



**MEMORANDUM**

CSFRA, Community Development Department

**DATE:** October 7, 2019

**TO:** Rental Housing Committee

**FROM:** Anky van Deursen, CSFRA Program Manager  
Karen M. Tiedemann, Special Counsel to the Rental Housing Committee  
Justin D. Bigelow, Special Counsel to the Rental Housing Committee

**SUBJECT:** Administrative Compliance Policy

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**RECOMMENDATION**

Provide input regarding a potential administrative compliance policy with regard to the Community Stabilization and Fair Rent Act (CSFRA).

**BACKGROUND**

Voters approved the Community Stabilization and Fair Rent Act (CSFRA), which promotes neighborhood and community stability, healthy housing, and affordability for renters in the City of Mountain View by controlling excessive rent increases and arbitrary evictions to the greatest extent allowable under California law, while ensuring landlords a fair and reasonable return on their investment and guaranteeing fair protections for renters, homeowners, and businesses. The CSFRA is principally enforced via petitions from landlords and tenants seeking adjustments of rent, either upward or downward. Landlords and tenants may also rely on the text of the CSFRA to settle disputes in court. Finally, the CSFRA contemplates administrative action to enforce compliance.

To date, the Rental Housing Committee (RHC) has adopted a thorough administrative scheme to address petitions from both landlords and tenants. The RHC has not thoroughly explored administrative options to promote compliance with the CSFRA.

**ANALYSIS**

Daily efforts by CSFRA staff are directed toward ensuring that everyone affected by the CSFRA is able to find answers to questions or concerns that may arise under the CSFRA

and to provide assistance in helping to resolve and clarify a variety of issues and/or procedures under the tenant protection measures in Mountain View. Staff remains focused on providing excellent public service with the goal of ensuring that all stakeholders' needs are met thoroughly, efficiently, and with respect. Staff receives a variety of inquiries on a daily basis providing the need to inform, educate, and clear up misunderstandings by property owners and tenants regarding their rights and obligations under the CSFRA, without immediately resorting to the formal petition process.

In addition to more responsive actions, staff suggests consideration of implementing an administrative process to increase compliance with the CSFRA. For instance, the CSFRA empowers the RHC to:

- “Establish rules and regulations for administration and enforcement of” the CSFRA. (§1709(d)(2).)
- “Publicize” provisions of the CSFRA, including rights and responsibilities of landlords and tenants. (§1709(d)(12).)
- “Establish a schedule of penalties that may be imposed for noncompliance with [the CSFRA] or with rules and regulations promulgated under [the CSFRA].” (§1709(d)(13).)

The CSFRA also authorizes the RHC to enforce the law by bringing legal actions, but such action must be approved by the City Council. ((§§ 1709(d)(14) & (15), 1714(e) and 1715.)

Setting aside the potential to pursue enforcement actions in the courts, the RHC could consider other proactive measures to promote compliance. This process could include providing a courtesy compliance letter to empower tenants and landlords to better understand their rights and responsibilities. Topics to be addressed could include payment of annual fees, rent rollback obligations, code compliance, adherence to the annual general adjustment of rent, and the limitation of one rent increase per 12 months as well as the regulations regarding banked rent increases as well as potential repercussions of a violation. An improved understanding of and adherence to the CSFRA will diminish and/or prevent disputes, and lead to a higher level of compliance.

**Question 1:** Is the RHC in favor of administrative courtesy compliance letters to empower tenants and landlords to better understand their rights and responsibilities?

Staff also is seeking input from the RHC regarding potential additional steps in an administrative compliance process. If the RHC is interested in exploring a more proactive administrative compliance process, staff will research options and bring this topic back to the RHC at a later time.

**Question 2:** Is the RHC in favor of staff researching options for a more proactive administrative compliance process to bring back in a future meeting?

**FISCAL IMPACT** – None.

**PUBLIC NOTICING** – Agenda posting.

AvD-KMT-JDB/DJ/2/RHC  
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