

RENTAL HOUSING COMMITTEE
RESOLUTION NO. RHC - ___
SERIES 2022

A RESOLUTION OF THE RENTAL HOUSING COMMITTEE OF MOUNTAIN VIEW
AMENDING REGULATIONS: CHAPTER 2: DEFINITIONS, OF THE COMMUNITY
STABILIZATION AND FAIR RENT ACT (CSFRA)

WHEREAS, CSFRA section 1709(d) authorizes 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 March 28, 2022, and solicited input to clarify the definition of Base Rent in furtherance of the CSFRA; and

NOW, THEREFORE, BE IT RESOLVED by the Rental Housing Committee that amendments to Chapter 2 (Definitions), as set forth in Exhibit A, are hereby adopted.

Community Stabilization and Fair Rent Act Regulations

Amendment to Chapter 2 – Definitions

Paragraph (b) of Chapter 2 of the CSFRA Regulations is amended as follows:

"(b) **Base Rent.** The Base Rent is the reference point from which the lawful Rent shall be determined and adjusted in accordance with the Act.

(1) Tenancies Commencing on or before October 19, 2015. The Base Rent for tenancies that commenced on or before October 19, 2015, shall be the Rent in effect on October 19, 2015.

(2) Tenancies Commencing After October 19, 2015. The Base Rent for tenancies that commenced after October 19, 2015, shall be the initial rental rate charged upon initial occupancy, provided that amount is not in violation of the Act or any provision of State law. The term "initial rental rate" means only the amount of Rent actually required to be paid by the Tenant for the initial term of the tenancy.

(i) Rent Concession. If a temporary rent concession or reduction is provided by the Landlord during the initial term of the tenancy, the "initial rental rate" shall be the average amount of Rent actually required to be paid by the Tenant during the initial term of the tenancy. For example, if a Tenant agrees to pay \$1000/month for 12 months for a Rental Unit and the Landlord provides a concession of two free months, then the Base Rent for the Rental Unit shall be \$833.33 $((10 \times \$1000)/12)$."