

From: Curt Ries <curtries@gmail.com>

Sent: Wednesday, January 19, 2022 7:15 AM

To: Maegan Mattock

Cc: Stephanie Hellman; Kyle Amsler; Christopher Perrando; Chance Cutrano

Subject: Re: Following up on Rent Control Ordinance

Attachments: Fairfax Housing Element Update 2015-2023-c1.pdf

Hi Stephanie and Chance,

Hope you both are well and apologies for the delay, as Maegan mentioned, Kyle and I were on vacation all last week.

We'd be happy to address these questions:

1. What jurisdictions in CA (besides Berkeley) across the state and country currently have Rent Stabilization?

There are 21 cities, towns, or counties in California with rent control, as well as 8 more (including Fairfax) that have

some tenant protections on the books. Cities with rent control in the Bay Area are: Alameda, Berkeley, East Palo Alto,

Hayward, Mountain View, Oakland, Richmond, San Francisco, and San Jose. Nationally, there are rent control districts in

CA, MD, MN, NJ, and NY.

2. Among these which have oversight Rental Boards, and which do not?

As far as we know, all California rent control districts have rent boards (sometimes called committees or commissions). Rent boards play a critical role of administering and enforcing the rent control ordinance by setting and

publishing the annual allowable rent adjustment (i.e., the maximum amount the rent can go up per year) and remedying

instances where the landlord overcharges a tenant. They also have the final word in determining the outcome of

petitions filed by either landlords or tenants requesting that the annual allowable rent adjustment be changed due to

specific circumstances (e.g., capital improvements, lack of upkeep, etc.). Rent boards can be either elected or appointed;

we are proposing that Marin towns adopt appointed rent boards, as board elections can often be manipulated by

realtors and landlords spending enormous sums of money for their preferred candidates, who once elected, are in a

position to neutralize the ordinance through non-enforcement. Appointing the board would allow us to explicitly limit

the number of landlords and realtors on the board, while saving municipalities the extra costs associated with

administering an additional election. Most CA cities/towns with rent control have their city/town councils appoint the

rent board.

3. Any specific trends or recommendations around limiting short term rentals in these regions?

This is something we're less familiar with, but can certainly look into further. I've just sent an email to Leah SimonWeisburg, Legal Director of ACCE and Chair of the Berkeley Rent Board, who's been advising our campaign to see if she

knows more.

4. There is a question about applicability to Single Family Homes?

Unfortunately, California rent control provisions cannot apply to single-family homes, due to a rather regressive state

law. The 1995 Costa-Hawkins Rental Housing Act prohibits extending rent control to single-family homes, condos, and

buildings constructed after 1995. It also prohibits vacancy control, which means no limits can be placed on how much

landlords can raise the rent for new tenants. That said, we found in the Town's Housing Element Update 2015-2023

(attached) that 27% of all Fairfax housing units are in structures with two or more units and that 97% of all Fairfax

housing units are in structures built before 1995, so a sizeable majority of Fairfax renters should still benefit from rent

control.

Please let us know if you have any other questions we can answer ahead of the meeting!

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Looking forward to it,

Curt

On Tue, Jan 11, 2022 at 7:01 PM Maegan Mattock <maegan.mattock@gmail.com> wrote:

Hi there!

We will definitely put something together before the meeting. A couple of our key organizers are on a much-needed vacation, so it may be early next week. Appreciate the questions and opportunity to discuss!

Maegan

On Tue, Jan 11, 2022 at 10:50 AM Stephanie Hellman <shellman@townoffairfax.org> wrote:

HI All,

For our upcoming discussion can you provide this info or point us?:

- 1.What jurisdictions in CA (besides Berkeley) across the state and country currently have Rent Stabilization?
- 2.Among these which have oversight Rental Boards, and which do not?
- 3.Any specific trends or recommendations around limiting short term rentals in these regions?
- 4.There is a question about applicability to Single Family Homes?

Thank you,

Stephanie Hellman

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