



**MEMORANDUM**

CSFRA, Community Development Department

**DATE:** June 19, 2017

**TO:** Rental Housing Committee

**FROM:** Jannie L. Quinn, City Attorney  
Anky van Deursen, Associate Planner

**SUBJECT:** Hearing Process Regulations

---

**RECOMMENDATION**

Consider Hearing Process Regulations for individual rent adjustment petitions under the CSFRA.

**BACKGROUND AND ANALYSIS**

The Rental Housing Committee (RHC) is tasked with a number of duties, including the establishment of rules and regulations regarding the implementation of the CSFRA. In this agenda item, staff will present draft Regulations governing the procedural aspects of the hearing process of individual rent adjustment petitions. In previous meetings, the RHC heard presentations on the Petition Process and a Fair Return Standard. Together, these three components form the process by which tenants and landlords can petition for an individual upward or downward rent adjustment under the CSFRA.

Section 1710 of the CSFRA permits a landlord or a tenant to file a petition with the RHC seeking adjustment, either upward or downward, of the rent for any given tenancy in accordance with the standards set forth in the CSFRA and using the procedures set forth in Section 1711 and implementing regulations. The RHC shall determine the hearing process. These draft Regulations establish the procedures for the hearing process, including authority of hearing officers, noticing and prehearing procedures, postponement requests, conduct of the hearing, hearing record, decision contents, burden of proof, and appeals to the RHC.

**REQUESTED STAFF DIRECTION**

Staff requests the RHC review and consider the draft Hearing Process Regulations for individual rent adjustments under the CSFRA. The RHC can provide comments and

establish a time frame for public input. As was briefly discussed at the June 8, 2017 RHC meeting, the RHC anticipates adoption of regulations for all three components (petition, hearing, and fair return standard) once the RHC completes its deliberations on the fair return standard.

### **FISCAL IMPACT**

The implementation and administration of a these Hearing Process Regulations to complete the Petition Process, will either be a component of the RHC budget, a separate fee charged to petitioners, or a combination of both, and will be included in the fee ultimately adopted by the RHC once it establishes a budget for the implementation and administration of the CSFRA.

### **PUBLIC NOTICING** – Agenda posting.

JLQ-AvD/7/CDD/RHC

895-06-19-17M-E

Attachment: 1. Draft Regulations Hearing Process for Individual Rent Adjustment