



## TENANT PROTECTIONS

### BACKGROUND INFORMATION: 2018 - 2020

**August 21, 2018:** City Council held a [Study Session](#) to discuss the *Strategy, Pillar B: Reduce the Risk of Displacement and Help Stabilize At-Risk Populations*. There were near-term tools identified (could be adopted 90-120 days) and medium-term programs (1-2 years) identified for City Council's consideration. Council directed staff to proceed with the near-term tools for implementation that include: 1) Rent Review Program; 2) Minimum Lease Term; 3) Termination of Tenancy; and 4) Tenant Relocation Assistance triggered by demolition, remodel, renovation or re purposing of a property.

**November 8, 2018:** Staff hosted a workshop for the public to provide feedback on the four draft ordinances for City Council consideration at the December 18, 2018. Click [here](#) to view the flyer.

**December 18, 2018:** The first reading of four ordinances was introduced to City Council.

1. Rent Review Program;
2. Minimum Lease Term;
3. Termination of Tenancy; and
4. Tenant Relocation Assistance triggered by demolition, remodel, renovation or re-purposing of a property.

Council adopted three of the four proposed ordinances: 1) Minimum Lease Term; 2) Termination of Tenancy; and 3) Tenant Relocation Assistance. And, the Tenant Relocation Assistance was amended to include 20% rent increase over a two-year period and to include an additional payment of one month's rent for special circumstances households, as defined in the ordinance. Additionally, the City Council directed staff to return with a Just Cause Eviction ordinance and an ordinance to create a method for collecting data regarding rents for residential units (a "Rent Registry"). Click [here](#) to view the packet.

**January 15, 2019:** The second reading of three ordinances returned to City Council. Given that the four ordinances introduced on December 18 were part of an integrated package and in consideration with Council's direction to return with Just Case Eviction and Rent Registry, action was deferred. In the interest of maintaining an integrated package of Tenant Protection Ordinances and conservation of staff resources for implementation and administration, including providing consistent and clear support to tenants and landlords, staff believes that it would be appropriate for the City Council to defer action on the Tenant Relocation Assistance Ordinance until after the Council has had an opportunity to evaluate it along with a Just Cause Eviction ordinance and Rent registry ordinance. [Click here](#) to view the packet.

**February 2019:** Citywide postcard mailed to all the residents and business license holders announcing the February 19th study session. Click [here](#) to view the postcard.



### **February 19, 2019**

On February 19th City Council held a Study Session to discuss three tenant protection policies:

1. Tenant Relocation Assistance;
2. Just Cause for Evictions; and
3. Rent Registry.

There were over 150 attendees and many hours of public testimony. As a result, Council will continue the Study Session during a **Special Meeting March 5th at 5:30pm**. Tenants, landlords and any members of the public are welcome to attend the Special Meeting. To access the City Council Agenda and packet, click [here](#).

### **March 5, 2019**

On February 19th, City Council held a Study Session to discuss several tenant protection policies. The Council continued the Study Session on March 5. At that session, the Council passed a series of motions directing staff to:

- Return with a proposed Rent Registry ordinance that will allow the City to collect data regarding rents for all residential rental properties;
- Return with a proposed Just Cause for Eviction ordinance that applies to buildings with five or more units, built prior to January 1, 2015, including looking at definition of property owner;
- Research whether the existing Minimum Lease ordinance voted on in December needs revision in association with other ordinances, and bring back for consideration; and,
- Return with possible options for a multi-stakeholder “task force”, to collaborate and identify good El Cerrito-specific options to address the City’s Affordable Housing Strategy policy To reduce the risk of displacement and help stabilize at-risk populations. The options are to include potentially using an independent collaborator, with associated costs. The group should be equally made of landlords and tenants with multitude of building sizes, with a goal of presenting a series of recommendation that would be desirable by both as a working model.

### **May 7, 2019**

At the May 7, 2019 City Council meeting, the City Council held the first reading of two proposed ordinances: a Rent Registry Ordinance; and Just Cause for Eviction Ordinance. The second reading of these ordinances will return to the City Council **on May 21, 2019**, and when adopted will take effect in 30-days on June 20, 2019. The Rent Registry Ordinance establishes an annual reporting requirement for all residential rental property owners to submit data into a City database regarding rents and other relevant information. The Just Cause for Eviction Ordinance establishes enumerated reasons for which a landlord can terminate tenancy for multi-family properties with five (5) or more units that received a Certificate of Occupancy issued before January 1, 2015. Please click [here](#) to access the City Council Agenda Packet.

### **May 21, 2019**

At the May 21, 2019 City Council meeting, the Council adopted both the Rent Registry and Just



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Cause for Eviction Ordinances. The ordinances will take effect in 30-days on **June 20, 2019**. Both ordinances will be implemented by the Community Development Department.

The [Rent Registry Ordinance](#), El Cerrito Municipal Code Chapter 10.100 ([Ordinance 2019-03](#)), establishes an annual reporting requirement for all residential rental property owners to submit data into a City database regarding rents and other relevant information. The data collected will be used to inform the City Council about the rental market and trends in El Cerrito. The City Council has not, at this time, provided any direction for the Rent Registry to be used to regulate rents in the City. However, participation in the program is mandatory.

The [Just Cause for Eviction and Prohibition on Harassment of Tenants Ordinance](#), El Cerrito Municipal Code Chapter 10.300 ([Ordinance 2019-04](#)), establishes enumerated reasons for which a landlord can terminate tenancy for multi-family properties with five (5) or more units that received a Certificate of Occupancy issued before January 1, 2015.

There are new annual registration fees for associated with each program. The Rent Registry is set at \$44.00 per unit, and \$35.00 per unit for Just Cause to recover administrative costs to implement both programs. The Community Development Department is working with the Finance Department to utilize the City's annual business license renewals, which begins in late-June, to invoice property owners for these fees that are due by July 31, 2019. At the same time, the City will also provide property owners with additional information, including Frequently Asked Questions, regarding the specific requirements for each ordinance.

In addition, on May 21st the City Council directed staff to form a Tenant Protections Task Force of eight (8) members made up equally of landlords and tenants. The purpose of the Task Force is to bring together landlords and tenants to find common ground in order to make policy recommendations to the City Council for their consideration. The Task Force will be led by a professional facilitator/mediator and staffed by the City's Housing Analyst as the staff liaison. The Task Force will meet a minimum of 3 times and sunset after 6 months. Please sign up to the Community Development Department E-News at [www.el-cerrito.org/CommDev](http://www.el-cerrito.org/CommDev) to learn more about the application process and how to apply.

### **June 10, 2019**

On May 21, 2019, the City Council adopted the Just Cause for Eviction and Prohibition on Harassment of Tenants Ordinance, El Cerrito Municipal Code Chapter 10.300 (Ordinance No. 2019-04), which was to become effective June 20, 2019. As passed, the ordinance would limit the bases for termination of residential tenancies. It would only apply to multi-family properties with five or more units that received a Certificate of Occupancy issued before January 1, 2015.

On June 10, 2019, a referendum petition was filed with the [City Clerk](#) related to [Just Cause for Eviction and Prohibition on Harassment of Tenants Ordinance](#). This process, allowed by California Elections Code, suspends implementation of the ordinance. On June 27, 2019, the Contra Costa County Elections Office notified the City and determined that petition contained the required valid voter signatures. As required by the California Elections Code, the City Council will take action at upcoming meetings to certify the results of the petition and then either repeal the ordinance or call an election for the purpose of submitting it to the voters. Please click [here](#) to access City Council Agenda items.



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**July 31, 2019**

At a Special Meeting on July 31, 2019, the City Council passed a motion to repeal the [Just Cause for Eviction and Prohibition on Harassment of Tenants Ordinance](#) (Ordinance 2019-04, adopted May 21, 2019). At the same meeting, the City Council also passed a motion to amend the duties and responsibilities of the [Tenant Protections Task Force](#) to include the Just Cause for Eviction policy.

**August 20, 2019**

Staff returned to the City Council to request waiving the second reading of Ordinance [2019-07](#), repealing Chapter 10.300 – Just Cause for Eviction and Prohibition on Harassment of Tenants. Ordinance 2019-07 took effect on September 19, 2019. [Ordinance 2019-04](#) remains suspended and based on the repeal, the City Council cannot enact an ordinance of substantially the same content prior to September 20, 2020.