

RENTAL HOUSING COMMITTEE
RESOLUTION NO. RHC - ...
SERIES 2021

A RESOLUTION OF THE RENTAL HOUSING COMMITTEE OF MOUNTAIN VIEW
ADOPTING AMENDMENTS TO REGULATION
CHAPTER 11 REGISTRATION,
OF THE COMMUNITY STABILIZATION AND FAIR RENT ACT (CSFRA)

WHEREAS, CSFRA sections 1708(b), 1709(d)(2), and 1709(e) authorize the Rental Housing Committee to establish rules and regulations for administration and enforcement of the CSFRA; and

WHEREAS, the Rental Housing Committee has held a publicly noticed meeting on December 13, 2021, and solicited input regarding registration and exemptions; and

NOW, THEREFORE, BE IT RESOLVED by the Rental Housing Committee that Chapter 11 – Registration, as set forth in Exhibit A is hereby amended.

Community Stabilization and Fair Rent Act Regulations

Amendment to Chapter 11 - Registration

Chapter 11 of the CSFRA Regulations is amended to add a new Section E to read as follows:

" E. **Exemptions.**

If a Landlord provides information that the Rental Unit is exempt, the CSFRA Rent Stabilization Program Administration ("Administration") shall verify the exemption.

1. **Denial of Exemption.** If it is determined that the exemption does not apply and the Rental Unit is covered by the CSFRA, both Landlord and any affected Tenant(s) shall be provided with notice of the determination, including an explanation of the basis of its determination. A Landlord shall have fourteen (14) days from the date of mailing of the notice of determination to file an objection with the RHC, or its designee, and request a hearing before a hearing officer. Within 45 days of receipt of a Landlord's written objection, a hearing shall be scheduled before a Hearing Officer pursuant to the process in Chapter 5 of the CSFRA Regulations.
2. **Confirmation of Exemption.** If it is determined that the exemption does apply and the Rental Unit is not covered by the CSFRA, both Landlord and any affected Tenant(s) shall be provided with a notice of the determination, including the type of exemption claimed. Any affected Tenant(s) shall have fourteen (14) days from date of mailing of the notice of determination to file an objection with the RHC, or its designee and request a hearing before a hearing officer. Within 45 days of receipt of a Tenant's written objection, a hearing shall be scheduled before a Hearing Officer pursuant to the process in Chapter 5 of the CSFRA Regulations. If more than one affected Tenant files an objection, the RHC or its designee may consolidate the objections in accordance with Section J of Chapter 4 of these Regulations.
3. **Right to Respond to Objection.** An affected Landlord or Tenant shall have the right to submit a written response to the objection at any time prior to ten (10) days before the Hearing. Additionally, any affected party, or the

party's proxy or representative, shall have the opportunity to participate in the Hearing.

4. Program Fee. During the time that RHC, or its designee, is reviewing a claim for exemption pursuant to this section, deadline periods for the payment of annual rental housing fees shall be suspended. If the Hearing Officer determines that Rental Unit is not exempt, Landlord shall pay the annual rental housing fee within thirty (30) days after the time to file an appeal expires and the Hearing Officer's decision becomes final.
5. Hearing and Decision. Any hearing on an objection to an exemption determination shall be conducted in accordance with the hearing procedures outlined in Section E of Chapter 5 of these Regulations. Additionally, the Hearing Officer's Decision on an objection to an exemption determination shall comply with the following requirements:
 - a. The time for issuance of the Hearing Officer's Decision under this Section E shall comply with deadline in Section F.1.a of Chapter 5 of these Regulations.
 - b. The contents of the Hearing Officer's Decision under this Section E shall comply with the requirements in Section F.1.c of Chapter 5 of these Regulations.
 - c. The Hearing Officer's Decision under this Section E shall apply to any affected Tenant, regardless of whether the Tenant filed an objection or was included as a party to the Landlord's objection.
6. Appeal of Hearing Officer's Decision. In accordance with Section F.1.b and Chapter 5 of these Regulations, a Hearing Officer's Decision under this Section E shall be final unless either Party timely appeals in accordance with Section H.1 of Chapter 5 of the Regulations."

Section E, Noncompliance, of Chapter 11 is renumbered to Section F.