



COUNCIL REPORT

DATE: October 28, 2025

CATEGORY: Public Hearing

DEPT.: Housing Department

TITLE: **Code Amendment to Chapter 36 (Zoning)
Tenant Relocation Assistance Ordinance
(First Reading)**

RECOMMENDATION

Introduce an Ordinance of the City of Mountain View repealing Chapter 36, Article XIII (Tenant Relocation Assistance) of the Mountain View City Code, amending Chapter 46 of the Mountain View City Code to change the title and add a new article governing Tenant Relocation Assistance, and finding that these code amendments are not subject to the California Environmental Quality Act, to be read in title only, further reading waived, and set a second reading for December 9, 2025 (Attachment 1 to the Council report).

BACKGROUND

The City's state-certified 2023-31 Housing Element includes Program 3.2 related to displacement prevention and mitigation efforts. Program 3.2 includes a comprehensive list of policies, programs, and actions to address tenant displacement, including the following:

- Objectives and metrics: "Assist all displaced eligible tenants in receiving SB 330/Tenant Relocation Assistance to partially mitigate displacement impacts. Evaluate the efficacy of TRA0 in meeting anti-displacement goals, such as being able to stay in Mountain View."
- Milestone and Timeframe: "Evaluate the efficacy of TRA0 by December 31, 2024."

As noted below, the Rental Housing Committee (RHC) and City Council held Study Sessions in November and December 2024, respectively, to meet the Housing Element deadline. This item brings back the actual TRA0 amendments based on the Study Session direction to effectuate the changes for increasing the efficacy of TRA0.

Process

Rental Housing Committee – The TRAO is a City program implemented by the Rent Stabilization Division as part of its tenant protection scope of responsibilities. The TRAO primarily covers units under the CSFRA and MHRSO, which are overseen by the Rental Housing Committee (RHC). As such, the RHC, in its advisory role to the City Council, held a [Study Session on November 14, 2024](#), to provide review and provide feedback on stakeholders input and staff recommendations for TRAO amendments. The Study Session included an overview of the TRAO purpose and key provisions, previous TRAO amendments, comparison of TRAO with the relevant elements of SB 330, summary of stakeholder outreach, and a summary of comparison jurisdictions. Overall, the RHC supported all of staff's recommendations.

City Council – On [December 17, 2024](#), City Council held a Study Session to review TRAO efficacy and RHC and stakeholders' input, meeting the Housing Element deadline of December 31, 2024 to complete the review. Council supported staff's recommendations and provided feedback for staff to further review options to increase relocation benefits, as discussed below.

Environmental Planning Commission – On [September 17, 2025](#), the EPC held a public hearing to review the draft TRAO amendments based on the December 2024 Study Session, and to provide a recommendation to the City Council. The TRAO is currently found in Chapter 36 of the City Code, and EPC reviews Chapter 36 amendments. The EPC unanimously supported all of staff's recommendations, with three additional items for consideration shown here and further discussed in the Analysis section: 1) methods for tenants to stay informed and monitor the progress of redevelopment projects, including any changes that could impact their projected move-out date; 2) different methodology for determining moving costs; and 3) alternative means of compliance¹ should be of at least "equivalent value" to the TRAO benefits.

What is the TRAO?

The TRAO is the City's local ordinance that requires relocation benefits to income-eligible households displaced from certain types of housing units, such as rental units covered under the City's Community Stabilization and Fair Rent Act. The TRAO specifies the amount of relocation benefits, additional benefits for "special circumstance" households, and various requirements for landlords to meet if they want to take the units off the market or redevelop the property.

SB 330 and Ellis Act

In addition to the City's TRAO, State regulations govern the level of relocation benefits (Senate Bill (SB) 330, also known as the Housing Crisis Act of 2019) as well as the rights and obligations of landlords who want to withdraw housing units from the market (Ellis Act) including noticing

¹ The current TRAO uses the term "alternative mitigation" to describe the option available for an applicant to propose another method to meet the goals of the TRAO. Staff recommends using the term "alternative means of compliance" going forward, which is a more commonly used term.

requirements. The recommended TRAO amendments conform with relevant sections of the California Code, such as the Ellis Act (Section 7060 et seq.), the Housing Crisis Act (SB 330 (Section 66300 et seq.)), and other California state codes, such as tenant/landlord law (Section 1940 et seq.) and the Health and Safety Code (Section 17910 et seq.) and covers three scenarios of tenant displacement, including redevelopment project, withdrawing the units from the market, and owner move-in. Each scenario has different noticing requirements, in accordance with relevant State law.

Staff Recommended Changes

During the RHC and Council Study Sessions, staff identified key challenges/considerations of the TRAO and provided recommended amendments as shown in Table 1.

Table 1. Summary of Key Considerations and Recommended TRAO Amendments

Challenges/Considerations of Current TRAO	Recommendations
1. Does not specify a move-out date for when a tenant must leave a unit as part of a demolition/ redevelopment project, which may cause tenants to move out sooner than needed.	1. Add the SB 330 vacate date to the TRAO.
2. Requires developers to provide tenants with Notice of Intent of a redevelopment project very early in the process, which may cause tenants to move out sooner than needed.	2. Evaluate alternatives for a later Notice of Intent requirement.
3. Treats temporary tenant displacement the same as permanent displacement, which means landlords must provide the same level of benefits even though the impact of temporary displacement is less than a permanent one.	3. Add a new section to address temporary displacement.
4. Exempts City-enforced displacements (such as red-tagging units) from tenant relocation benefits, which may lead to unintended consequences. Ex. landlord could cause/allow units to fall into disrepair, leading to City enforcement, but be exempt from paying relocation benefits.	4. Do not exempt units vacated due to City enforcement order for nonpermitted construction or habitability issues.
5. No provision granting displaced tenants of a redevelopment project that demolishes “protected units” (such as CSFRA units) a right of first refusal to a replacement unit.	5. Add SB 330-type of right of first refusal to City requirements.
6. Since 2014, approximately 41% of displaced tenants relocated within Mountain View.	6. Evaluate options to increase benefits.

At the December 2024 Council Study Session, Council unanimously supported recommendations 1 through 5. Council also directed staff to evaluate options for increasing relocation benefits for displaced households earning 80% or less of the Area Median Income (AMI) and to provide moving costs for all households regardless of income.

Moving TRAO from Chapter 36 (Zoning Code) to Chapter 46 (Housing-Related Ordinances)

In addition to the six recommendations above, staff recommends that the TRAO be moved from its current location in the City Code (Chapter 36 – Zoning Code) to Chapter 46 for three reasons:

- TRAO is not related to zoning.
- TRAO is referenced in the CSFRA, which is located in the City Charter. Both the TRAO and the CSFRA are administered by the Rent Stabilization Division, and the Rental Housing Committee (RHC) serves as the policymaking body for the CSFRA. Therefore, the RHC would be the most appropriate advisory body to the City Council regarding the TRAO.
- The City is reviewing the City Code as part of the Fiscal Year 2025-27 Council Strategic Workplan to clean up the City Code. As part of this process, Chapter 46 is expected to consolidate various housing-related ordinances, including the TRAO. Currently, Chapter 46 only contains the Mobile Home Rent Stabilization Ordinance (MHRSO). The cleanup process would add TRAO to Chapter 46, resulting in the MHRSO and TRAO as distinct articles under the Chapter.

Therefore, the draft TRAO amendments are written as Chapter 46, Article 2. EPC supported this recommendation during its September 2025 Public Hearing.

ANALYSIS

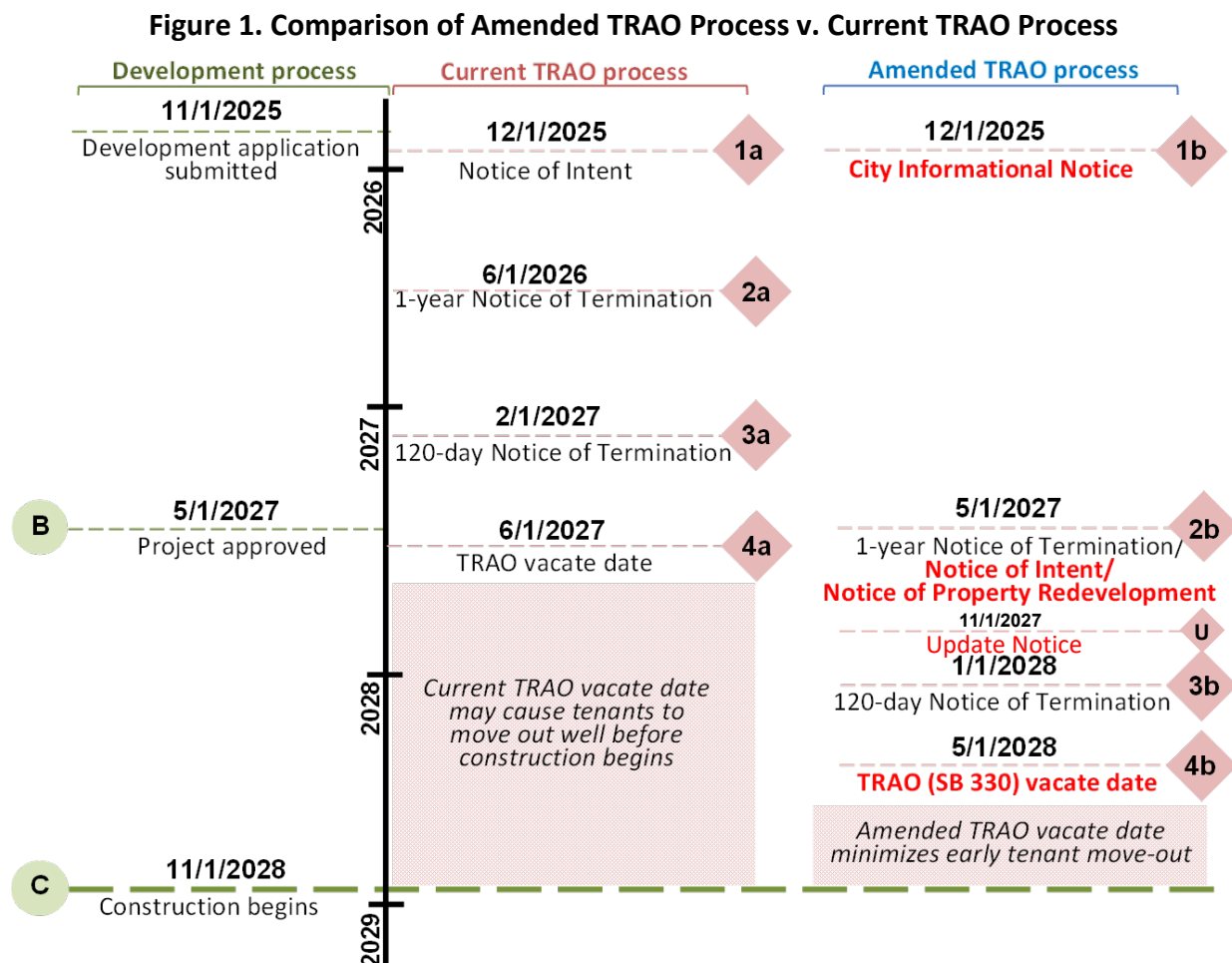
Based on Council's input during the December 2024 Study Session, staff developed the draft TRAO amendments in **Attachment 1** based on the six recommended changes in **Table 1** above. This Analysis section provides a summary of the amendments. Note that State laws – including the Ellis Act and SB 330 – collectively require landlords to provide four different notices: Notice of Intent, Notice of Termination, "Notice of Property Redevelopment" (SB 330 requires but does not name this notice, so the term is coined by staff), and an "Update Notice" (also required by SB 330 but coined by staff). Although there is some redundancy in the information that must be provided in the notices, these are State requirements that landlords must follow.

Because the amendments are comprehensive, the amended TRAO has been reorganized into a new structure, rather than attempting to amend the TRAO within the current structure. To assist with City Council's review of the new TRAO, **Attachment 2** provides a summary of the changes with a cross-reference between the amended and current TRAO.

Amendment 1 - SB 330 vacate date has been added to the TRAO

As discussed with the RHC and Council in 2024, the current TRA0 specifies that the vacate date must fall after Council approves a redevelopment project but does not provide any other requirements. Conversely, SB 330 specifies that tenants can remain in their units for at least six months prior to the start of construction.

Figure 1 below provides an example of a redevelopment project and the various vacate dates to illustrate the benefit of incorporating the SB 330 vacate date. **As shown in the “Amended TRA0 Process” column – item 4b**, adding the SB 330 vacate date to the TRA0 aligns with the State requirement and will allow tenants to stay in their units longer, whereas under the “Current TRA0 process” column – item 4a, an applicant may ask tenants to move out much sooner. This also means that the State-required Notice of Termination (NoT) would be issued much later in the amended TRA0 (Figures 1–2b and 3b) than under the current TRA0 (Figures 1–2a and 3a).



Note that SB 330 does not specify how to determine when construction will begin. Staff recommend using the date of issuance of a demolition permit as the standard to establish the start of construction, as it provides a clear, objective benchmark. If issuance of the demolition

permit is delayed, the landlord will be required to provide a 3-month extension of the vacate date at least 3 months in advance.

Additionally, staff recommend adding the Notice of Property Redevelopment requirement to the TRAO and requiring that it be provided to the tenants one year before the projected date the tenant must vacate (Figure 1 – 2b), as well as an Update Notice at least six months before the vacate date (Figure 1 – U). Both notices are mandated by SB 330.

Amendment 2 – TRAO now includes Notice of Intent requirement at a later date (one year prior to the vacate date)

Under the current TRAO, a landlord is required to issue the NOI within 30 days of filing a redevelopment application (Figure 1 – 1a). Although the tenant does not need to leave until the vacate date, requiring an NOI at this earlier stage may still cause tenants to move earlier than necessary.

Based on a review of comparison jurisdictions, most jurisdictions with rent stabilization programs require the NOI to be issued one year prior to the vacate date. This aligns with the extended noticing period available under the Ellis Act to special needs households living in rent-stabilized rental units. **Staff recommends that the TRAO be similarly amended to require a 1-year concurrent issuance of the NOI and NoT, as shown in Figure 1 – 2b.**

In place of an early NOI, staff recommends that the City provide tenants an informational notice that the landlord has filed a development application with the City. Staff have received input from other jurisdictions with a later NOI date, that tenants may still learn that the landlord has submitted a development application and decide to move out earlier than necessary due to uncertainty. One way to address this problem is for the City – rather than the landlord – to send an informational notice to tenants within 30 days of a landlord filing a development application with the City. The informational notice would let tenants know about the development and noticing process and that they do not need to move until six months prior to the start of construction. The idea is that a City notice would educate tenants, help dispel rumors or inaccurate information, reduce uncertainty, and prevent tenants from moving earlier than necessary. **The City informational notice is shown in Figure 1 – 1b.**

Collectively, the notices discussed in Amendments 1 and 2 will provide greater stability for tenants by increasing transparency and information regarding their living situation and when they will need to move from their units.

EPC – Additional Consideration 1

EPC unanimously supported the recommended notices and timing requirements. EPC also discussed how tenants can stay better informed and monitor the progress of redevelopment

projects, including any changes that could impact their projected move-out date. Staff recommends that the recommended City Informational Notice include instructions for tenants to sign up for project-specific email notifications on the City of Mountain View website.

Amendment 3 – New temporary displacement section has been added to TRAO

Under the current TRAO, a temporary displacement under 30 days is not addressed, and temporary displacement over 30 days is subject to the same relocation benefits as a project causing permanent displacement due to the demolition of existing CSFRA units. However, although temporary displacement disrupts the tenant's living situation, it does not have the same impact as permanent displacement. An example of temporary displacement is when tenants need to temporarily vacate their units so that renovation work can be performed.

As discussed during the December 2024 Study Session, Council supported adding a new provision in the TRAO to address temporary displacement and provide a menu of options, modeled after the 660 Mariposa project.² Based on Council direction and staff's research of comparison jurisdictions (**Attachment 4**), staff recommends the following provisions be added to the TRAO:

- Temporary displacement is considered to be 90 days or less.
- Landlords shall offer three temporary relocation options to all existing tenants:
 - Per-diem payment; or
 - Temporary stay in a hotel/motel with suitable facilities in a 5-mile radius; or
 - Comparable housing within existing property or another property in Mountain View.
- Landlords shall provide moving and/or storage costs.
- Tenants shall have the first right of return to their original unit at the same rent.
- If the temporary displacement exceeds 90 days, tenants can choose to:
 - Remain in their temporary relocation situation; or
 - Move out permanently and forego the right of return to their original unit. Income-eligible tenants under the TRAO (i.e., households up to 120% AMI + \$5,000) will receive permanent relocation benefits, in addition to the temporary benefits they have already received.

² To satisfy its Below Market Rate housing obligation for the market rate project at 1720 Villa Street (now called The Tillery), the developer Prometheus converted the rent-stabilized apartment at 660 Mariposa into permanently affordable housing. The project included renovating the property and providing temporary relocation benefits to existing tenants, moving costs, and a right to return to the newly renovated units at their prior rents.

Amendment 4 – City enforcement no longer exempted under TRAO

As discussed in the 2024 Study Sessions, the current TRAO exempts a landlord from paying relocation benefits if tenants are displaced due to a City enforcement order requiring tenants to vacate their units. This exemption may cause unintended consequences. For example, a landlord could intentionally allow or cause a CSFRA property to fall into significant disrepair, requiring the City to “red tag” the units. Red-tagged units are uninhabitable, which means tenants must immediately vacate the units but would not receive relocation benefits under the current exemption. None of the comparison jurisdictions exempt relocation assistance in the event of a City enforcement action. Council supported removing this exemption, which is reflected in the attached TRAO amendments.

However, staff recommends that the amended TRAO include an exemption if a City enforcement order to vacate a rental unit is due to damage or destruction of the unit caused by a fire, flood, earthquake, or natural disaster *that was not caused by or contributed to by the landlord*.

Amendment 5 – “SB 330 right of first refusal” added to TRAO

The current TRAO provides a first right of return for all tenants of rent-stabilized units (regardless of income) who are displaced in the event a landlord withdraws all units in a rental building from the market (meaning the units are no longer available for rent) but decides to return the original units back to the market (meaning the same units are once again available for rent) within 10 years. This first right of return is a requirement of the State Ellis Act. Additionally, the current TRAO provides a right to return to the original rental unit in the event of a no-fault eviction if the unit is returned to the rental market.

Separately, SB 330 requires that redevelopment projects that demolish protected units (e.g., CSFRA units or units housing lower-income households) offer replacement units at affordable levels. Additionally, SB 330 provides a right of first refusal for lower-income households (up to 80% AMI) to a replacement unit.

The current TRAO does not include this type of “SB 330 right of first refusal.” Council supported adding this to either the TRAO amendments or through the development of local replacement requirements. Because the TRAO amendments are being considered first by the Council, the SB 330 right of first refusal is included in this TRAO amendment process.

Council also asked staff to evaluate whether higher-income households who are displaced should also have the right of first refusal to a new unit at market prices. **Staff recommend that the right of first refusal be provided to low-income households (up to 80% AMI) only**, and does not

recommend extending a right of first refusal to a new unit at market prices for displaced higher-income tenants. First, SB 330 does not require that the right of first refusal be offered to higher-income tenants. Second, higher-income residents should be able to find alternative units at market rent; therefore, requiring the landlord to provide a right of first refusal for higher-income tenants would create an additional obligation for something that may have little value for those households.

Finally, staff recommend that the TRAO include requirements that would allow the City to determine if the landlord is complying with the amended TRAO. This includes requiring landlords to provide an inventory of units, information about existing tenants, and – if the units are vacant – documentation that the units became vacant through lawful means (i.e., tenants were not illegally evicted). Failure to meet these requirements or causing units to become vacant by unlawful means is a basis for voiding a project's entitlement and denial of building permits. Additionally, with new State legislation such as Assembly Bill (AB) 130 that will significantly streamline the review process for many projects, it is critical that landlords provide accurate and complete information to the City as early as possible as part of the review process to meet State timeline requirements.

Amendment 6 – Recommend increasing benefits for low-income households, and providing moving costs to all households regardless of income

During the 2024 Study Session, Council considered whether the TRAO amendments should include increased benefits for the following income groups:

- Group 1: Up to 80% AMI (covered by TRAO and SB 330)
- Group 2: Above 80% AMI up to 120% AMI plus \$5,000 (covered by TRAO)
- Group 3: Above 120% AMI + \$5,000 (not covered by either TRAO or SB 330)

Council supported evaluating 1) enhanced relocation benefits for Group 1 only as they have the lowest income and have the greatest need and 2) moving costs for all three Groups, as all groups are impacted by displacement.

Enhanced Benefits for Group 1

The current TRAO requires that income-eligible displaced households (Groups 1 and 2) receive three (3) months of rent based on the median monthly rent for a comparable unit in Mountain View, which is approximately \$12,000. Additionally, the TRAO requires enhanced relocation benefits for Groups 1 and 2 if at least one member of the household is a senior, disabled, or a legally dependent child (special circumstance household). The special circumstance

enhancement is approximately \$9,371 per household and is annually adjusted based on the change in the Consumer Price Index.

Staff reviewed comparison jurisdictions (**Attachment 3**) and found that several of them include low-income households as part of the special circumstance category because such households have the greatest need, which aligns with Council's discussion during its Study Session. **Staff recommends using this methodology and amending the TRA0 to include Group 1 as part of the definition of "special circumstance."** Using the figures above, this means that Group 1 would receive \$21,271 in relocation benefits (\$12,000 + \$9,371) instead of \$12,000 (just the three months of comparable rent). This enhanced amount is in the range of other jurisdictions.

Moving Costs

Per Council direction, staff also evaluated the option of including moving costs for all displaced tenants in Groups 1, 2, and 3. There can be a range of ways to evaluate what the moving costs should be. However, most comparison jurisdictions allow displaced tenants, regardless of income, to provide documentation demonstrating that they have incurred or have received a quote for reasonable moving costs. SB 330 allows income-eligible tenants to choose either a fixed moving cost allowance in accordance with the US Department of Transportation - Federal Highway Administration, or to provide documentation of actual, reasonable, professional moving costs to be reimbursed by the landlord.

Staff recommends allowing the landlord to elect either of the following forms of moving assistance:

- **Landlord provides, at the landlord's cost, professional moving services from a licensed moving company; or**
- **Landlord reimburses the tenant's moving costs, in which event the landlord shall reimburse the tenant for moving costs within fourteen (14) days of receipt of invoices or other proof of expenses from the tenant.**

These provisions provide some flexibility in how the landlord can provide moving assistance and are based on common standards that exist in other programs. Finally, staff recommend capping moving costs to transportation costs of no more than 50 miles. This distance would cover most of the Bay Area, while also preventing uncertain, open-ended costs that the landlord might incur.

EPC – Additional Consideration 2

The EPC discussed the recommended 50-mile cap on moving costs and asked staff to evaluate the following alternative: consider requiring landlords to reimburse tenants who remain in the City the actual moving costs plus pay a "bonus" amount for staying in Mountain View. The bonus

would be based on the savings between a 50-mile moving cost and the (presumably) lower cost for a move within Mountain View. EPC's rationale is that: 1) the alternative would incentivize displaced tenants to stay in Mountain View, which would further the TRAO's goal of mitigating the impact of tenant displacement; and 2) the landlord is saving costs by paying for a shorter move rather than a farther move, and can use the cost savings as a bonus amount for the tenant.

Staff evaluated EPC's consideration and offer the following conclusions:

- Different tenants may have different needs, constraints, and factors that determine where they need to relocate to. A 50-mile radius provides displaced tenants the flexibility to determine the best option for them, while providing landlords a clear objective standard as to their requirements.
- Reimbursement/payment of moving costs by the landlord are typically based on actual expenses incurred by the tenant. There may be legal implications to require landlords to pay tenants more than the actual costs incurred.
- It would be administratively challenging to determine the bonus amount. For example, if a tenant relocates within Mountain View, an estimate of the cost for a 50-mile move would be necessary as a comparison point. However, if the tenant did not contemplate a further move and did not receive an estimated cost for such a 50-mile move, there would be no way to determine the cost savings as a basis for the bonus amount.

Additional Amendments

- EPC Additional Consideration 3 - The EPC suggested that any proposed alternative means of compliance be of at least "equivalent value" to the TRAO benefits. Staff recommends adding this criterion to the relevant TRAO Section 46.2-3.10, as reflected in Attachment 1.
- Clarifications - After the EPC meeting, staff identified the following recommended changes. These changes are non-substantive, serve to clarify the proposed Ordinance amendments, and are reflected in Attachment 1.
 1. Add "Consumer Price Index (CPI)" as a defined term in Section 46.2-1.15 (Definitions) and expand the definition to include any successor designation of the index that may be later adopted by the U.S. Bureau of Labor Statistics. Delete definition of "Consumer Price

Index” in body of text of Section 46.2-1.20(c)(1)(e). This would allow the CPI to apply to the whole ordinance rather than to just one section.

2. Add language to Section 46.2-1.20(c)(1)(f) and Section 46.2-2.5(g)(2) to clarify that all tenant households permanently displaced are entitled to moving assistance regardless of income per Council direction.
3. Clarify that the right of first refusal to replacement units applies to lower-income households displaced by *any* proposed development project that demolishes protected units (such as a commercial development) and not just a proposed *residential* development project by making the following revisions to better align with SB 330:
 - a. Add a definition of “development project” to Section 46.2-1.15 (Definitions) to include all residential and non-residential developments that demolish protected units. This definition aligns with SB 330.
 - b. Amend the language in Section 46.2-1.30(b) to provide that any lower-income household who is displaced from a property upon which a development project is constructed shall have the right of first refusal to a new comparable dwelling unit in the new housing development, or in any required replacement units associated with a new development that is not a housing development.
 - c. Add a provision to Section 46.2-1.30(b) that the landlord’s notice to the displaced tenant shall include the address of the replacement units if they are constructed off-site.

NEXT STEPS

A second reading of the TRAO amendments is scheduled for December 9, 2025, to adopt the changes. The updated TRAO will take effect thirty (30) days after the second reading, which is January 8, 2026.

FISCAL IMPACT

This item has no impact on the City’s General Fund.

LEVINE ACT

California Government Code Section 84308 (also known as the Levine Act) prohibits city officials from participating in any proceeding involving a “license, permit, or other entitlement for use” if the official has received a campaign contribution exceeding \$500 from a party, participant, or agent of a party or participant within the last 12 months. The Levine Act is intended to prevent

financial influence on decisions that affect specific, identifiable persons or participants. For more information see the Fair Political Practices Commission website: www.fppc.ca.gov/learn/pay-to-play-limits-and-prohibitions.html

Please see below for information about whether the recommended action for this agenda item is subject to or exempt from the Levine Act.

EXEMPT FROM THE LEVINE ACT

☒ General policy and legislative actions

ALTERNATIVES

1. Do not approve the recommended TRAO amendments.
2. Provide other direction.

PUBLIC NOTICING

Agenda posting; public notice in the Daily Post; posting on the City's website; and email distribution to the Displacement Response Strategy interest list registrants and Rental Housing Committee (RHC) email distribution list.

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Attachments:

1. Ordinance and TRAO Amendments
2. Comparison of TRAO Amendments and Current TRAO
3. Comparison Jurisdictions – Permanent Relocation
4. Comparison Jurisdictions – Temporary Relocation