



RESIDENTIAL LANDLORD & TENANT PROVISIONS STAKEHOLDER MEETING MINUTES

May 3, 2022

2:00PM-4:00PM

City of Chula Vista City Hall, Building A - Executive Suite 103

Introductions/Attendees

Mark Barnard, City of Chula Vista, Management Analyst
Stacey Kurz, City of Chula Vista, Housing Manager
Simon Silva, City of Chula Vista, Deputy City Attorney
Jose Lopez, ACCE
Silvia Saldivar, ACCE
Jackie Zaneri, ACCE (Virtually)
Melanie Woods, CAA
Gilberto Vera, Legal Aid (Virtually)
George Ching, PSAR
Olivia Galvez, SCRHA
Molly Kirkland, SCRHA (Virtually)
Jeremy Sine, SDAR

Types of Housing included in No-Fault Sections

- Tenants:
 - All housing unit types should be covered.
 - Inconsistent applicability makes outreach more difficult.
 - A unit threshold might incentivize businesses to focus on less units to avoid regulation.
 - There is tension when landlords also live on the property, therefore duplexes need to be included.
 - Tenants living in single family homes also need protection.
- Housing Providers:
 - There is no data to backup decisions on types of housing.
 - Does this unit threshold exclude ADUs? Some housing providers would have more than three units with ADUs included.
 - Some “mom & pop” landlords own more than three units and would not be protected from burdensome costs.
 - Applicability should mirror state law in entirety.
- Discussion:
 - No party is completely satisfied with the idea of a unit threshold.
 - There should be consistency in applicability.
 - Inclusion/exclusion of newly constructed units? (Questioned later in meeting).



Noticing

- Housing Providers:
 - Case law in Mountain View has prohibited greater noticing.
 - Data is needed to determine additional noticing is needed.
 - The impact of additional noticing requirements would be “illegal taking.”
 - Children who inherit homes from their parents need to be able to sell the home.
 - The definition of disabled is too broad.
 - If housing providers are remodeling, there are issues with contractor availability, and housing providers will quickly need to jump on opportunities.
- Tenants:
 - The current housing market makes moving extremely difficult, requiring advanced notice to give tenants time to prepare to move.
 - State law provides removal from market and demolition noticing time frames.
 - It is more difficult for elderly persons with fixed incomes to absorb costs of moving.
 - Landlords may have data on evictions and would be willing to share this information?
- Discussion:
 - Simon clarified that definition of disabled reflects state definition.
 - Tenants believe that any termination of tenancy for substantial remodel should only be temporary and that there needs to be a right of return at the same rental rate.
 - Housing providers are concerned that this would disincentive investment in the City’s housing stock.
 - Housing providers discussed changing requirements for substantial remodel. The cost per square foot seems too arbitrary.

Relocation

- Tenants:
 - More than two months relocation is needed.
 - SAFMR is not enough for a relocation basis, fixed amounts would be better.
 - Relocation needs to factor moving/planning and the real loss when tenants have higher rents in new rentals.
 - Termination of tenancy is a choice being made by the landlord and tenants shouldn’t be punished for that choice.
- Housing Providers:
 - Many small landlords or older landlords already keep rents well below market rate. This would financially burden them and disincentive them from keeping rents lower and essentially penalize them for providing low rents and then also have to provide higher relocation.
 - State law provides adequate relocation measures.
 - Cash for keys programs are a good idea.



- The current ordinance is unclear on deposits.
- Discussion:
 - There may be value in a sliding scale for relocation benefits like what the City of Los Angeles has.

Sunset Date of the Ordinance

- Housing Providers:
 - It makes sense to have it reflect the sunset of AB 1482 (Jan 1, 2030), however a sooner sunset date may allow the ability to review data being collected.
 - It is a good idea to have a check-in on the ordinance in 8 years to monitor unintended consequences.
- Tenants:
 - It would be good to have a long lasting, consistent law that tenants can know and rely on.
 - Don't see a reason to have a sunset date.
- Discussion:
 - Having a sunset date 8-10 years in the future might provide opportunity to improve/reevaluate the ordinance.

Wrap up & Adjournment

Additional Points Discussed:

- Tracking of terminations of tenancy for substantial remodel needs to happen, perhaps through the county recorder.
- Tenants would like protection from lease terms changing (examples included pets or parking issues).
 - Housing providers pointed out that there are instances where lease terms need to be changed due to new laws or insurance policies.
- The ordinance needs to clarify first-right-of-return.
- The ordinance needs to clarify housing type applicability in each section.



RESIDENTIAL LANDLORD & TENANT PROVISIONS STAKEHOLDER MEETING MINUTES

May 6, 2022

2:00PM-3:30PM

City of Chula Vista City Hall, Building A - Executive Suite 103

Introductions/Attendees

Stacey Kurz, City of Chula Vista, Housing Manager
Simon Silva, City of Chula Vista, Deputy City Attorney
Jose Lopez, ACCE
Silvia Saldivar, ACCE
Leah Simon-Weisberg, ACCE (Virtually)
Jackie Zaneri, ACCE (Virtually)
Mallory Homewood, CAA (Virtually)
Whitney Prout, CAA (Virtually)
Melanie Woods, CAA
Gilberto Vera, Legal Aid
Peter Carlseen, PSAR
George Ching, PSAR
Olivia Galvez, SCRHA
Molly Kirkland, SCRHA
Ryan Maxson, SDAR (Virtually)
Jeremy Sine, SDAR

Report Back

Each group provided a summary of discussions with their respective agencies/teams on the discussions from 5/3/22.

- Tenants:
 - There are five areas that tenants feel they cannot compromise on:
 - a. Substantial remodel needs to be eliminated as a termination of tenancy;
 - b. No fault needs to apply to all housing types;
 - c. Full Ellis Act protections need to apply;
 - d. Residents need right of return without screening and at prior rate with only adjustments under AB1482; and
 - e. Relocation benefits need to be increased.
 - In Section 9.65.110 they are ok with #1-5 and 10 being exempted only.
 - Believe enforcement is not the solution and if an ordinance is not adopted the low-income housing in the City will be swallowed up.
- Housing Providers:



- Had hoped that this meeting would be focused on clarifying and moving to agreement on issues, however felt there was “no give” by tenants at last meeting and therefore no room for negotiating and therefore believe anything beyond AB1482 is not acceptable.
- Believe enforcement of existing laws needs to occur instead.
- Concerned over housing supply issues and would like to discuss options to address.
- Smaller landlords are already not aware of laws and adding more regulations will exacerbate this problem.
- City should consider pre-emption issues around noticing.
- Think we should have started with AB1482 and built from there as opposed to starting with new restrictions and paring down.
- Believe the ordinance will have unintended consequences like disincentivizing investment in Chula Vista and removing rental properties from the market.
- Discussion:
 - Staff outlined the recommendation that is being proposed at this time and expressed ultimately it is the City Manager’s discretion around what is brought forward and when is also influenced by Council. At this point further refinements to clean up start and end times as well as the exclusion of mobilehomes are known changes that will be made. Staff indicate that all additional changes will be provided in track change to this group.
 - Staff asked if the group felt more time would help to resolve any of these differenced in opinion and the response was unanimously that negotiating will not get us closer.
 - Staff was asked why they are not looking at other jurisdictions that have adopted these types of restrictions for data on substantial remodel, etc.
 - Staff indicated that comparing Chula Vista with rent-controlled jurisdictions is not entirely relevant and they have talked to non-rent-controlled jurisdictions, but they have all adopted in the past 2-3 years and do not have impact data available yet. Implored tenants to provide examples of non-rent-controlled jurisdictions that have had regulations in place for more time.
 - Tenants argued that we do not have protections now so why haven’t the properties been maintained and now require substantial improvements?
 - Tenants further indicated the ordinance should allow substantial for health and safety reasons and limit non-elective repairs.
 - Housing providers asked what occurs if resident causes the need for remodel?
 - Housing providers reiterated that the City should review pre-emption issues.
 - Group asked for clarifications on effective date of both ordinances:
 - Tenants indicated that both should apply retroactively unless the court had already adjudicated an eviction.



- Housing providers indicated that this could place landlords that are in process of selling in a difficult legal place if noticing had already occurred.

Wrap up & Adjournment

- Staff will know early next week whether the item will go on 5/17.