

From: Joshua Howard <JHoward@caanet.org>
Sent: Sunday, October 16, 2022 1:29 PM
To: Rental Housing Committee <RHC@mountainview.gov>
Subject: 2023 Draft Workplan-Item 7.4 Oct 17, 2022 RHC Agenda

Dear Chair Haines-Livesay and Committee Members

As you consider the Rental Housing Committee's 2023 workplan at your meeting on October 17, 2022, the California Apartment Association (CAA) and its members in Mountain View express concern about the vagueness of the proposed workplan. We suggest, for the benefit of all members of the community, that the workplan contains additional details and mechanisms are put in place to ensure that non workplan items that arise throughout the year are brought forward only after a majority of the RHC expresses interest in staff working on those items.

For the past several years, the RHC has adopted a workplan that generally contains routine business items. It is nice to know when the RHC will discuss its budget, workplan, set the AGA, and elect its chair/vice chair. However, the workplan has generally contained little, if any detail, about the substantive regulations or policy items the RHC will consider during the calendar year. The 2022 workplan left the city's housing providers and tenants with the impression that the RHC would not be engaging in developing new, substantive regulations. Nowhere in that workplan which the RHC adopted on Nov. 15, 2021 was it mentioned that the RHC would end up focused on significant items in 2022 including: regulating base rents and concessions (March, May, June, July meetings); developing more robust enforcement mechanisms for compliance with RHC regulations (March and September meetings); adopting fines and penalties for improper registration; or adopting new disclosure requirements that could impact units not subjected to the CSFRA (April meeting). Housing providers, tenants, and some RHC members first learned about these items coming to the RHC no less than 72 hours before the RHC meeting with no advance notice that RHC staff was developing these regulations.

It is helpful to see the draft 2023 workplan contain more detail than in prior years. A review of the 2023 draft workplan, as presented in the Oct. 17, 2022 meeting packet, leads one to conclude that how landlords cost-share utilities with their tenants as well as regulations around "tenants/subtenants" are the only specific regulations the RHC will consider in 2023. It is helpful to know that during the first half of 2023 these items will be discussed; however, if there are other regulations the RHC staff plans to bring forward, those should be listed in the workplan to help the RHC members and the public better understand the issues coming forward while allowing the RHC the opportunity ensure that the RHC staff time is focused on meeting the priorities of the RHC.

Mountain View's rental housing providers remain committed to working closely with the RHC and its staff on the development of regulations and policies. As demonstrated last year, when stakeholders were consulted, brought together, and engaged in dialogue on the base rent/concession regulation, the RHC adopted a regulation that both housing providers and tenants found acceptable. This should be the model for how regulations are developed. CAA respectfully requests the RHC consider the following as it adopts its workplan for the coming year:

- provide more detail about “Regulations (as needed)” in the months of June-December;
- a process for stakeholder engagement, ensuring stakeholders are consulted early and throughout the process on the development of any regulation related to utility cost sharing (January-March, 2023 meeting items), the discussion on tenants/subtenants (April & May 2023 meetings) as well as any other regulation that might be developed;
- establishing a practice that the workplan can only be amended by majority vote of the RHC and non workplan items must first be approved by the RHC to ensure that staff is focused on issues and projects that respond to the RHC priorities and the community is well aware that different regulations are being developed and not surprised to learn about them with little to no time to provide meaningful input.

Thank you for your continued service on the RHC. As always, please do not hesitate to contact me if CAA can provide further information on this or other items affecting Mountain View’s rental housing industry.

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