



**DATE:** December 8, 2015

**CATEGORY:** Consent

**DEPT.:** Community Development/City Attorney's Office

**TITLE:** **Adopt an Ordinance Adding Chapter 43 to the Mountain View City Code Regarding Written Residential Rental Leases (Second Reading)**

### **RECOMMENDATION**

Adopt an Ordinance Adding Chapter 43 to the Mountain View City Code Regarding Written Residential Rental Leases (Attachment 1 to the Council report). (First reading: 6-1; Inks no)

### **SUMMARY**

The ordinance (also referred to as the "right-to-lease ordinance") requires landlords to provide current and prospective tenants in a rental unit (a dwelling unit existing in a single structure in which three or more dwelling units are used as rental housing) with the option of a written lease with minimum terms of six months and one year. A tenant may also elect a month-to-month lease or other mutually agreed-upon lease term. The ordinance also includes provisions requiring written lease rates to not exceed the rental rate for the same unit for a month-to-month tenancy, a requirement for landlords to notify tenants of the written lease requirements, and penalties for noncompliance. This ordinance does not require a landlord to renew a lease.

Landlords are required to provide tenants with notice of the right-to-lease ordinance, and must do so either by providing written notice to the tenants or electronically if the application and rental agreement are processed electronically. Single-family dwellings, condominiums, duplexes, and corporate housing are not covered by the ordinance.

If adopted, the ordinance would become effective on January 7, 2016. In terms of implementation, the ordinance would not immediately apply to existing tenancies already subject to a written lease. If a unit is rented without a written lease, then the landlord must offer a written lease to the tenant by March 1, 2016, in accordance with the ordinance. The ordinance would apply to all new tenancies created after the effective date of the ordinance.

**FISCAL IMPACT**

The ordinance would not require General Fund support, although implementation of this ordinance will require some staff time and resources to provide outreach and preparation of notice templates for landlords.

**PUBLIC NOTICING**

Agenda posting. The ordinance was published at least two days prior to adoption in accordance with City Charter Section 522.

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010-12-08-15CR-E

Attachment: 1. Ordinance