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ALAN ST HOWARD
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Regarding the negative side effects of the Chapter 9.65 of the Chula Vista Municipal Code Ordinance 3527 (commonly known as the "Residential Tenant Protection Act") which goes into effect 03/01/23, I had an informal conversation with Chula Vista's City attorney (Glenn Googins) during a break at the 01/17/23 council meeting. He advised me of the proper procedure for getting a motion presented and passed by the City Council. Basically he said to "state my case" and have **one** individual on the council request another two members of the council to place the matter on the Council Agenda. I will follow Mr. Googins advice. Although I will continue to inform the entire council of my concerns by presenting the facts as I see them, **I request Council Member Jose Preciadoto be the individual to move forward with this matter.**

As you probably are aware, I have been a conscientious Chula Vista landlord for over fifty years and have always been concerned with the welfare of our community's renters. Although, I am sure our previous City Council meant well, there are serious negative side effects of this ordinance, some of which I will outline below.

Although the ordinance purports to protect Tenants, there are clauses that punish tenants with \$5,000.00 fines for infractions as minor as simple paperwork errors. Additionally, Tenants may be prohibited from correcting inadvertent errors. See Clause 9.65.080C2 and Clause 9.65.060E below.

Clause 9.65.080C2 States: "Civil penalties for violations of this chapter may be assessed at a rate not to exceed \$ 5,000 per violation per day. When a violation occurs it is not required that a warning or notice to cure must first be given before an administrative citation or civil penalty may be issued."

Clause 9.65.060E States if a tenant terminates their lease and moves away, "Owners and Tenants shall provide City with information regarding termination of Tenancies at such time(s) and with such details as shall be required by city in the attendant Administration Regulations."

The confusing verbiage of Clause 9.65.060E above virtually guarantees departing Tenant and Landlord will be in violation and subject to a \$5,000.00 daily fine as stated in Clause 9.65.080C2. Additionally, language allows \$5,000.00 daily fines to be compounded to the point where an individual's entire life's savings may be confiscated. All because of a simple paper error!

I have talked to numerous City Staff Members. Staffers insist that it is not their intention to dispense fines for mistakes.

Considering substantial fines can be levied for simple paperwork errors, prudent Landlords will not rely on the “Hope” they will not face fines. A prudent Landlord must be prepared by raising rents an average of \$304.70 in order to fund potential fines (See documentation #6 & 8 below). Such an increase will force hundreds of our neighbors out of their homes exasperating an already serious homeless problem (see documentation #4, 8, 10, & 11 below).

If staff was sincere in their intent to aid tenants, they would have replaced the clause ***“it is not required that a warning or notice to cure must first be given”*** with the following clause: ***“Upon notification, Landlords and/or Tenants have 30 days to cure any violation to this ordinance.”*** The fact that staff refuses to give an opportunity to correct simple paperwork errors leads many to believe staff places a higher priority on increasing city revenue as opposed to actually assisting tenants.

What our previous City Council failed to realize is that many of our rental neighbors are barely hanging on financially. Those who passed this law did not take into account...

...The average monthly Chula Vista rent now tops *\$3,047.00 (*U.S. Dept of Housing & Urban Development April 2022)...

...42%^ Percentage of CV housing units are rentals. (^Data compiled by City Staff)...

...Of these households 46% pay more than 50% of their income towards housing costs. (^Data compiled by City Staff).

I am a 12 year CAST (Community Assistance Support Team) Volunteer attached to the Chula Vista Fire Department. CAST members, who are on call 24 hours a day seven days a week, are dispatched by the CVPD to assist members of our community who's loved one has passed away. I have witnessed first hand how the financial bottom rung of our society lives. I feel in my gut the implementation of this ordinance, as written, will absolutely devastate a portion of our community which has already endured all the hardships society can present.

I could share additional clauses which are detrimental to our community. In the interest of brevity Clauses 9.65.080C2 and 9.65.060E are the most egregious.

I am pleading with you to encourage our City Council to show compassion for the most vulnerable of our society by placing this item on the Council's agenda and passing the following motion:

"Implementation of ORDINANCE NO. 3527 ("Residential Tenant Protection Act") to be delayed to give staff sufficient time modify clauses which adversely affects renters and insert language giving "the right to cure" to those who are in violation because of an inadvertent mistake."

Thank You

Joseph A Raso

Documentation of the above information:

- 1) Chula Vista Population: **283,972**
(Chula Vista - U.S. Census Bureau QuickFacts)
- 2) Average number of individuals in each household: **3.31**
(Chula Vista - U.S. Census Bureau QuickFacts)
- 3) Percentage Chula Vista housing which are rentals. **42%**
(Data compiled by City Staff)
- 4) Number of Chula Vista Rental Units: **36,033**
(Population of Chula Vista (283,072) divided by the average number of people residing in each Residence (3.31) equals 85,792 multiplied the percentage of residences which are rentals (42%) equals the approximate number of Chula Vista rental units. (36,033)
- 5) Approximate number of Chula Vista renters: **119,268**
(CV Population 283,972 x .42%)
- 6) Approximate Average Monthly Chula Vista Rent: **\$3,047.00**
(See attached CV Staff provided "Relocation Assistance" Pic - Average of Line 2nd from bottom)
- 7) With no right to cure, amount of daily fine levied if Landlord or Tenant inadvertently makes a paperwork error when Tenant terminates lease and moves: **\$5,000.00**
(Clauses 9.65.060 E and 9.65.080 C2 of "Residential Landlord and Tenant Ordinance")

8) Maxim average monthly rent increase allowed . . **\$304.70**
*(\$3047.00 x 10%. California AB-1482 5% plus inflation
Max 10%)*

9) Average number of months required for Landlord to recoup a
one day fine: **16.41**
(\$5000.00 divided by \$304.70)

10) Approximate total monthly maximum rent increase levied on
Chula Vista Renters if Landlords are forced to impound funds to
the pay daily fines. . **\$10,979,255.00**
(36,033 Rental Units multiplied by \$304.70)

11) With rents at an all time high, Credit Card debt at historic
levels, and savings at an all time low, pushing a \$10,979,255.00
monthly rent increase on the Chula Vista residents who can least
afford will be devastating. If less than one half of one percent of
Chula Vista renters are “Pushed Over The Edge” and are forced
to live on the streets, almost **600** of our neighbors will be left
homeless. *(119,268 times .005 equals 594)*

Relocation Assistance

U.S. Department of Housing and Urban Development Small Area Fair Market Rent (April 2022)

San Diego County, CA Advisory Small Area FMRs By Unit Bedrooms

ZIP Code	Efficiency	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom
91902	\$1,850	\$2,040	\$2,620	\$3,640	\$4,450
91910	\$1,430	\$1,580	\$2,030	\$2,820	\$3,450
91911	\$1,440	\$1,600	\$2,050	\$2,850	\$3,490
91913	\$2,110	\$2,340	\$3,000	\$4,170	\$5,100
91914	\$2,360	\$2,610	\$3,350	\$4,650	\$5,700
91915	\$2,360	\$2,610	\$3,350	\$4,650	\$5,700
City Average	\$1,925	\$2,130	\$2,733	\$3,797	\$4,648
Regional Average	\$1,628	\$1,802	\$2,311	\$3,210	\$3,927

Greater of: (1) 2 months contracted rent or 3 months elderly/disabled; or (2) 2 months SAFMR or 3 months elderly/disabled

Exhibit 2
Comparison of Survey Data vs. SAFMR

