



Tenant Relocation Assistance Ordinance (TRAO) Modifications

City Council
May 12, 2020



Background

October 2019	Council conducts Displacement Strategy Study Session <ul style="list-style-type: none">• Direct staff to bring TRAO modifications ahead of other strategies
January 2020	SB330 went into effect <ul style="list-style-type: none">• New law• Complex
Feb. 2020	Midyear Goal Update <ul style="list-style-type: none">• Council directs staff to bring forward five modifications



Tenant Relocation Assistance Ordinance

- Key provisions:
 - 120% AMI
 - 3 months of median monthly rent
 - \$3,000 for Special Circumstance Household
 - 60 day subscription to rental agency



Council Direction

In February 2020, Council directed staff to amend the TRAO with the following modifications:

1. Area median income (AMI) eligibility increased by \$5,000
2. Special circumstances households receive an additional \$5,000.
3. Enhanced assistance by AutoTemp to assist in search for housing
4. Second 50 percent TRAO payment upon submittal of documentation securing a replacement rental (not after move out);
5. Landlord will waive tenants' obligation to provide 30-day move-out notice.



April 15, 2020 EPC Meeting

- Unanimously supported the modifications with some minor clarifying revisions
- Consider integrating SB 330 requirements into future TRAO modifications



Comparison Table

Requirement	SB330	TRAO
AMI level	<ul style="list-style-type: none"> - Occupied Protected Units – No AMI limit - Unoccupied Units with no income documentation – 80% AMI 	Up to 120%
Amount of Relocation	Up to 42 months	3 months
Relocation Formula	Difference between median rent and actual rent	Median rent of similar sized unit
Unit Eligibility	<ol style="list-style-type: none"> 1. CSFRA covered 2. Deed restricted 3. Occupied by low or very low income household 4. Removed from Ellis Act 	<ol style="list-style-type: none"> 1. CSFRA covered 2. 3 units or more for non-CSFRA covered units
First Refusal	Household rent/buys at affordable price in new development	If the unit returns to the rental market, rents at lawful rental rate
Service Agency	Yes	Yes
Special Circumstance	No	Yes

Comparison Table

3+ apartments not covered by CSFRA

CSFRA – Fully Covered



TRA0

Units withdrawn from mkt in past 10 yrs

Units occupied by LI/VLI units in past 5 yrs

Affordable housing

CSFRA – Fully Covered



SB 330



Increase AMI Eligibility by \$5000

Current: TRAO eligible households up to 120% AMI.

Modification: Increase eligible income limit to 120% AMI plus \$5000.

HCD 2019 Santa Clara County Income Limits

	Household Size							
	1	2	3	4	5	6	7	8
Moderate Income	\$110,400	\$126,150	\$141,950	\$157,700	\$170,300	\$182,950	\$195,550	\$208,150
Modified Income	\$115,400	\$131,150	\$146,950	\$162,700	\$175,300	\$187,950	\$200,550	\$213,150



\$5000 for Special Circumstance Household (Revised)

Current: Special Circumstance Households receive \$3000

- Defined as eligible households with at least one person 62 years of age or older, disabled or handicapped, or with one or more minor children under eighteen years of age who are legally dependent.
- \$3000 (adjusted annually by CPI)

Revised Modification: Increase the benefit by an additional \$5000 for a total of \$8000 with **the CPI adjustment at the beginning of the calendar year.**

- Highlighted yellow text is EPC recommendation



Enhanced Rental Services

Current: TRAO allows for a 60 day subscription to a rental service.

Modification:

- Unlimited access to a subscription service to a rental agency until the time of move out; and
- Include the services of a relocation agency with extended advisory and personalized replacement housing assistance based on a household's preferences, housing budget, preferred location, and other requirements and providing up to five rounds of referrals through analysis of available rental housing, including Internet listings, contact with property management companies, available affordable housing options including wait-list opportunities, and other leads on housing.



Second TRAO Payment

Current: TRAO requirement requires the second 50 percent TRAO payment upon vacating the unit.

Modification: Second 50 percent TRAO payment upon submittal of documentation securing a replacement rental **or vacating the unit, whichever comes first.**

- Highlighted yellow text is EPC recommendation



Move Out Notice Waiver

Council request for landlords to waive their right to receive a 30 move out notice from the tenant.

- State law requires tenants provide a 30 day move out notice to landlord if they are on a month to month lease.
- Local law cannot conflict with State Law
- Landlord can do voluntarily

Modification: Include in the Administrative Guidelines as a suggested consideration



Additional Modifications

Staff Proposed Modifications

1. County recording of notice of TRAO requirements
 - a) Would notify future owners of the property of TRAO requirements

2. Add general language specifying that the stricter of TRAO or State law shall prevail

Introduce an Ordinance Amending Article XIII of Chapter 36 of the Mountain View City Code Related to Tenant Relocation Assistance, to be read in title only, further reading waived, and set second reading for June 9, 2020.