

Housing Department
Rent Stabilization Division

DATE: November 20, 2025

TO: Rental Housing Committee

FROM: Anky van Deursen, Rent Stabilization Manager
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SUBJECT: Adoption of Anti-Retaliation and Anti-Harassment Regulations

PURPOSE

Adopt the Community Stabilization and Fair Rent Act (CSFRA) and Mobile Home Rent Stabilization Ordinance (MHRSO) regulations, which provide protections against tenant retaliation and harassment, by amending the existing CSFRA and MHRSO Regulations, Chapter 2 – Definitions, and incorporating new regulations, specifically CSFRA Regulations, Chapter 14, and MHRSO Regulations, Chapter 13, Anti-Retaliation and Anti-Harassment.

BACKGROUND

The Rental Housing Committee's (RHC) Fiscal Year 2024-25 work plan included an item to hold a [Study Session on Anti-Harassment/Retaliation, which was held on March 27, 2025](#). Since the enactment of the Community Stabilization and Fair Rent Act (CSFRA) in 2016 and the Mobile Home Rent Stabilization Rent Ordinance (MHRSO) in 2021, staff and RHC members have received information from CSFRA/MHRSO residents—particularly more vulnerable residents, including seniors, disabled persons, and undocumented residents—that they have experienced retaliatory and/or harassing behavior by landlords, property managers, and park owners using certain methods, tactics, or actions such as threats, coercion, fraud, misrepresenting information, or intimidation. The RHC directed staff to bring back anti-retaliation and anti-harassment regulations covering CSFRA and MHRSO tenants for their consideration in a future meeting.

[On October 23, 2025, the RHC held a second Study Session](#) to review draft regulations to implement anti-relation and anti-harassment protections. Public input was received from the California Apartment Association, which stated that community education would be more effective than regulations, as State law already addresses this issue. The League of Women Voters expressed support for the proposed regulations, which provide protections to tenants not already guaranteed under State or Federal law. The recommended regulations: 1) prohibit landlords, including mobile home landlords, property managers, or their agents from retaliating

or harassing CSFRA/MHRSO residents; 2) define “retaliation” and “harassment” and 3) provide a list of behaviors or actions that constitute retaliation or harassment; and 4) stipulate remedies and enforcement measures for violations.

This process would add new definitions to CSFRA and MHRSO Chapter 2 of the existing Regulations and incorporate a new anti-retaliation and anti-harassment chapter to the CSFRA and MHRSO Regulations (Chapters 14 and 13, respectively).

The RHC asked some clarifying questions and suggested minor edits but overall, unanimously supported the recommended draft regulations, summarized below.

ANALYSIS

The following summarizes the clarifications made per RHC input during its October 2025 Study Session, with the full text of the CSFRA and MHRSO final draft regulations included in Attachments 1 and 2.

RHC’s Minor Edits Incorporated

1. Under C.3 Anti-Retaliation Provisions, the words “or other activities” were added:

“Protected Activities. This subsection illustrates, but does not exhaust, the facts a court may consider when determining whether a Landlord has violated Section 1705(d) of the CSFRA as interpreted by this Section C. No Landlord shall take any actions prohibited by CSFRA Section 1705(d) and/or Section E.2 of this Chapter as a result of the Tenant engaging in one or more of the following activities or other activities.”

2. Under D.2 Anti-Harassment Provisions, the words “as defined in Chapter 2, Section b, to mean willful, reckless, or grossly negligent conduct” were added:

“Examples of Harassment. This subsection illustrates, but does not exhaust, the factors a court may consider in determining whether a Landlord has violated the CSFRA as interpreted by this Section. No Landlord shall, in Bad Faith (as defined in Chapter 2, Section b to mean willful, reckless, or grossly negligent conduct), engage in a course of conduct directed at a specific Tenant or Tenant(s), including but not limited to, the following actions:”

3. Under D.2.c.vii Anti-Harassment Provisions, the words “given the scope of repairs or inspection” were added:

“Providing notice of entry that fails to provide the approximate time window for the entry or provides a time window that is unreasonably excessive in duration given the scope of repairs or inspection.”

4. Under D.2.e.iii Anti-Harassment Provisions, the word “offensive” was added:

“Repeatedly mistreating an occupant of the Rental Unit through in-person conversations, social media postings or messages, or other communications, with language that a reasonable person would consider offensive or likely to cause fear or provoke violence.”

5. Under D.2.f.iv Anti-Harassment Provisions, the words “(i.e., the Landlord is not required to offer a form of payment other than cash or electronic funds transfer if” were added:

“Fail to allow a Tenant to pay rent or the security deposit using at least one form of payment that is neither cash nor electronic funds transfer, except where otherwise permitted by California Civil Code Section 1947.3(a)(2) (i.e., the Landlord is not required to offer a form of payment other than cash or electronic funds transfer if the Tenant has previously attempted to pay the Landlord with a check drawn on insufficient funds or the Tenant has instructed the drawee to stop payment on a check, draft, or order for the payment of money).”

6. Under D.2.i.iv Anti-Harassment Provisions, the words “require the Tenant to” were added:

“Force a Tenant to vacate their Rental Unit in a hotel, motel, inn, or other transient facility before they have occupied the Rental Unit for thirty (30) consecutive days and require the Tenant to reregister to avoid classifying them as a Tenant under California Civil Code 1940.1. Forced vacation can be implied from the totality of the circumstances.”

7. Under E.4.c Remedies and Enforcement, the words “and a response form for the Landlord” were added:

“The completed complaint form, and its attachment(s), and a response form for the Landlord, must be served on the Landlord and/or the Landlord’s agent.”

RHC Clarifying Questions

The following is a summary of RHC’s clarifying questions as well as staff’s responses:

- Question: Are “unwelcome/hostile comments” included in the regulations?

Response: Yes, these types of actions are covered under Sections D.e.iii and D.e.iv.

- Question: The RHC requested clarification on the type of action applicable in case of tenant-to-tenant retaliation or harassment complaints.

Response: These regulations do not cover tenant-to-tenant situations. Those situations are covered through other provisions, specifically the tenant's right of quiet enjoyment under State law. Under this State law, a landlord must take action if they are aware of harassment or other behaviors by tenants that impact other tenants' quiet enjoyment of the property. Additionally, the City provides the Mountain View Mediation Program, and a Landlord can suggest that tenants participate in these free mediation services as a possible solution to the issues between tenants.

- Question: The RHC asked how long complaint forms would be kept by the City.

Response: The Rent Stabilization Division follows the City standard record retention policy and will apply that policy to complaint forms, which is typically 2-5 years, depending on the type of documents.

FISCAL IMPACT

There is no fiscal impact of adopting these regulations.

PUBLIC NOTICING—Agenda posting, posting on the City's website, and email to RHC distribution list.

Attachments:

1. Resolution adopting CSFRA Regulations Chapter 2 and Chapter 14
Exhibit A: CSFRA Regulations Chapter 2 – Definitions
Exhibit B: CSFRA Regulations Chapter 14 – Anti-Retaliation and Anti-Harassment
2. Resolution adopting MHRSO Regulations Chapter 2 and Chapter 13
Exhibit A: MHRSO Regulations Chapter 2 – Definitions
Exhibit B: MHRSO Regulations Chapter 13 – Anti-Retaliation and Anti-Harassment