

SUPPLEMENTAL DOCUMENT TO APPEAL HEARING MEETING ON 11-14-2024:

As owners of a small 6-unit complex providing below-market housing to the Mountain View rental community, we are appealing the tentative decision to the petition #C23240043 based on the following points:

1. We have explained the history behind the reason for establishing the one-year lease rent as the Base Rent based on Measures directed from the city, and the responses from the City Personnel about how to treat the rent roll-back versus the acceptance of the one-year lease by the ex-tenants. Mr. Verbera called the city to discuss the rent rollback and was told that it did not apply to a one-year lease. The city staff person surely knew that the tenants had lived there previously because there is no other reason for Mr. Verbera to call about rent rollback if it was regarding a new tenant in a new one-year lease.
2. We have always paid up and met all requirements by CSFRA to date. We are appealing to the Rental Housing Committee that in order for us as owners to be sustainable in the Mountain View rentals, to grant the 2018, 2019, 2020, 2022/2021 Banked & 2023 CSFRA allowed COLA increase.
3. We have attached a worksheet showing details of rents collected from December 2016 to October 2023, and the amount in dispute. This worksheet shows in detail the landlords' good faith in meeting the CSFRA requirement of rolling back the 12/2016 rent to \$1,395.
4. It is also in full and absolute compliance with the Advanced 60 days Notices for 2018 to 2023 CSFRA % COLA increase, Signed and Accepted by the ex-tenants. We have applied these increases in the attached worksheet as appropriate to the Rolled back rent, again meeting CSFRA requirements. A summary follows of the rents:
 - Of \$1,395 in 2016 to 2/2018,
 - Of \$1,442.43 from 3/18 to 3/2019,
 - Of \$1,494.36 from 4/19 to 2/2020,
 - Of \$1,546.66 from 3/2020 to 3/2022,
 - Of \$1,622.45 from 4/2022 to 3/2023, and
 - Of \$1,703.57 from 4/2023 to 10/2023
 - All are well below market rents.
 - Based on the above CSFRA applicable rents, the total amount overpaid is: \$10,882.40 from 12/2016 till 10/2023.
5. There is no evidence of any form of retaliation against any tenants at the property.
Even after learning of Ms. Turley bringing in another person to the unit without informing landlords as is required by the rental agreement and subsequently

learning of Mr. Turley's unlawful growing of marijuana on the property, landlords did not take any action for eviction. Instead landlords talked with the tenants about it. They even added Mr. Turley to the rental agreement. This action shows that tenants' claim of retaliation was completely unfounded.

6. "Mr. Turley recalled responding to an email from Mr. Verbera on February 7, 2022 and asking him about the rent rollback. Mr. Verbera in the email said that the rollback would not apply to them since they had a lease that was signed in 2016. Ms. Turley said that they had had leases periodically since 2012 and that she understood that the CSFRA would apply to them regardless of the new lease in 2016"

This proves the Landlords' understanding of the CSFRA rent rollback at the time. Tenants did not dispute this in writing nor verbally to Mr. Verbera. Instead they waited to file a petition after move-out.

7. Landlords did not willfully ignore any requirements. Proof of this is that when they learned of the requirement to offer leases, they complied. If they had been informed by the city, they would have complied. The City did not do enough to inform old property owners of the new CSFRA requirements.

8. Stating that they were looking to buy a house is not the official notice required upon move-out. The willful and unlawful destruction to the landlords' property by the ex-tenants, shows the ex-tenants' character; and their lack of good faith in dealing with the landlord. This CSFRA claim filed so many years later after having full knowledge is consistent with this behavior. A simple conversation with us years ago could have cleared this up instead of wasting City resources.

9. Landlords raised rents minimally and in compliance with the AGA to cover property tax and other costs. When landlords like this are forced out of ownership, large developers buy the land and are not held to rent control. This unintended consequence of CSFRA means less reasonably priced housing in Mountain View. Approving \$22,742.13 back rent payment to the former tenants is not in keeping with the spirit of rent control and the spirit of rent rollback.