

DATE: April 25, 2022

TO: Rental Housing Committee

FROM: Karen M. Tiedemann, Special Counsel to the Rental Housing Committee
Nazanin Salehi, Special Counsel to the Rental Housing Committee
Anky van Deursen, Program Manager

SUBJECT: Draft Amendments to Chapters 7 and 11 of CSFRA Regulations

RECOMMENDATION

1. Amend CSFRA Regulations Chapter 7, Procedures for Annual General Adjustments, to change the contact information in the Mandatory Notice to Tenant in case of a banked annual general adjustment.
2. Amend CSFRA Regulations Chapter 11, Registration, to add the requirement that landlords provide Notice of Applicability of Community Stabilization and Fair Rent Act at the commencement of a new tenancy.

BACKGROUND AND ANALYSIS

The following changes are being proposed to correct contact information and to bring the Community Stabilization and Fair Rent Act (CSFRA) Regulations into alignment with the Mobile Home Rent Stabilization Ordinance (MHRSO) Regulations.

CSFRA Chapter 7 Amendment

Chapter 7 of the CSFRA Regulations provides for a mandatory notice to tenants in case of a charge of a greater rent increase than the AGA (banked rent increase) with inclusion of mandatory text. The proposed amendments to Chapter 7 seek to update the telephone number and email address in this mandatory text under Section B.2.b.

CSFRA Chapter 11 Amendment

At the November 15, 2021 meeting, the Rental Housing Committee (RHC) adopted Chapter 11 of the Regulations for the MHRSO. Chapter 11 of the MHRSO Regulations requires mobile home landlords to provide mobile home tenants and owners with a “Notice of Applicability of the

Mobile Home Rent Stabilization Ordinance” at the outset of each tenancy. The Notice of MHRSO Applicability is intended to ensure that mobile home owners and tenants are aware of the MHRSO, including their and their landlord’s rights and obligations under the law.

Staff is proposing to amend Chapter 11 of the CSFRA Regulations to require landlords of rental units to provide a similar notice—“Notice of Applicability of Community Stabilization and Fair Rent Act (CSFRA)”—at the commencement of each new tenancy. Beginning May 1, 2022, landlords will be required to provide each new tenant with a notice, in a form prescribed by the RHC, that includes the following information:

- The existence and scope of the CSFRA;
- Whether the rental unit is fully or partially exempt from the CSFRA and the basis for the claimed exemption; and
- The tenant’s right to petition against certain increases.

A copy of the notice must be filed with the RHC upon the landlord’s initial registration and each subsequent change in the tenancy. Additionally, landlords would be required to provide each affected tenant with a copy of the notice within 15 days after the expiration or inapplicability of an exemption.

The proposed amendment is intended to increase tenant awareness of their rights and obligations under the CSFRA and increase enforcement of tenant’s rights. In particular, the requirement that a landlord provide information about any claimed exemption should facilitate the utility of the exemption petition process that the RHC recently adopted and that program administration is implementing.

FISCAL IMPACT

The adoption of the proposed amendments to Chapter 7 and Chapter 11 of the CSFRA Regulations is not anticipated to impact the budget of the RHC.

PUBLIC NOTICING—Agenda posting.

KMT-NS-AVD/JS/6/CDD/RHC

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- Attachments:
1. Draft Resolution to Adopt Amendment to CSFRA Regulations, Chapter 7
 2. Draft Resolution to Adopt Amendment to CSFRA Regulations, Chapter 11