seq., shall govern the establishment of escrow accounts, disbursements, disputes, and closure.

H. Any tenant subject to displacement because of a notice to vacate or other order requiring the vacation of an unpermitted dwelling unit in violation of the municipal code or any other provision of law, when the landlord has had a reasonable opportunity to correct the violation, shall be entitled to relocation payable by the landlord to the tenant within 15 days of service of the written notice of termination of the tenancy in accordance with this section.

I. No relocation assistance payment shall be required in the following circumstances:

(1) The landlord seeks in good faith to recover possession of the residential real property for use and occupancy by a resident manager, provided that the resident manager is replacing the existing resident manager in the same unit.

(2) The Department determines that the unit or structure became unsafe or hazardous as the result of a fire, flood, earthquake, or other event beyond the control of the owner or the designated agent and the owner or designated agent did not cause or contribute to the condition.

J. A landlord may offset the tenant's accumulated rent against any relocation assistance due under this section, unless the relocation assistance is owed because a termination of tenancy is required by a governmental agency order to vacate or comply issued for an unpermitted dwelling.

SEC. 165.07. REMEDIES.

In any action by a landlord to recover possession of residential real property, the tenant may raise as an affirmative defense the failure of the landlord to comply with this Article. In addition, any landlord who fails to provide monetary relocation assistance as required by Section 165.06 shall be liable in a civil action to the tenant to whom such assistance is due for damages in the amount the landlord has failed to pay, together with reasonable attorney fees and costs as determined by the court. Violations of this Article shall be a misdemeanor.

SEC. 165.08. RENT ADJUSTMENT COMMISSION.

The Rent Adjustment Commission shall have the authority to promulgate policies, rules and regulations to effectuate the purposes of this Article. All such rules

and regulations shall be published once in a daily newspaper of general circulation in the City of Los Angeles, and shall take effect upon such publication.

The Commission may make such studies and investigations, conduct such hearings, and obtain such information as it deems necessary to effectuate the purposes of this Article.

Sec. 2. Paragraph (c) of Subdivision 8 of Subsection A of Section 151.09 of the Los Angeles Municipal Code is amended to read as follows:

(c) A resident manager when a residential manager, janitor, housekeeper, caretaker, or other responsible person is required to reside upon the premises by law or under the terms of an affordable housing covenant or regulatory agreement.

Sec. 3. Subdivision 9 is added to Subsection C of Section 151.09 of the Los Angeles Municipal Code as follows:

9. A copy of any written notice terminating a tenancy shall be filed with the Department within three business days of service on the tenant.

Sec. 4. Subdivision 5 is added to Subsection G of Section 151.09 of the Los Angeles Municipal Code as follows:

5. The landlord may offset the tenant's accumulated rent against any relocation assistance due under this Subsection, unless the relocation assistance is owed because a termination of tenancy is required by a governmental agency order to vacate or comply issued for an unpermitted dwelling unit.

Sec. 5. Article 14.1 of Chapter IV of the Los Angeles Municipal Code is repealed.

Sec. 6. Article 14.5 of Chapter IV of the Los Angeles Municipal Code is repealed.


Sec. 7. Article 18 of Chapter IV of the Los Angeles Municipal Code is repealed.

Sec. 8. **URGENCY CLAUSE.** The City Council finds and declares that this ordinance is required for the immediate protection of the public peace, health and safety for the following reasons: the City of Los Angeles will suffer irreparable damage, including loss of life and property, from displacement of tenants from evictions. The Council, therefore, adopts this ordinance to become effective upon publication pursuant to Los Angeles City Charter Section 253.

Sec. 9. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Approved as to Form and Legality

HYDEE FELDSTEIN SOTO, City Attorney

By 
ELAINE ZHONG
Deputy City Attorney

Date 1/20/2023

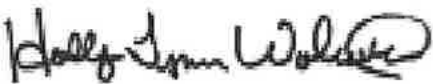
File No. 21-0042-S3

M:\Housing\LAHD\Zhong\01. Ordinances and Council Motions\Just Cause Evictions (CF17-0454)\Final Ordinance Re Just Cause Evictions.docx

The Clerk of the City of Los Angeles hereby certifies that the foregoing ordinance was passed by the Council of the City of Los Angeles, **by a vote of not less than three-fourths** of all its members.

CITY CLERK

MAYOR





Ordinance Passed January 20, 2023

Approved 01/25/2023

Published Date: 01/27/2023
Ordinance Effective Date: 01/27/2023



STATE OF LA CITY AND LA COUNTY TENANT PROTECTIONS

February 2, 2023

This document attempts to summarize the various recent changes in tenant protection policy in the City and County of Los Angeles. Nothing in this document should be considered legal advice. If you are a tenant who is facing eviction, contact Stay Housed LA:

www.stayhousedla.org or [REDACTED]

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COVID-19 Emergency Tenant Protections

City of Los Angeles COVID-19 Emergency Tenant Protections - sunset 1/31/23 (but see County)

relevant documents (01/27/2023): [Ordinance No. 187736](#)

COVID Debt

The City of Los Angeles's emergency tenant protections ended on January 31, 2023. Tenants will have until the following deadlines to repay COVID rent debt that was covered by the City emergency protections:

- Rent owed from March 1, 2020 to September 30, 2021 → tenants must pay by August 1, 2023.

- Rent owed from October 1, 2021 to January 31, 2023 → tenants must pay by February 1, 2024.

If a landlord attempts to bring an eviction for months of unpaid rent before the relevant repayment period is over, tenants can assert the premature eviction as a defense. Tenants should also be aware that some months of rent may be permanently non-evictable under state or county protections.

Other Eviction Protections

The ordinance sunsetting the emergency tenant protections contains important details and *extended protections* for certain types of evictions:

- **Evictions to install a resident manager:** After January 31, 2023, no-fault evictions to install a resident manager are only permitted when an on-site manager is required by law or the terms of a regulatory agreement, unless that eviction was noticed prior to March 4, 2020 (the start of the pandemic).
- **No fault evictions:** While the sunset of the emergency tenant protections allows no-fault evictions to resume on February 1, 2023, tenants in RSO units who received a notice for a no-fault eviction between March 2020 and January 31, 2023 that was not permitted under the emergency protections must receive a new, 60-day notice in order for that eviction to proceed. Landlords cannot act on 60-day notices that were served between March 2020 and January 31, 2023 which attempt to terminate tenancy for a reason that was prohibited during that time period.
- **Evictions based on unauthorized pets and/or occupants necessitated by COVID-19:** The sunset ordinance contains extended protections against these evictions. No tenant may be evicted based on unauthorized pets/occupants necessitated by COVID prior to January 31, 2024. Going forward, all tenants are entitled to a 30-day notice to cure before an eviction based on unauthorized occupants or pets (COVID-related or not) can proceed.
- **Ellis Act evictions:** Evictions to remove rental units from the rental market under the Ellis Act may not proceed before April 1, 2023.

Rent Freeze

relevant documents (05/14/2020): [LA Municipal Code §151.32](#)

The City's **rent freeze** for rent stabilized units will continue until January 31, 2024.

County of Los Angeles COVID-19 Emergency Tenant Protections - sunset 3/31/23

relevant documents (01/24/2023): [Motion](#)

The County of Los Angeles voted on January 24, 2023 to extend its COVID emergency tenant protections for two additional months. The protections will now sunset on March 31, 2023.

Because the County emergency protections apply within incorporated jurisdictions

throughout the County, these protections also apply to tenants in the City of Los Angeles, despite the City's own emergency protections expiring.

The County's emergency protections contain the following additional rules:

- **Unauthorized Pets/Occupants:** Tenants with unauthorized pets and/or occupants who began residing in the unit between March 1, 2020, and January 20, 2023, and whose presence was necessitated by COVID-19, may not be evicted for that reason before March 31, 2023, and thereafter must receive a 30-day notice to cure before they can be evicted based on the continuing presence of the pet/unauthorized occupant.
- **Continued protections against no-fault eviction (except for qualified Owner Move-Ins):** Tenants who were unable to pay rent due to COVID and invoked the County emergency protections are protected from no-fault evictions through the repayment period. All tenants are protected from no-fault evictions through March 31, 2023. However, certain Owner Move-Ins are allowed, as detailed on [Page 16 \(VI.A.3\) of the ordinance](#).
- **Rent Owed Prior to 3/31/23:** Residential tenants [who qualified for the County's COVID nonpayment protections](#) (and notified their landlord with a declaration) between July 1, 2022 through March 31, 2023 have up to twelve (12) months thereafter to repay that rental debt. A tenant may assert an affirmative defense to an eviction action brought on the ground of not repaying protected rent debt before March 31, 2024, not complying with the terms of a payment plan, or at the end of the repayment period. Any term in a payment plan that allows eviction due to the Tenant's failure to comply with the terms of the payment plan is void as contrary to public policy.
- **Rent Cap:** Rents for units that are Fully-Covered by the County's RSO cannot be raised more than 3% annually before December 31, 2023.

Note: Under State law, landlords are not permitted to evict a tenant for rent owed for certain months during the COVID pandemic.

New Permanent Tenant Protections

City of Los Angeles - New/Expanded Permanent Tenant Protections

relevant documents:

(01/27/2023): Just Cause - [Ordinance No. 187737](#)

(01/23/2023): Nonpayment - [Draft Ordinance](#)

(01/30/2023): Relocation - [Draft Ordinance](#)

The City of Los Angeles has enacted several new permanent protections for renters as it considered the expiration of COVID emergency protections:

- **Universal Just Cause for Eviction**

This policy has been signed by the Mayor and took effect on Jan. 27. Under the new protection, all residential tenants in the City of Los Angeles have the right to Just Cause for Eviction. This means that approximately 650,000 additional tenants will be covered by Just Cause rules going

forward. The protection applies after the first 6 months of the tenancy (or at the expiration of the initial lease term if it is shorter than 6 months). The new just cause ordinance, including the 6 month limitation, does not apply to tenants in rent stabilized units—the RSO has its own just cause protections. There are a few exemptions to the new Just Cause for Eviction policy, such as for institutional facilities, hotels, and transitional housing - be sure to review the exemptions in the ordinance when asserting these protections.

There is one new rule that applies to a unit covered by either the RSO or the new Just Cause for Eviction: for tenants covered by either set of just cause protections, landlords must now provide copies of all notices terminating a tenancy to LAHD. Failure to do so is now a defense to eviction, similar to the existing policy in LA County.

Under this ordinance, the allowable “at-fault” reasons for eviction are:

- nonpayment of rent
- violation of the lease (with some exceptions)
- committing/maintaining a nuisance on or near the property
- criminal activity on/near the property
- failure to renew a written lease with similar terms
- refusing access to the landlord after proper notice
- unapproved subletting

The allowable “no-fault” reasons for eviction are:

- landlord/family member/resident manager move-in
- demolition/substantial remodel/removal of property from the rental market
- government order that necessitates vacating the unit
- sale of HUD-owned housing
- residential hotel conversion/demolition with LAHD approval
- conversion to affordable housing
- conversion to nonresidential use

Landlords must post written information about these protections on their properties, and must also provide a written notice about the protections to new tenants moving in. For at-fault evictions, the notice must include specific facts that allow the tenant to understand what is being claimed by the landlord. Landlords are also required to provide copies of eviction notices to the Housing Department, as well as filing declarations with the Department for certain types of evictions; these requirements increase the ability to enforce the new protections.

For no-fault evictions, the universal just cause ordinance requires landlords to provide relocation assistance to their tenants as follows:

	Tenancy less than 3 years	Tenancy 3 years or longer	Tenant at 80% AMI and below (any length of tenancy)	Single family dwelling with small landlord
Qualified Tenant	\$19,400	\$22,950	\$22,950	One month's rent
Other Tenants	\$9,200	\$12,050	\$12,050	

“Qualified tenants” are those aged 62 or older; handicapped as defined in Section 50072 of the California Health and Safety Code; disabled as defined in Title 42 United States Code § 423; or a person residing with and on whom is legally dependent (as determined for federal income tax purposes) one or more minor children. For evictions based on conversion to affordable housing or for HUD-owned housing, tenants may be entitled to higher relocation assistance under state or Federal law and should speak with an attorney.

Small landlords evicting a tenant from a single family home have a reduced relocation assistance obligation of one month’s actual rent (or a credit for that amount) if the owner is “a natural person, including natural persons who hold properties in a trust or registered legal entity controlled by that natural person, who owns no more than four dwelling units and a single-family home on a separate lot in the City of Los Angeles.”

- **Monetary Threshold for Nonpayment Evictions:**

The City Council has also passed a new permanent tenant protection establishing a monetary threshold for evictions for failure to pay rent. This protection will be contained within the Just Cause for Eviction rules, meaning it will apply to tenants after the first 6 months of their tenancy in most cases, and will apply to tenants in rent stabilized units. Under this new ordinance, which is set to receive a final vote on Friday, Feb. 3, a landlord may not evict a tenant for nonpayment unless the tenant owes an amount greater than 1 month Fair Market Rent (FMR) for their unit size. If the Landlord attempts to evict for nonpayment, they must include the number of bedrooms in the 3 day notice to quit or evict. We expect the ordinance to take effect in early March.

Fair Market Rent for a unit in Los Angeles County is set by the U.S. Department of Housing and Urban Development ("HUD") each year and is county-specific. The 2023 Fair Market Rents for the Los Angeles area are as follows:

<u>HUD FY 2023 Fair Market Rents for Los Angeles County</u>				
<i>Efficiency</i>	<i>1 Bedroom</i>	<i>2 Bedroom</i>	<i>3 Bedroom</i>	<i>4 Bedroom</i>
\$1,534	\$1,747	\$2,222	\$2,888	\$3,170

- **Relocation Assistance for Tenants Displaced by Large Rent Increases:**

The City Council is also set to take a final vote on an ordinance requiring relocation assistance for tenants displaced by large rent increases on Tuesday, February 7. This protection will be contained within the new Just Cause for Eviction rules, meaning it will apply to tenants after the first 6 months of their tenancy in most cases. It will apply to rent increases that exceed 5% + CPI, or 10%, whichever is lower. We expect the ordinance to take effect in early March.

Relocation Owed	
Single family dwelling with small landlord	All Other Units
One (1) Month's Rent	3x Fair Market Rent for a Unit of the Same Size (set by HUD , see chart above) + \$1411.00

Tenants faced with a notice for a large rent increase have several options:

1. Accept the increase: If the tenant is able to budget for and afford the rent increase, they may accept it and begin paying the new amount when the increase takes effect
2. Take the relocation assistance: If a tenant cannot afford to pay rent given the increase, they can notify the landlord that and take the relocation assistance instead - refer to the chart above to figure out how much that would be. Tenants should give written notice that they intend to vacate and will require relocation assistance.
3. Negotiate: If the tenant could make a smaller increase work, it may make sense to negotiate a smaller rent increase with the landlord.

This policy will also apply to tenants who live in buildings where affordable housing covenants are expiring. That is a common situation where rent increases above 10% are legally permitted, even if the property will subsequently be protected by LARSO or Tenant Protection Act rent caps.

Small landlords have a reduced relocation assistance obligation of one month's actual rent (or a credit for that amount) if the owner is "a natural person, including natural persons who hold properties in a trust or registered legal entity controlled by that natural person, who owns no more than four dwelling units and a single-family home on a separate lot in the City of Los Angeles."

The Rent Adjustment Commission will promulgate guidelines further clarifying details such as when and how a landlord must make the relocation assistance payment.

County of Los Angeles - New/Expanded Permanent Tenant Protections
relevant documents (11/15/2022): Nonpayment - [Ordinance](#)

The County of Los Angeles also enacted new permanent protections for renters as it considered the expiration of COVID emergency protections:

- **Monetary Threshold for Nonpayment Evictions:**

The County has also passed a new permanent tenant protection establishing a monetary threshold for evictions for failure to pay rent effective Dec 15, 2022. This protection has taken effect and applies to all tenants in the unincorporated areas of the county, with limited exceptions. “Institutional Facilities”, “Government Assisted or Owned Housing”, “Hotels, Motels, or Other Facilities for Transient Guests”, and “Owner-Occupied Shared Housing” are exempt from the [ordinance](#), but all other units are covered. Under this new protection, a landlord may not evict a tenant for nonpayment unless the tenant owes an amount greater than 1 month Fair Market Rent (FMR) for their unit size. If the Landlord attempts to evict for nonpayment, they must include the number of bedrooms in the 3 day notice to quit or evict.

Fair Market Rent for a unit in Los Angeles County is set by the U.S. Department of Housing and Urban Development (“HUD”) each year and is county-specific. The 2023 Fair Market Rents for the Los Angeles area are as follows:

HUD FY 2023 Fair Market Rents for Los Angeles County				
<i>Efficiency</i>	<i>1 Bedroom</i>	<i>2 Bedroom</i>	<i>3 Bedroom</i>	<i>4 Bedroom</i>
\$1,534	\$1,747	\$2,222	\$2,888	\$3,170

- **County Support for Incorporated Cities to Enact Tenant Protections:**

In addition to enacting new permanent tenant protections for renters living in unincorporated areas of the County, the County Board of Supervisors has also voted for a plan to support the development and passage of tenant protections in the incorporated cities throughout the County. The County’s plan includes a Countywide tenant protections summit hosted by the Department of Consumer and Business Affairs in 2023; a Policy Toolkit for Rent Stabilization and Tenant Protections; and assessing the feasibility of providing support to incorporated cities, with the exploration to include estimated costs that fall outside of the current recovery costs for programmatic services and duties, the identification of potential funding streams, and required staffing.

In considering and moving forward the tenant protections outlined here, various Supervisors and Councilmembers have moved to establish or explore new programs to assist small landlords and tenants with issues of back rent, deferred maintenance, tenant application screening, etc.

We will continue to monitor these proposals, in addition to guidelines, regulations, and clarifying details of the tenant protections outlined in this guide, and will provide updated information as they develop.

From: Terri Binder [REDACTED]
Sent: Wednesday, February 8, 2023 8:21 PM
To: Katie Wand <kwand@ci.claremont.ca.us>
Subject: Tenant Protection Listening Session Weds 2/8

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Responding to comments made by attendees at tonight's listening session:

- 1) The call for a rental 'registry' and enforcement officer (to enforce what not exactly defined) sounds very much like the Gestapo's tactics when they wanted to control a town or a population. This is America, not Nazi Germany.
- 2) Many people who spoke asserted that this wasn't we versus them. Encouraging the city to make ordinances HEAVILY in favor of the tenants sounds very adversarial to me. As did the parade of speakers who announced that they were there 'in solidarity' with the tenants.
- 3) No doubt there are very bad landlords out there, but tenants already have legal recourse, and California rental laws already heavily favor tenants as it is; why add more? Also, for 'good' landlords it is crazy expensive as it is to evict a bad tenant for cause.
- 4) Rental units most certainly have been built in Claremont in the last 50 years.

Regards,

Terri Binder

Sent from [Mail](#) for Windows

From: [Katie Wand](#)
To: [Melanie Martinez](#)
Subject: FW: Save the Date – April 25th City Council Meeting
Date: Wednesday, March 08, 2023 2:20:01 PM
Attachments: [image001.png](#)

Public comment for tenant protections. Thank you!



Katie Wand | Assistant to the City Manager

**City of Claremont | Administrative Services Department
City Manager's Office**

207 Harvard Avenue | Claremont, CA 91711
(909) 399-5454 | KWand@ci.claremont.ca.us
www.claremontca.org | Follow Us! @CityofClaremont

 Please consider the environment before printing this email.

From: [REDACTED]
Sent: Wednesday, March 8, 2023 2:18 PM
To: Katie Wand <kwand@ci.claremont.ca.us>; Bevin Handel <bhandel@ci.claremont.ca.us>
Subject: Re: Save the Date – April 25th City Council Meeting

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Councilmembers,

I ask that you take action to make tenant protections robust and permanent. Tenants are some of the most vulnerable citizens in our community who are often rent burdened and experiencing housing insecurity. I know first hand. I have been a renter my entire adult life. I urge you to place a rent increase cap of no more than 5% per year. The 10% state cap per year is too high and will force many tenants to move out of the area and some to become homeless. High rents price young families out of the Claremont housing market and this is bad for business and for public school enrollments. I also urge you to close the renovation eviction loophole which is often used as a ploy by corporate landlords to evict tenants so they can then raise the rents and increase profits. Thank you for your careful deliberation in this matter.

Mike Boos
Claremont

-----Original Message-----

From: Katie Wand <kwand@ci.claremont.ca.us>
To: Bevin Handel <bhandel@ci.claremont.ca.us>
Sent: Tue, Mar 7, 2023 9:11 am
Subject: Save the Date – April 25th City Council Meeting

Good morning,

You are receiving this email update because you have previously contacted the City of Claremont regarding tenant protection ordinances.

Last year, the City Council directed staff to conduct stakeholder and community outreach to gather feedback on tenant protection ordinances (i.e., permanent no fault eviction and rent stabilization ordinances; rental assistance), which will be presented to the City Council for their consideration during their regular meeting on **Tuesday, April 25, 2023**.

Meeting material for the April 25th City Council meeting (including information on how to provide public comment and how to participate in the meeting) will be available on the [City's website](#) 5 days before the meeting. In the meantime, if you would like to submit written public comment, please feel free to respond to this email directly. All public comment will be imaged into the record and will be shared with the City Council. Please let me know if you have any questions.

Thank you,



Katie Wand | Assistant to the City Manager

**City of Claremont | Administrative Services Department
City Manager's Office**

207 Harvard Avenue | Claremont, CA 91711

(909) 399-5454 | KWand@ci.claremont.ca.us

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Please consider the environment before printing this email.

Melanie Martinez

Subject: FW: 4/11 Written Public Comment

From: Angelis Chevalier [REDACTED]
Sent: Wednesday, April 12, 2023 7:27 AM
To: Shelley Desautels <SDESAUTELS@CI.CLAREMONT.CA.US>; Adam Pirrie <apirrie@ci.claremont.ca.us>;
jcontanza@ci.claremont.ca.us
Subject: 4/11 Written Public Comment

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear members of the City Council and city staff,

I am aware that the city staff is currently compiling and proposing an ordinance to the City Council regarding additional protections for renters in Claremont. I am writing to express my support for renters in Claremont, and to ask that city staff bring forward an ordinance with the strongest and most comprehensive renter protections possible. As Claremont renters are facing renovation evictions and disproportionate rent burdens, I would encourage city staff to consider policies that ensure renovation evictions are limited to cases of substantial tenant health and safety concerns, cap rent increases at a reasonable rate, and increase relocation assistance to cover market rent and moving expenses. I hope that the City Council will also consider an ordinance that applies to the greatest number of Claremont renters. An exemption of properties with 20 units or less will not meaningfully protect many Claremont residents. I appreciate your consideration, and look forward to seeing the ordinance in the coming weeks.

Thank you for your time,
Angelis Chevalier

Sent from my iPhone

Melanie Martinez

Subject: FW: Save the Date – April 25th City Council Meeting

From: ANTOINETTE CRICHTON [REDACTED]
Sent: Wednesday, March 8, 2023 12:10 PM
To: Katie Wand <kwand@ci.claremont.ca.us>
Cc: ANTOINETTE CRICHTON [REDACTED]
Subject: Re: Save the Date – April 25th City Council Meeting

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To the Claremont City Council,

I am a homeowner in the city of Claremont, and I am a small building residential rental owner in another town. I have written once concerning the issue of tenant protections. From everything that has been going on since the pandemic, I have witnessed extreme tenant protections that are significantly unfair to honest landlords in LA county as an example. It is a great hardship to let tenants not pay their fair market rent that they contracted for in rental and lease agreements; and if that isn't bad enough, landlords are not afforded any due process about being burdened with the loss of rents. Additionally, the freeze on evictions adds to that extreme financial burden. People like myself who own rental property depend on the income from the rents to pay expenses related to the buildings such as property taxes, mortgages, utilities, insurance, and overall property maintenance. When tenants are granted sweeping protections, who is going to relieve the property owners of their financial burdens? No one.

I mentioned due process...which means that landlords are forced to pay their expenses, but they have no recourse if a tenant stops paying rent.

Owning rental property is a real business venture for some people, and many are being forced to sell their properties because they have tenants who are protected from paying rent. When these properties are sold, generally they are reassessed and property taxes skyrocket, which means that rents must be raised to cover these expenses. This is a bad situation for tenants and the overall cost of rental housing.

The only reasonable solution to help tenants in difficulty is to provide financial rental assistance so that landlords don't bear the whole burden when tenants are in difficulty. The funding for this should come from taxes that EVERYONE in the community pays. That is the only fair way to address tenant protections. Driving existing landlords out of ownership is the wrong way to look at the problem. It will only lead to higher property taxes, higher rents, and significantly less development because of making it too difficult to develop and own residential rental property. No one wants to be in a business when there are unfair advantages to the customers, or in this case, unfair advantages to the tenants.

Thank you for considering my position, and that of many small residential building owners.

Antoinette Crichton

[REDACTED]
Claremont CA
[REDACTED]

From: Katie Wand <kwand@ci.claremont.ca.us>
Sent: Tuesday, March 7, 2023 9:11 AM
To: Bevin Handel <bhandel@ci.claremont.ca.us>
Subject: Save the Date – April 25th City Council Meeting

Good morning,

You are receiving this email update because you have previously contacted the City of Claremont regarding tenant protection ordinances.

Last year, the City Council directed staff to conduct stakeholder and community outreach to gather feedback on tenant protection ordinances (i.e., permanent no fault eviction and rent stabilization ordinances; rental assistance), which will be presented to the City Council for their consideration during their regular meeting on **Tuesday, April 25, 2023**.

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Thank you,



Katie Wand | Assistant to the City Manager

**City of Claremont | Administrative Services Department
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 Please consider the environment before printing this email.

Melanie Martinez

Subject: FW: 4/11 Written Public Comment

From: Jose Alberto Romero [REDACTED]
Sent: Tuesday, April 11, 2023 9:34 AM
To: Shelley Desautels <SDESAUTELS@CI.CLAREMONT.CA.US>; jcostanza@ci.claremont.us; Adam Pirrie <apirrie@ci.claremont.ca.us>; Katie Wand <kwand@ci.claremont.ca.us>
Subject: 4/11 Written Public Comment

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear members of the City Council and city staff,

I am aware that the city staff is currently compiling and proposing an ordinance to the City Council regarding additional protections for renters in Claremont. I am writing to express my support for renters in Claremont, and to ask that city staff bring forward an ordinance with the strongest and most comprehensive renter protections possible. As Claremont renters are facing renovation evictions and disproportionate rent burdens, I would encourage city staff to consider policies that ensure renovation evictions are limited to cases of substantial tenant health and safety concerns, cap rent increases at a reasonable rate, and increase relocation assistance to cover market rent and moving expenses. I hope that the City Council will also consider an ordinance that applies to the greatest number of Claremont renters. An exemption of properties with 20 units or less will not meaningfully protect many Claremont residents. I appreciate your consideration, and look forward to seeing the ordinance in the coming weeks.

Thank you for your time,

Jose A. Romero

[REDACTED]
[REDACTED]



Where energies make tomorrow

[REDACTED]
[REDACTED]

Melanie Martinez

Subject: FW: 4/11 Written Public Comment

From: Katty Chou [REDACTED]

Sent: Tuesday, April 11, 2023 5:00 PM

To: Shelley Desautels <SDESAUTELS@CI.CLAREMONT.CA.US>; jcostanza@ci.claremont.ca; Adam Pirrie <apirrie@ci.claremont.ca.us>

Subject: 4/11 Written Public Comment

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Dear Members of the City Council and City Staff,

I am aware that the city staff is currently compiling and proposing an ordinance to the City Council regarding additional protections for renters in Claremont. I am writing to express my support for renters in Claremont, and to ask that city staff bring forward an ordinance with the strongest and most comprehensive renter protections possible. As Claremont renters are facing renovation evictions and disproportionate rent burdens, I would encourage city staff to consider policies that ensure renovation evictions are limited to cases of substantial tenant health and safety concerns, cap rent increases at a reasonable rate, and increase relocation assistance to cover market rent and moving expenses. I hope that the City Council will also consider an ordinance that applies to the greatest number of Claremont renters. An exemption of properties with 20 units or less will not meaningfully protect many Claremont residents. I appreciate your consideration, and look forward to seeing the ordinance in the coming weeks.

Thank you for your time,
Katty Chou, MD
Claremont resident

Melanie Martinez

Subject: FW: 4/11 Written Public Comment

From: Kim Deibert [REDACTED]
Sent: Tuesday, April 11, 2023 10:44 AM
To: Adam Pirrie <apirrie@ci.claremont.ca.us>; Jamie Costanza <jcostanza@ci.claremont.ca.us>;
sdesautels@ci.claremont.ca
Subject: 4/11 Written Public Comment

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Dear members of the City Council and city staff,

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Thank you for your time,
Kim Zaldivar
Claremont Renter

From: ML Kay [REDACTED]
Sent: Tuesday, March 7, 2023 1:24 PM
To: Katie Wand <kwand@ci.claremont.ca.us>
Subject: Re: Tenant Protections - City of Claremont

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Katie.

Thank you for your email, and I am well informed of the current caps on rent increases which do little to help Claremont tenants. As I mentioned previously, our jobs only increase our salaries by 2 - 3% each year, and that is only for those tenants with salaried jobs.

The current cap of 5% is already too large of a rent increase annually, and with the added inflation rate on top of that, it is unmanageable. We need better caps for our tenants. If my rent goes up like that again, I will be priced out and I currently work at the Claremont Colleges in a good position. I can't imagine how others are managing. Landlords need to be fair in their increases, but they always go for the maximum which is why these caps are necessary.

Best,
Marja

On Tue, Mar 7, 2023 at 9:04 AM Katie Wand <kwand@ci.claremont.ca.us> wrote:

Good morning, Marja:

Thank you for contacting the City of Claremont regarding tenant protections (i.e. rent control).

Last year, the City Council directed staff to conduct stakeholder and community outreach to gather feedback on tenant protection ordinances (i.e. permanent no fault eviction and rent stabilization ordinances; rental assistance), which will be presented to the City Council for their consideration during their regular meeting on **April 25, 2023**. Meeting material for the April 25th City Council meeting will be available on the City's website 5 days before the meeting.

In response to your question regarding rent control – On January 1, 2020, the California Tenant Protection Act of 2019 (AB 1482) established an annual rent increase cap of five percent plus inflation or ten percent, whichever is lower. As a result, under AB 1482, non-exempt residential landlords may raise rent five to ten percent in any twelve month period. However, AB 1482 contains numerous exceptions, including but not limited to:

- Residential real property that is alienable separate from any other dwelling unit (e. g., single-family homes, condominiums, etc.), provided the owner is not a real estate investment trust, corporation, or an LLC where a member is a corporation and the owner has provided notice to the tenant(s) that the unit is not subject to AB 1482' s protections.
- A tenant renting a room in owner-occupied unit where kitchen or bathroom facilities are shared.
- Accessory Dwelling Units (ADUs) or Junior Accessory Dwelling Units (JADUs) where the owner lives in one of the units.
- Duplexes where the owner lives in one of the units.
- Housing subject to affordability covenants.

Staff is in the process of researching what appropriate recommendations may be regarding long-term rent stabilization (rent control) measures for Claremont's unique housing market. If you have any feedback that you would like me to share with the City Council, please respond directly to this email.

Thank you,



Katie Wand | Assistant to the City Manager

**City of Claremont | Administrative Services Department
City Manager's Office**

207 Harvard Avenue | Claremont, CA 91711

(909) 399-5454 | KWand@ci.claremont.ca.us

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Please consider the environment before printing this email.

--

Dr. Marja Liisa Kay

"As beautiful as the chance encounter of a sewing machine and an umbrella on an operating table."

Melanie Martinez

Subject: FW: City of Claremont: Tenant Protection Form Entry

From: contact@ci.claremont.ca.us <contact@ci.claremont.ca.us>

Sent: Wednesday, March 22, 2023 3:33 PM

To: Katie Wand <kwand@ci.claremont.ca.us>

Subject: City of Claremont: Tenant Protection Form Entry

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

A new entry to a form/survey has been submitted.

Form Name: Tenant Protection Form
Date & Time: 03/22/2023 3:32 PM
Response #: 14
Submitter ID: 11588
IP address: 24.182.15.106
Time to complete: 6 min. , 18 sec.

Survey Details

Page 1

If you would like to submit comments or questions please use the form below. You may also sign up for the interest email list to receive emails notices of meetings and status updates.

1. Name

Shannon Writt

2. Email Address

[REDACTED]

3. Please indicate if you are a Claremont renter, landlord, or property manager.

Renter

4. I would like to receive emails on the Tenant Protection Ordinance and future meeting notices.

Yes

5. Please provide comments or questions below.

Hello, I am a community member and renter in Claremont. I live in The Cambridge Apartment Complex that was just sold from a family to a large company. Many of my neighbors are elderly and on a fixed income and some are young families. Myself and my fiancé are both graduate students living primarily on student loans. We are asking that you maintain and strengthen renter protection so that we can all continue to be apart of this community.

Thank you,
City of Claremont

This is an automated message generated by Granicus. Please do not reply directly to this email.

William & Francine Baker



February 8, 2023

Claremont City Council
PO Box 880
Claremont CA 91711

Re: Proposed Rent Control Ordinance

Dear City Council:

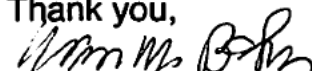
I am requesting the city council consider the costs of maintaining a rental property, particularly smaller multi-family units, when discussing and considering any rent control ordinance for the city of Claremont.

The expenses of operating and maintaining a rental property in a proper and responsive manner is costly and time consuming. The trash and water bills have increased substantially due to the cost of fuel, labor, conservation and other factors. In order to maintain a building various trades must be employed on a routine basis such as plumbers, painters, roofers, gardeners, HVAC contractors and cleaning staff. Other trades are also part of the property upkeep such as tree trimmers, termite contractors, general contractors and the list continues. Of course property taxes and insurance must be paid and continue to increase.

All these expenses may not be considered by residents or governing bodies when making decisions about the need for tenant protections. While both sides must be heard, without a reasonable return on the investment individuals and investors will either shun property investment or reduce the quality of property management.

The state of California has rent control laws that are effective concerning "just cause" evictions and a cap on increasing rent. A further layer of complications for both the resident and owner will make management less effective and further erode maintenance needs for the residents.

Thank you,


William M. Baker

William & Francine Baker



RECEIVED

FEB 15 2023

City Manager's Office

February 13, 2023

Claremont City Council
PO Box 880
Claremont CA 91711

Re: Proposed Rent Control Ordinance

Dear Claremont City Council:

I urge the council to not implement any rent control ordinance and allow the current California statewide rent control, AB1486, to remain the controlling law.

Owners of apartments provide residents housing and a vital service to the community. The owner, like other businesses, must maintain quality service while receiving a return of the investment. The owner is not in the business of providing social services

Residential owners of multi-family properties are not a social safety net for residents confronting life's challenges such as a loss of a job or other life event. The overhead of operating a multi-family property is continuing and can be a daunting obligation.

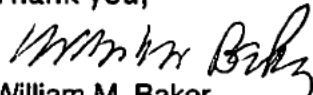
Every month an owner must make a loan payment as well as paying a gardener, trash and utility bills. Other obligations include property taxes, property insurance and a business license. The owner must respond to other maintenance and repair issues such as plumbers, electricians and painters. Each year an owner may be confronted with capital projects such as a new roof and fascia, new sprinklers, an apartment turnover that may require an upgrade to a kitchen, bathroom and flooring. All these obligations must be met on a timely basis with no government safety-net.

For example the 2021 trash bill in Claremont increased 12% due to various recycling programs, the cost of labor and the worldwide issues concerning metals and plastics. The city's website indicates that rates may increase 3% a year from 2022 to 2026. This is just one example of ever increasing costs that include water and gas that have increased year after year. All these costs cannot be easily passed to the residents.

When an owner encounters a capital project or a rehab of a unit, the income for that month may create a negative cash flow resulting in the owner dipping into savings, if any, or maintaining outside employment.

We urge council to allow the statewide cap on increases remain in effect and it should be noted that the state law now prohibits "no-fault" evictions.

Thank you,


William M. Baker

Melanie Martinez

Subject: FW: 10/11 Written Public Comment

From: Anna Huff [REDACTED]

Sent: Monday, April 10, 2023 11:58 AM

To: Shelley Desautels <SDESAUTELS@CI.CLAREMONT.CA.US>; jcostanza@ci.claremont.us; Adam Pirrie <apirrie@ci.claremont.ca.us>

Subject: 10/11 Written Public Comment

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear members of the City Council and city staff,

I am aware that the city staff is currently compiling and proposing an ordinance to the City Council regarding additional protections for renters in Claremont. I am writing to express my support for renters in Claremont, and to ask that city staff bring forward an ordinance with the strongest and most comprehensive renter protections possible. As Claremont renters are facing renovation evictions and disproportionate rent burdens, I would encourage city staff to consider policies that ensure renovation evictions are limited to cases of substantial tenant health and safety concerns, cap rent increases at a reasonable rate, and increase relocation assistance to cover market rent and moving expenses. I hope that the City Council will also consider an ordinance that applies to the greatest number of Claremont renters. An exemption of properties with 20 units or less will not meaningfully protect many Claremont residents. I appreciate your consideration, and look forward to seeing the ordinance in the coming weeks.

Thank you for your time,
Anna Huff

Melanie Martinez

Subject: FW: 10/11 Written Public Comment

From: Lisa Schuster [REDACTED]
Sent: Tuesday, April 11, 2023 7:08 AM
To: Shelley Desautels <SDESAUTELS@CI.CLAREMONT.CA.US>; jcostanza@ci.claremont.ca; Adam Pirrie <apirrie@ci.claremont.ca.us>
Subject: 10/11 Written Public Comment

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear members of the City Council and city staff,

I appreciate that the city staff is compiling and proposing an ordinance to the City Council regarding additional protections for renters in Claremont. I am writing to again express my support for the many renters in Claremont, and to ask that city staff bring forward an ordinance with the strongest renter protections possible.

I am hopeful that city staff will include policies that ensure renovation evictions are limited only to renovations required for the health and safety of tenants, rather than renovations that will simply allow them to charge vastly increased rates to new tenants. As a teacher in Claremont, I am acutely aware of our decreasing student population as my own school has already lost an entire classroom and teacher. Allowing renters to use renovations as an excuse to raise rents will exacerbate our declining enrollment issue as most young families will be forced to look elsewhere for housing. Capping rent increases at a reasonable rate will also help younger families remain in our city.

Additionally, in order to help the most renters possible and to keep students in Claremont, I hope the City Council will not include an exemption for properties with 20 units or less, as this would leave many of our residents unprotected.

Thank you for taking the time to examine this issue that affects so many of our residents, and I look forward to seeing the ordinance in coming weeks.

Thank you for your time,
Lisa Schuster
Resident, [REDACTED]

Melanie Martinez

Subject: FW: 4/11 Written Public Comment

From: Manuela Flores [REDACTED]
Sent: Monday, April 10, 2023 4:46 PM
To: Shelley Desautels <SDESAUTELS@CI.CLAREMONT.CA.US>; jcostanza@ci.claremont.ca; Adam Pirrie <apirrie@ci.claremont.ca.us>
Subject: 4/11 Written Public Comment

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear members of the City Council and city staff,

I am aware that the city staff is currently compiling and proposing an ordinance to the City Council regarding additional protections for renters in Claremont. I am writing to express my support for renters in Claremont, and to ask that city staff bring forward an ordinance with the strongest and most comprehensive renter protections possible. As Claremont renters are facing renovation evictions and disproportionate rent burdens, I would encourage city staff to consider policies that ensure renovation evictions are limited to cases of substantial tenant health and safety concerns, cap rent increases at a reasonable rate, and increase relocation assistance to cover market rent and moving expenses. I hope that the City Council will also consider an ordinance that applies to the greatest number of Claremont renters. An exemption of properties with 20 units or less will not meaningfully protect many Claremont residents. I appreciate your consideration, and look forward to seeing the ordinance in the coming weeks.

Thank you for your time,

Manuela Flores
Scripps College '26

Melanie Martinez

Subject: FW: 10/11 written public comment

From: Michael Lu [REDACTED]
Sent: Monday, April 10, 2023 11:07 AM
To: Shelley Desautels <SDESAUTELS@CI.CLAREMONT.CA.US>; jcostanza@ci.claremont.ca; Adam Pirrie <apirrie@ci.claremont.ca.us>
Subject: 10/11 written public comment

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear members of the City Council and city staff,

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Thank you for your time,
Michael Wan-Lu
(he/him)

Melanie Martinez

Subject: FW: 4/11 Written Public Comment

From: Sophie David [REDACTED]

Sent: Monday, April 10, 2023 4:03 PM

To: Shelley Desautels <SDESAUTELS@CI.CLAREMONT.CA.US>; jcostanza@ci.claremont.ca; Adam Pirrie <apirrie@ci.claremont.ca.us>

Subject: 4/11 Written Public Comment

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear members of the City Council and city staff,

I am aware that the city staff is currently compiling and proposing an ordinance to the City Council regarding additional protections for renters in Claremont. I am writing to express my support for renters in Claremont, and to ask that city staff bring forward an ordinance with the strongest and most comprehensive renter protections possible. As Claremont renters are facing renovation evictions and disproportionate rent burdens, I would encourage city staff to consider policies that ensure renovation evictions are limited to cases of substantial tenant health and safety concerns, cap rent increases at a reasonable rate, and increase relocation assistance to cover market rent and moving expenses. I hope that the City Council will also consider an ordinance that applies to the greatest number of Claremont renters. An exemption of properties with 20 units or less will not meaningfully protect many Claremont residents. I appreciate your consideration, and look forward to seeing the ordinance in the coming weeks.

Thank you for your time,
Sophie



Claremont City Council
225 N Second Street, Claremont, Ca 91711

February 15, 2023

Dear Mayor Leano and Council Members Stark; Reece; Calacay; and Medina;

We stand in support of the Monarch Terrace tenants whose struggle shines a light into the dark reality for many Claremont tenants. This letter is in reference to the 3 ordinances that comprise Agenda Item #7. The agenda items provide a great first step for discussion, but we think that many of the offerings could be stronger:

–Renovations–Enact immediately a full ban on all renovation evictions to allow time for staff to draft stronger protections.

20 unit exemption is too high. Claremont has a lot of infill housing. Housing that makes Claremont a walkable city. Commercial real estate is considered 5 units or more. My suggestion is owner-occupied duplexes be the only exemption. But the city should consider supporting mom and pops who may need legible renovations but are financially unable to without raising rents and displacing tenants.

First right of return to unit.

Increase the relocation assistance to address expensive moving and relocation costs—the expense of looking and applying for new housing has been well documented. The current amount is not enough. Cities that already require substantial payments from evicting owners: Santa Monica (as high as \$32,350), West Hollywood (as high as \$27,356), and even the County of Los Angeles (as high as \$18,971) paid to lower income tenants and lesser amounts to all others according to varying needs. Also as indicated, moving is expensive with application fees (even for places you don't get) and other obstacles that mean people go without a home.

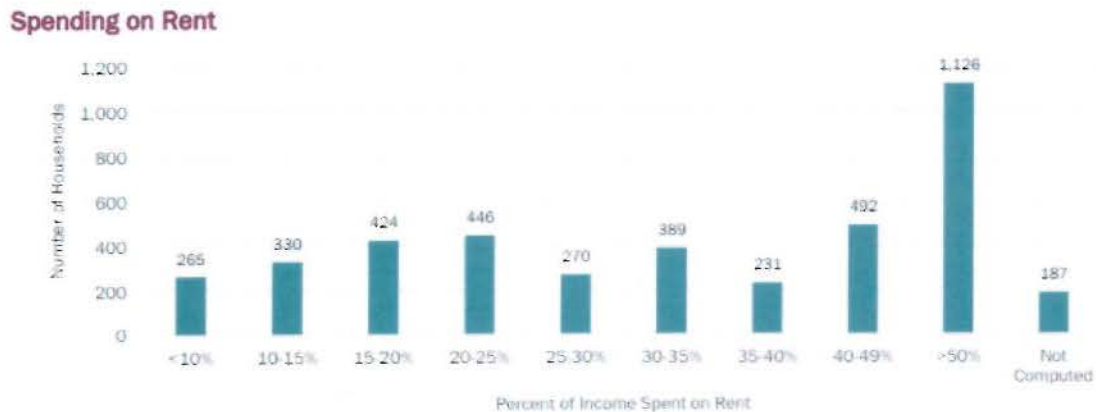
Revise current work threshold to not less than ten (10) times the unit rent and provide the tenant with a detailed written account of the scope of the work, why the work cannot reasonably be accomplished in a safe manner with the tenant in place, and why the work cannot be completed within 30 days. A fee based rental registry could create the funds and accountability for enforcement of tenant protections.

Solutions such as tenant first right of return, stricter guidelines and accountability and longer notice periods are not included in the current ordinance.

–Just Cause Evictions–enact a 6 month moratorium to study and draft much needed protections for Claremont tenants.

–Rent Stabilization–enact an ordinance with a cap of 2% (currently it's 3%-6%) to address the rapidly rising rent on already rent burdened residents and to prevent additional homelessness. The sunset date of July 1, 2023 provides time for a more detailed survey and setup for permanent rent stabilization.

The Southern California Association of Governments (SCAG) data for Claremont shows rent burden for Claremont tenants. Across Claremont's 4,160 renter households, 2,238 (53.8%) spend thirty percent or more of gross income on housing cost. Additionally, 1,126 renter households in Claremont (27.1%) spend fifty percent or more of gross income on housing cost.



Across Claremont's 4,160 renter households, 2,238 (53.8%) spend thirty percent or more of gross income on housing cost, compared to 55.3% in the SCAG region. Additionally, 1,126 renter households in Claremont (27.1%) spend fifty percent or more of gross income on housing cost, compared to 28.9% in the SCAG region.

SCAG Key Indicators for Claremont:

SCAG Key Indicators
Claremont, Los Angeles County



37,266

2020 Total Population



2,795

2020 Persons Per
Square Mile



12,752

2020 Total Housing
Units



2.58

2020 Average
Household Size



35%

2021 Renter Occupied
Housing Units (%)



4%

2021 Population Age
25+; No Diploma (%)



54%

2021 Population Age
25+; Bachelor's
Degree or Higher
Education (%)



7%

2019 Households
Below the Poverty
Level (%)



\$101,545

2021 Median
Household Income



\$722,622

2021 Median Home
Value

Data Source: 2020 data are from the 2020 Decennial Census PUMS redistributing file which and have been processed by the California Department of Finance. 2021 data are Esri estimates; additional information on Esri demographics can be found [here](#). 2019 data are from the American Community Survey (ACS) and have been processed and published by Esri.

These ordinances that you are voting on tonight are policies and practices that are responsible for creating housing. These policies are successful and proven methods of anti-displacement and homelessness prevention.

But these policies have another positive community effect and benefit—rent burdened households will be better able to budget and participate in the local, village mercantile community. Locals make Claremont's commercial area vibrant.

This is what local control looks like. Thank you for agendizing much needed discussion and protections to prevent community displacement and homelessness.

Sincerely,

Allison Henry, Co-founder SGV Tenants' Alliance

Jorge Rivera, Co-founder SGV Tenants' Alliance and founder The People's Resource Center

Melanie Martinez

From: Katie Wand
Sent: Monday, April 03, 2023 7:32 AM
To: Melanie Martinez
Subject: FW: Save the Date – April 25th City Council Meeting

Another public comment for tenant protections. Thank you!



Katie Wand | Assistant to the City Manager

City of Claremont | Administrative Services Department
City Manager's Office

207 Harvard Avenue | Claremont, CA 91711
(909) 399-5454 | KWand@ci.claremont.ca.us
www.claremontca.org | Follow Us! @CityofClaremont

 Please consider the environment before printing this email.

From: Terri Binder [REDACTED]
Sent: Friday, March 31, 2023 11:43 AM
To: Katie Wand <kwand@ci.claremont.ca.us>
Subject: Fw: Save the Date – April 25th City Council Meeting

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

FYI I meant to say "Los Angeles County" instead of just Los Angeles.

----- Forwarded Message -----

From: Terri Binder <[REDACTED]>
To: Katie Wand <kwand@ci.claremont.ca.us>
Sent: Friday, March 31, 2023 at 11:38:19 AM PDT
Subject: Re: Save the Date – April 25th City Council Meeting

Hi Katie,

Renters already have protections granted to them by the State of California and **Los Angeles County**.

Don't cave to the tyranny of a small group of people who think they have a right to dictate the rental policy of Claremont.

Kind Regards,

Terri Binder

On Tuesday, March 7, 2023 at 09:11:58 AM PST, Katie Wand <kwand@ci.claremont.ca.us> wrote:

Good morning,

You are receiving this email update because you have previously contacted the City of Claremont regarding tenant protection ordinances.

Last year, the City Council directed staff to conduct stakeholder and community outreach to gather feedback on tenant protection ordinances (i.e., permanent no fault eviction and rent stabilization ordinances; rental assistance), which will be presented to the City Council for their consideration during their regular meeting on **Tuesday, April 25, 2023**.

Meeting material for the April 25th City Council meeting (including information on how to provide public comment and how to participate in the meeting) will be available on the [City's website](#) 5 days before the meeting. In the meantime, if you would like to submit written public comment, please feel free to respond to this email directly. All public comment will be imaged into the record and will be shared with the City Council. Please let me know if you have any questions.

Thank you,



Katie Wand | Assistant to the City Manager

City of Claremont | Administrative Services Department

City Manager's Office

207 Harvard Avenue | Claremont, CA 91711

(909) 399-5454 | KWand@ci.claremont.ca.us

www.claremontca.org | Follow Us! @CityofClaremont

 Please consider the environment before printing this email.

Melanie Martinez

Subject: FW: 4-11-23 Public Comment City Council
Attachments: The Affordable City Rental Registry and Don't Coddle Landlords.pdf; Claremont 4-11-23 public comment.pdf

From: SGV Tenant Alliance [REDACTED]
Sent: Tuesday, April 11, 2023 4:33 PM
To: Katie Wand <kwand@ci.claremont.ca.us>
Subject: Fwd: 4-11-23 Public Comment City Council

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Katie,
Greetings! Also wanted to forward you my comments re the tenant protection ordinance. I know it will be on the 4/25 agenda.

Thank you for your attention.

Best,

Allison Henry
SGV Tenants Alliance

----- Forwarded message -----

From: SGV Tenant Alliance [REDACTED]
Date: Tue, Apr 11, 2023 at 3:43 PM
Subject: 4-11-23 Public Comment City Council
To: <sdesautels@ci.claremont.ca.us>, <jcostanza@ci.claremont.ca>, Adam Pirrie <apirrie@ci.claremont.ca.us>
Cc: Allison Henry [REDACTED]

April 11, 2023 Public Comment

Dear members of the Claremont City Council and city staff,

Thank you for the work that city staff is doing in putting together materials and an ordinance or series of ordinances that protect tenants with the strongest possible protections.

As the data we have provided in previous letters shows, Claremont renters are facing renovation evictions and disproportionate rent burdens, San Gabriel Valley Tenants' Alliance encourages city staff to consider practices, policies, and data that

- ensure renovation evictions are limited to cases of substantial tenant health and safety concerns as well as provide full just-cause eviction protection;
- cap rent increases at a reasonable rate;
- increase relocation assistance to cover market rent and moving expenses;
- creation of a rental registry to fund and track the ordinance(s).

In the spirit of always wanting to provide City Council and staff with helpful information, I am attaching two chapters which are very brief—3 pages—from Shane Phillips' recent book *The Affordable City*. Phillips is a policy expert and urban planner currently based at the UCLA Lewis Center Housing Initiative. Residential rental registries specifically are addressed in this reading.

As we have stated in previous comments, the exemption of properties with 20 units or less will not meaningfully protect many Claremont residents. A 20 unit exemption is too high. Claremont has a lot of infill housing. Housing that makes Claremont a walkable city. Commercial real estate is considered 5 units or more. Our recommendation is owner-occupied duplexes be the only exemption. But the city should consider supporting mom and pops who may need legitimate renovations but are financially unable to do so without raising rents and displacing tenants.

We hope that the City Council will also consider an ordinance that is the most inclusive and expansive to Claremont tenants. SGVTA again extends our thanks to city staff for their diligent efforts.

Sincerely,
Allison Henry
Co-Founder, SGV Tenants Alliance

THE AFFORDABLE CITY

*Strategies for Putting
Housing within Reach
(and Keeping It There)*

SHANE PHILLIPS

 ISLANDPRESS | Washington | Covelo

Track Everything

"You can't manage what you can't measure." —Peter Drucker

Los Angeles recently created a registry of all rent-stabilized housing in the city, requiring landlords to report basic information about their rental units. This registry includes the amount charged for rent and the length of tenancy for residents. As the owner of a rent-stabilized duplex in which I occupy one unit and rent out the other to a below-market tenant, I too am subject to this requirement. Similar registries should be created for all rental housing in any city concerned with maintaining affordability and protecting tenants.

Rental registries keep landlords honest. They prevent less scrupulous landlords from raising rents beyond rates that may be permitted in a jurisdiction, and they create a public, but confidential, record of tenancy that can be invaluable in eviction cases, which can sometimes boil down to he-said, she-said accusations.

While administration can be a challenge, especially for smaller jurisdictions, such registries can pay for themselves. They can streamline enforcement activities through random sampling of units in the registry and help direct real-life staff toward the most likely offenders for follow-up. They can also reduce the costs associated with illegal evictions and rent hikes, which tend to fall on the public in the form of legal counsel support, housing assistance, and spending associated with addressing homelessness.

Another very significant benefit of a rental registry is data. Currently, the resources available for estimating rental rates, affordability, and rent burden are imprecise and unreliable. These typically depend on aggregator websites that include only on-the-market units in their estimates (which tends to exaggerate the price that existing tenants pay) or US Census Bureau surveys, such as the American Community Survey, that are at least one or two years out of date when published and are aggregated to such a high level that they lose most of their informative value. Rental registries can provide real-time data that allow cities to respond nimbly to changing conditions.

Don't Coddle Landlords

Deference to mom-and-pop landlords gets in the way of effective, consistently applied housing protections.

Landlords have one of the most important jobs in the world. When they screw up—by neglect, ignorance, or deliberate abuse—people's lives and livelihoods can be put at risk.

Bad landlords can put their tenants at risk by, for instance, allowing mold or vermin to propagate, failing to address earthquake or fire risks, not disclosing vital information about their units, serving illegal eviction notices or rent increases, and a whole host of other serious and harmful infractions.

Given the degree to which tenants rely on the good behavior of their landlords, it's incredible that in most cities virtually no training is required to become a landlord. Having enough money to buy a property is the only qualification required, followed (in some but not all cases) by sporadic inspections to ensure compliance with local building and safety codes. It takes one thousand hours of training to become an aesthetician, but absolutely no training is required to become the sole owner and manager of the homes in which people work, cook, clean, eat, study, sleep, play, and raise their children.

This isn't to say that landlords are inherently bad—although, as noted in the previous recommendation, they shouldn't be unduly rewarded simply for acquiring property. Many landlords do a fine job and care deeply for the safety and well-being of their tenants. But many do not, and to leave this to the luck of the draw is an unconscionable abrogation of societal responsibility.

As we seek to create stable communities through measures such as rent stabilization and eviction protections, we should also consider the training of those who manage rental homes and the ways we hold them accountable to act in the best interests of their tenants. Right now we do a very poor job of it, often in the name of protecting mom-and-pop landlords.

Small-time landlords are very frequently held to a lower

standard, including exemption from many tenant protections (such as rent control) that larger property owners are subject to. This must end. We wouldn't exempt small-time battery manufacturers from safe toxic waste disposal practices simply because those requirements placed a proportionately larger burden on them than on their bigger peers. Similarly, providing safe, stable housing is too important a job—too fundamental to the well-being of tenants—to allow some people to skirt the rules. If rent control, just-cause eviction, and regular reporting to local authorities are too great a burden for mom-and-pop landlords, they shouldn't be in the business of rental housing management.

By exempting mom-and-pops from certain standards, we are saying that the financial return on a rental housing investment is more important than the health, safety, and well-being of our neighbors. We need to reverse this dynamic and put the fundamental needs of renters above returns on investment for landlords, even the small ones. Tenants shouldn't receive different protections based simply on who happens to own the building in which they live.



April 11, 2023 Public Comment

Dear members of the Claremont City Council and city staff,

Thank you for the work that city staff is doing in putting together materials and an ordinance or series of ordinances that protect tenants with the strongest possible protections.

As the data we have provided in previous letters shows, Claremont renters are facing renovation evictions and disproportionate rent burdens, San Gabriel Valley Tenants' Alliance encourages city staff to consider practices, policies, and data that

- ensure renovation evictions are limited to cases of substantial tenant health and safety concerns as well as provide full just-cause eviction protection;
- cap rent increases at a reasonable rate;
- increase relocation assistance to cover market rent and moving expenses;
- creation of a rental registry to fund and track the ordinance(s)

In the spirit of always wanting to provide City Council and staff with helpful information, I am attaching two chapters which are very brief—3 pages—from Shane Phillips' recent book *The Affordable City*. Phillips is a policy expert and urban planner currently based at the UCLA Lewis Center Housing Initiative. Residential rental registries specifically are addressed in this reading.

As we have stated in previous comments, the exemption of properties with 20 units or less will not meaningfully protect many Claremont residents. A 20 unit exemption is too high. Claremont has a lot of infill housing. Housing that makes Claremont a walkable city. Commercial real estate is considered 5 units or more. Our recommendation is owner-occupied duplexes be the only exemption. But the city should consider supporting mom and pops who may need legitimate renovations but are financially unable to do so without raising rents and displacing tenants.

We hope that the City Council will also consider an ordinance that is the most inclusive and expansive to Claremont tenants. SGVTA again extends our thanks to city staff for their diligent efforts.

Sincerely,
Allison Henry
Co-Founder, SGV Tenants Alliance

Melanie Martinez

From: Lydia Hernandez [REDACTED]
Sent: Monday, April 03, 2023 2:55 PM
To: Katie Wand
Subject: Pasadena first right of refusal

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This language adds the word “necessary” to substantial renovations AND then goes in to give the tenant the option of taking a comparable unit at same rent or returning after renovation at same rent.

I believe this is the section Alicia said had not been tried in court. Hopefully that’s a good sign the risk is not too high even though the benefits for renters is high.

Thank you for your time today,
Lydia

Landlord reasonable access to the Rental Unit for the purpose of making repairs or improvements, or for the purpose of inspection as permitted or required by law, or for the purpose of showing the Rental Unit to any prospective purchaser or mortgagee.

- (A) The Board shall promulgate regulations for the repair and improvement of Rental Units to ensure the least amount of disruption for the Tenant. Unless due to a documented emergency affecting a Tenant's health and/or safety or as required by state law, all repair or improvement work will be scheduled in compliance with applicable Board regulations. In the event that a Tenant refuses access to the Rental Unit for repairs, a Landlord must show that written notice was provided to the Tenant and all necessary repair or improvement work was scheduled in compliance with all applicable Board regulations to terminate tenancy under this subsection.
- (B) The notice requesting access shall inform the Tenant that if he or she is unable to comply because of a disability, he or she may request a change in the Landlord's policies or practices or other reasonable accommodation to the Tenant's disability.
- (7) ~~Subtenant in Sub-Possession.~~ The person in possession of the Rental Unit at the end of a lease term is a subtenant not approved by the Landlord.
- (8) **Necessary and Substantial Repairs Requiring Temporary Vacancy.** The Landlord, after having obtained all necessary permits from the City of Pasadena, and having provided written notice to the Tenant, seeks in good faith to undertake substantial repairs that are necessary to bring the Rental Unit into compliance with applicable codes and laws affecting the health and safety of Tenants of the building, provided that:
- (A) As independently confirmed by the City of Pasadena, the repairs necessitate that the Tenant vacate the Rental Unit because the work will render the Rental Unit uninhabitable for a period of not less than thirty (30) days, and
- (B) The Landlord gives advance notice to the Tenant of the Tenant's right to elect one or both of the following:

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- (i) The right of first refusal to any vacant Rental Unit owned by the Landlord at the same or lower Rent, provided that the unit is of comparable or superior material living condition and convenience for the Tenant, if such comparable or superior vacant unit exists.
- (ii) The first right of return to reoccupy the unit upon completion of the repairs at the same Rent charged to the Tenant before the Tenant temporarily vacated the Rental Unit to the extent allowed by state law.
- (iii) In the event that the Tenant elects to accept an offer to move to a comparable vacant Rental Unit at the same or lower Rent, the Tenant is not eligible for any Relocation Assistance pursuant to Section 1806(b) herein, however the length of tenancy shall continue to be calculated from the date the Tenant first entered into a Rental Housing Agreement at the Property.
- (C) In the event the Landlord files a Petition for Individual Rent Adjustment within six (6) months following the completion of the work, the Tenant shall be party to such proceeding as if he or she were still in possession, unless the Landlord submits with such application a written waiver by the Tenant of his or her right to reoccupy the premises pursuant to this subsection.
- (9) **Owner Move-In.** The Landlord seeks, after providing 6 months written notice to the Tenant, to recover possession of the Rental Unit in good faith for use and occupancy as a primary residence by the Landlord, Landlord's spouse, domestic partner, children, grandchildren, parents, or grandparents.
- (A) As used in this subsection, "Landlord" shall only include a Landlord that is a natural person and has at least a fifty percent (50%) recorded ownership

Melanie Martinez

Subject: FW: April 25 Tenant Ordinance
Attachments: TenantOrdLtr.pdf

From: CHRIS NATICCHIA [REDACTED]
Sent: Tuesday, April 18, 2023 12:57 PM
To: Brad Johnson <bjohnson@ci.claremont.ca.us>
Subject: April 25 Tenant Ordinance

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DEMOCRATIC CLUB

OF CLAREMONT

April 18, 2023

Brad Johnson

Community Development Director

City of Claremont

225 Second Street

Claremont, CA 91711

Dear Mr. Johnson:

Our understanding is that, at the April 25, 2023 Claremont city council meeting, the council will consider a permanent ordinance for rental units in the city that places a moratorium on no-fault evictions and provides for rent stabilization. The executive board of the Democratic Club of Claremont recommends that the proposed ordinance include the following provisions:

1. A provision for relocation assistance of three months rent, meant to cover the first and last months' rent and security deposit, in order help renters remain housed and to curtail abuse of the "renovation loophole" in state legislation.
2. A provision that calculates such rent based on current market conditions rather than current payments, which in some cases may be below-market.
3. A provision that stabilizes rent increases at a maximum of 3% plus CPI or 5%, whichever is lower.
4. A provision that limits exemptions to the above to individuals who own three or fewer units.

On behalf of the executive board,

Chris Naticchia

President



DEMOCRATIC CLUB

OF CLAREMONT

April 18, 2023

Brad Johnson
Community Development Director
City of Claremont
225 Second Street
Claremont, CA 91711

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3. A provision that stabilizes rent increases at a maximum of 3% plus CPI or 5%, whichever is lower.
4. A provision that limits exemptions to the above to individuals who own three or fewer units.

On behalf of the executive board,

Chris Naticchia
President

For City Council – City of Claremont

Feb 15th 2023

Dear Claremont City Council,

Please Keep Single Family Homes Out of any changes, as SFH are Exempt from 482 already. Please don't make it worse for Single Family Home Owners here in Claremont!

Rents are high, but we have a wonderful city that is kept beautiful and nice.

If you keep rents too low, the Owners won't improve their properties, and you'll have junky apartments, and unkept homes, with little landscaping, and old paint.

Better to keep the rents higher. The City can give a subsidy for the rents to help if they need to.

Owners need a path to get rid of bad tenants, and plights in the neighborhood. Owners need flexibility to protect their homes, and needing Just Cause would make life miserable for these SFH Owners. Please don't make it more restrictive to be an Owner and manage rental properties.

Please consider that capping the rent does not align with current inflation.

Handymen are expensive, and the handymen we use demanding cash now because they complain that gas and materials prices are high.

Many Rentals in this town are for college and graduate students, and professors.

If the Owners can't charge a decent rent, many single-family homes will get pulled off the market. If our City mandates only Just Cause to evict, that would be even less housing for students, Professors, and teachers, and further exacerbates our housing problem. The colleges need our housing as they want to increase the colleges, but they don't have enough housing for the students

Tenants don't always allow handyman in. It is much easier to do a fix-it without the tenant there. Best to do a big fix-it improvement in-between the tenants. Sometimes you need extra time, and fix-it schedules can be delayed. The roof near my home has taken 3 weeks, much longer than the 1 week they quoted.

Hope you will please keep single family homes out of any new changes you make. Please don't make it worse for Single Family Home Owners in Claremont!

Thank you – Claremont resident

RECEIVED

FEB 22 2023

City Manager's Office

Melanie Martinez

Subject: FW: Housing Claremont letter to Council
Attachments: No Fault and Rent Stabilization- council letter.pdf

From: Zachary C. Courser [REDACTED]
Sent: Wednesday, April 19, 2023 4:49 PM
To: Jamie Costanza <jcostanza@ci.claremont.ca.us>
Cc: Ilsa Lund [REDACTED]
Subject: Housing Claremont letter to Council

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Jamie,

Please distribute the attached letter from Housing Claremont to the City Councilmembers. It is in regard to an agenda item in the upcoming city council meeting. Let me know if you have questions.

Very best,

Zach Courser
[REDACTED]



Educate. Advocate. Connect.

April 19, 2023

Board of Directors

Isla Lund, President
Nancy Treser-Osgood, Secretary
Monique Ott, Treasurer
Gene Boutilier
Zach Courser
Lynne Marsenich

Ed Reece, Mayor
Corey Calaycay, Councilmember
Jed Leano, Councilmember
Sal Medina, Councilmember
Jennifer Stark, Councilmember

City of Claremont
225 Second Street
Claremont, CA 91711

Dear Mayor Reece:

In October 2022, in response to changes in state law, post-pandemic eviction pressures, and input from renters potentially impacted by evictions, the City of Claremont enacted a temporary urgency ordinance placing a moratorium on no-fault evictions. The City also placed temporary urgency limitations on rent stabilization requirements. On April 25 the City Council will consider permanent ordinances for both of these policies. Housing Claremont has researched ordinances in California cities that are similar to Claremont in size and economic makeup to determine whether the city staff's proposed ordinances are adequate to protect renters in the community (see appendix, table 1). Our guiding principles in making these determinations were tenant protection and incorporating values that best reflect our community. After reviewing these ordinances and carefully considering these criteria, the Board of Housing Claremont make the following recommendations to the City Council improve the proposed permanent no-fault eviction and rent stabilization ordinances. We believe these additions will better serve tenants and reflect our community's values.

No-Fault Evictions

The state of California has set minimum standards for no-fault evictions through the California Tenant Protection Act of 2019 (AB 1482). This law does not go far enough in protecting the interests of renters, and many California cities comparable to Claremont go much further. We recommend the following be included in the permanent ordinance, first introduced by staff at the October 25, 2022 Council meeting:



Relocation assistance

In the staff report, the City of Claremont plans to increase relocation assistance from one month's rent to three month's rent. The intention is to cover the first and last month's rent, and security deposit for tenants relocating to a new apartment. We recommend that Claremont follow Culver City's model for relocation assistance, which is three month's rent or three times the Small Area Fair Market Rent – whichever is higher – plus \$1,000. The Small Area Fair Market Rent is calculated yearly by the federal Department of Housing and Urban Development (HUD) for every zip code in the U.S. The inclusion of the Small Area Fair Market Rent helps to ensure tenants who are paying below market rate for their current apartment can be fairly compensated as they search for a comparable apartment in Claremont. The additional \$1,000 is meant to support extra relocation costs, including movers, child care, and days off of work. We further recommend that small landlords – defined as individuals (not corporations or LLCs) who own no more than three rental units in the city – pay 50% of the required relocation assistance.

Additional protections for students and educators

In the previous proposed ordinance, Claremont does not provide any additional eviction protections for groups that would be particularly harmed by no-fault evictions. Both Culver City and Santa Monica do not allow no-fault evictions of school-aged children (K-12) attending public school during the school year. We recommend Claremont add protections for K-12 students – as well as full-time college students and educators – during the school year to minimize disruption to educational programs. We believe this reflects the values of our community and an understanding of how vital education is to it.

Residential Rent Stabilization

In the proposed permanent ordinance, city staff recommended a yearly allowable rent increase of 3% plus the consumer price index (CPI), for a maximum of 6% total. While this is lower than the state's 10% maximum, other California cities with comparable populations and median incomes to Claremont offer protections of between 3% and 5% allowable annual rent increases. For example, Culver City's maximum ranges between 2% and 5% depending on CPI. West Hollywood limits rent increases to 75% of CPI or a maximum of 3% annually. We recommend Claremont adopt a 3% plus the consumer price index (CPI), for a maximum of 5% total annual rent increase. We believe this will adequately stabilize rents and reflects the standards in place in similar cities in the region.

An important provision of the October 25 urgency ordinance for heightened rent stabilization exempted "residential tenancies with 20 or fewer units." After reviewing Claremont's non-owner-occupied rental properties in Claremont, we recommend that the permanent ordinance exempt residential tenancies with 3 or fewer units. This would ensure that a majority of rental units in the city be rent stabilized, whereas the 20 or fewer units provision would leave less than half of units in the city protected.

Page 3

The Board of Housing Claremont asks that you ensure these important provisions are part of the City's housing policy. We feel these additions best represent the interests of tenants, and provide protections that reflect our community and the best practices of similar cities in the region. We also believe the exemptions and reductions for small landlords make this policy fair for property owners. Please reach out to us if you have questions, and we look forward to sharing our perspective on this policy at the upcoming council meeting.

Sincerely,

A handwritten signature in black ink that reads "Zachary Courser". The signature is written in a cursive style with a large, prominent initial "Z".

Zachary Courser
Board Member, Housing Claremont

Appendix

Table 1: Demographic and Economic Characteristics of California Cities Similar to Claremont

	Claremont	East Palo Alto	Beverly Hills	West Hollywood	Culver City	Alameda	Antioch	Santa Monica
First stabilization enactment date	N/A	1988, 2010	1978, 2017	1985	2020	2019	August / Nov 2022	April 1979
Last stabilization revision	N/A	2023 (yearly)	July 2022	2023	2020	2022	August / Nov 2022	2022 (yearly)
Population as of 2020	35.610	30.034	33.709	35.678	40.640	78.280	115.291	93.076
% renters as of 2020	34%	51.20%	58.30%	80.20%	46.20%	54.80%	36.20%	68.60%
Median income as of 2020	\$101,080	\$96,349	\$103,944	\$71,692	\$97,540	\$115,468	\$97,540	\$94,906
RHNA assessment	1,711	829	3,104	3,933	3,341	5,353	3,016	8,895
SCNG housing scorecard	D+	B-	A+	A+	C-	C-	C	B
“Just cause” ordinance	N/A	Link	Link	Link	Link	Link	None?	Ch. 9 Summary of Regulations
Rent stabilization ordinance	N/A	Link	Link	Link	Link	Link	Link	Resolution 22-001 Adopted 6-9-2022.pdf (smgov.net)
Extra links							Staff report to August meeting to pass rent stabilization	Original 1979 Rent Control Article XVIII including Section 1806

Source: City websites, US Census, Southern California News Group.

Melanie Martinez

Subject: FW: Inclusive Claremont recommendations: no-fault eviction and rent stabilization
Attachments: Inclusive Claremont policy recommendations-2.pdf

From: Gwen Morgan Tucker [REDACTED]
Date: April 19, 2023 at 7:55:39 PM PDT
To: Shelley Desautels <SDESAUTELS@ci.claremont.ca.us>, jconstanza@ci.claremont.ca.us, Adam Pirrie <apirrie@ci.claremont.ca.us>
Subject: **Inclusive Claremont recommendations: no-fault eviction and rent stabilization**

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

I hope this email finds you well! I'm attaching a copy of Inclusive Claremont's policy recommendations for the city's permanent ordinance concerning no-fault evictions and rent stabilization. Please let me know if there is any additional information we can provide.

Best,
Gwen



April 19, 2023

At the meeting on April 25th, the Claremont City Council will consider permanent ordinances regarding no-fault evictions and rent stabilization, following up on the passage of a temporary moratorium on renovation evictions last fall. As the city's pro-housing coalition, Inclusive Claremont believes wholeheartedly that the City of Claremont should do everything in their power to propose and pass the strongest and most comprehensive renter protection ordinance possible. After reviewing the information collected and recommendations proposed by Housing Claremont, Inclusive Claremont would like to submit the following recommendations to the proposed no-fault eviction and rent stabilization ordinances.

- **Relocation assistance:** In last year's staff report, the City of Claremont planned to increase relocation assistance from one month's rent to three month's rent, covering the first and last month's rent as well as security deposit for tenants relocating to a new apartment. We agree with Housing Claremont's recommendation that "Claremont follow Culver City's model for relocation assistance, which is three month's rent or three times the Small Area Fair Market Rent – whichever is higher – plus \$1,000." This will more adequately address relocation for people renting apartments for below market-rate, and will provide additional funding for moving expenses. We also recommend that Claremont consider models for relocation assistance such as those applied in Beverly Hills, West Hollywood, and Santa Monica that provide additional funds for tenants over the age of 62, with disabilities, or with children.
- **Additional protections for subgroups:** Claremont's previously proposed ordinance does not offer additional protections for groups that would be particularly harmed by no-fault evictions. We concur with Housing Claremont in suggesting that "Claremont add protections for K-12 students – as well as full-time college students and educators – during the school year to minimize disruption to educational programs." As a coalition of students and community members, we believe this protection is hugely important for living up to our city's values. Additionally, we encourage the City of Claremont to adopt a model similar to Culver City, where tenants over the age of 62, tenants with disabilities, and low-income tenants are granted further protections from no-fault evictions. This could reasonably include extending the amount of time the tenant has to move once receiving their no-fault eviction notice.
- **Rent stabilization:** In the state of California, rent increases can currently be up to 5% + CPI or 10% every year, depending on the rate of inflation. This is not doing enough to

protect Claremont tenants, more than 50% of whom are rent burdened. We recommend that Claremont adopt residential rent stabilization at 2% + CPI or 4%, whichever comes first. This is comparable to local cities such as Culver City, West Hollywood, and Pomona.

- Exemptions: Last year's temporary moratorium on renovation evictions adopted an exemption for "residential tendencies with 20 or fewer units." We strongly urge the city of Claremont to not continue this standard, as it will not adequately protect a majority of tenants in Claremont. We recommend that the permanent ordinance only exempt owner-occupied duplexes or rooms in owner-occupied homes.

We ask that you consider these recommendations along with the letters sent in by other groups supportive of renter protections, such as Claremont Tenants United, Housing Claremont, and the Democratic Club of Claremont. We believe that these changes will ensure an ordinance that fairly and equitably protects tenants in Claremont, and ensures that the City of Claremont lives up to its values.

Sincerely,
Gwen Tucker
Lead Organizer, Inclusive Claremont