



# TENANT PROTECTIONS ORDINANCE



## **Public Comments, Questions, etc.**

updated February 28, 2023





# TENANCY PROTECTIONS

This document serves as a record of all public comment and documents that have been received in relation to the Tenant Protections Ordinance.

The following pages in Section 1: Public Comment includes all public comment received digitally by the City. Any documents associated with a specific comment are indicated in the margin and linked to the appropriate documents in Section 2. The only exception is spreadsheet files that are not easily contained in this document and have been uploaded to the City of Petaluma website and hyperlinked.

Section 2: Ordinance Documents contains copies of all documents received as indicated throughout Section 1. The documents are provided as received and have not been verified by the City. Although hyperlinked, any documents not included here, but uploaded to the website are also included in the chart below.

| DOC #    | DOCUMENTS UPLOADED TO THE CITY WEBSITE                                    | RECEIVED BY |
|----------|---|-------------|
| a1       | <a href="#">Comprehensive Tenant Protection Review_CA 2022</a>            | Legal Aid   |
| a6       | <a href="#">Copy of Petaluma SFR Suites address non-owner occ</a>         | Korin       |
| a7 doc a | <a href="#">A Statewide Analysis of Just Cause Protections</a>            | Legal Aid   |
| a13      | <a href="#">Guardian_Jan_1_2019_to_May_8_2022_Sonoma_County_Evictions</a> | Legal Aid   |

SECTION 1:

**TENANT PROTECTIONS  
PUBLIC COMMENT**



## PUBLIC COMMENT

Attachment 3

To: Tenant Protections

Thu 9/15/2022 10:42 PM

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---  
To Whom It May Concern,

Please notify me of the upcoming meeting. I regrettably purchased a property in Petaluma that I intended to occupy. I unexpectedly had to leave and rent in order to care for a sickly elderly parent in Southern California. I am very confused and alarmed by your new ordinance as it creates potential hardships for me and my present tenant. She wants to buy the property. Does this mean she has to wait a year because she's over 63? Please advise as to when the meeting will be held and how I may listen in via video remote.

Kind regards,  
Jan Derrickson

Reply

Forward

To: Tenant Protections; David.Rabbitt@sonoma-county.org

Thu 9/22/2022 6:43 AM

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---  
Hi,

This sounds genuinely mean... fortunately I only rent as a convenience to the public + this year am renovating. I was going to list it in the fall but caught wind of the rental ban ordinance, as I call it. It would be harder if I had financial need to rent!!

Mostly what I would want to know is if it is at all safe to rent my spare house. Sounds like no.

Is the city's intent to lessen rentals and concentrate on building value / investment property? Keeping it empty + following inflation/property values up - just keeping it off the market until such a time the rental ban ordinance is done away with so we can serve the public again?

Kinda curious I wonder what kind of person thought of this!

Thanks,  
Thomas Poff

To: Tenant Protections

Mon 9/26/2022 11:23 PM

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---

I am in escrow to buy a small apartment building in Petaluma. I understand Petaluma has adopted a just cause ordinance. I found this list of "for cause" just causes on the city website...

1. Failure to pay rent within three days of receiving written notice from the landlord demanding payment.
2. Continuing violation of material terms of the rental agreement after written notice to cure.
3. Tenant illegal activity that occurred during the tenancy at or within on thousand feet of the dwelling unit or the lot where the dwelling unit is located.
4. Threat of violent crime made by a tenant or at their direction to any person who is on the lot that includes the dwelling unit or to the landlord, or to the landlord's agent.
5. The tenant or tenant household creating or permitting a nuisance at or within one thousand feet of the dwelling unit or the lot where the dwelling unit is located after written notice to cease, and the passage of a reasonable period of time to cure the nuisance.
6. Failure to give the landlord reasonable landlord access to the unit after the landlord has served written notice

Assuming just cause exists, are there any restrictions on a landlord's ability to evict?

Is Petaluma considering a rent control ordinance?

Thank you.

*Typed using dictation. Apologies for typos.*

Best,

Brad Sevier  
Principal  
O: (310) 607-9241 | M: (310) 938-0971  
[brad@hghlandrc.com](mailto:brad@hghlandrc.com) | [www.hghlandrc.com](http://www.hghlandrc.com)  
Lic.# 00925750



2121 Rosecrans Ave., Suite 2350  
El Segundo, CA 90245

301 California Dr., Suite 4  
Burlingame, CA 94010





# PUBLIC COMMENT

Attachment 3

To: Tenant Protections

Tue 10/11/2022 10:24 PM

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---  
Hello:

What are the steps involved and paperwork required for providing notice to a tenant as it relates to renovating a property that is currently tenant occupied?

Thank you,

--

**John Brannan**



Real Estate Broker  
Brannan Realty Group powered by RE/MAX Gold  
110 Tiburon Blvd  
Mill Valley, CA 94941  
[www.brannanrealtygroup.com](http://www.brannanrealtygroup.com)

Hello John,

Please take a look at Section 6.60.050(D)(3), snipped below and the ordinance is attached. You will need to acquire all permits needed for the repairs. Additionally, you will need to provide the notice of tenant rights form as well as the notice of termination form including form 6I. The forms can be found at this link: <https://cityofpetaluma.org/tenant-protections-ordinance/> Please let us know if there are any questions.

Thank you for your email.

I will deliver the Notice of Tenant Rights today.

The owner does not know the extent of the improvements that will be done nor able to obtain permits until the tenant has vacated the premises. Please advise on the timing of Form 6I.

Also, is it just the Notice to Termination "Eviction Notice" that needs to be recorded within the 14 day period?

Thank you for your assistance with this matter.

Respectfully,

John Brannan

...

**John Brannan**



Real Estate Broker  
Brannan Realty Group powered by RE/MAX Gold  
110 Tiburon Blvd  
Mill Valley, CA 94941  
[www.brannanrealtygroup.com](http://www.brannanrealtygroup.com)

For substantial rehabilitation there does not need to be anything that needs to be recorded against the property. However the Housing Manager does need a copy of the GI form in accordance with this subsection below. The tenant will need to receive a copy of its notice of rights in both English and Spanish and the notice of termination forms that can be found on this website link: <https://cityofpetaluma.org/tenant-protections-ordinance/>

Thank you for clarifying that nothing needs to be recorded against property for substantial rehab at this time. Please confirm the name of the GI form referenced. Is this Form 6-I?

The tenant has received both the Notice of Tenants Rights and Notice of Termination in English. I was not aware that these Notices were required in both English and Spanish where English is the primary language. Please advise.

Thank you for your assistance in this matter.

John Brannan

...



# PUBLIC COMMENT

Attachment 3

To: Tenant Protections

Mon 10/17/2022 10:57 PM

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---

Hello,

I am trying to confirm with documents:

1. The date the Petaluma Tenant Protection Ordinance (PTPO) was adopted;
2. The Date the PTPO went into effect;

I see links to summaries and the language of the PTPO on the website but need to establish the timeline / applicability of the PTPO with the records that can be attached as court exhibits. Can you provide those docs or let me know where I can find the official records?

thank you

--

Sincerely,

**STRICKLAND**  
LAW GROUP  
*Professional Legal Corporation*

Robert C. Strickland, Esq.  
Attorney & Principal  
1372 N. McDowell Blvd, Suite J  
Petaluma, CA 94954  
Hours of Operation: Monday-Thursday 9am-5pm, Office is Closed on Fridays  
ph: (707) 347-9123 | fx: (707) 343-9911  
[www.stricklandlawyers.com](http://www.stricklandlawyers.com)

Hello Mr. Strickland,

The Ordinance went into effect on 10/12. <https://cityofpetaluma.org/tenant-protections-ordinance/> Here is a link to the forms. The Spanish translations will be up by tomorrow. Please let us know if there are any questions.

...

To: Emily Cox <[emsicle@sbcglobal.net](mailto:emsicle@sbcglobal.net)>

Tue 10/18/2022 5:40 PM

Cc: Tenant Protections



Notice to Termination 'Evicti...  
603 KB



Notice 6G - signed.pdf  
451 KB

2 attachments (1 MB) Save all to OneDrive - petalumaca Download all

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---

Hello Emily and Bo:

As per our phone conversation yesterday, please see the attached Notice(s) to Withdraw 23 Berger Lane from the rental market; Notice of Termination "Eviction Notice" and Notice 6-G "Additional Notice for Withdrawal of Property from the Rental Market.

I will be delivering a hard copy of the above mentioned notices to 23 Berger Lane today, as well. October 18, 2022 is the effective date of the 120 day notice to move-out/vacate the premises.

Please feel free to contact me with any questions or concerns.

Thank you,

John Brannan  
Property Manager  
Real Estate Broker  
415-505-0634

Hi there John

We are out for the day at appointments so you can leave the papers in mailbox or near one of our doors

Thank you Emily



## PUBLIC COMMENT

Attachment 3

Hello Bo and Emily:

Please acknowledge receipt of the attached Notice of Tenant's Rights.

The 120 day period from receipt of the Notice to Terminate "Eviction Notice" on October 18, 2022 ends on February 15, 2023. Please confirm.

Thank you,

John Brannan

Thank you yes I confirm  
Emily and Blaise

Hello:

Thank you for your email.

I will deliver the Notice of Tenant Rights today.

The owner does not know the extent of the improvements that will be done nor able to obtain permits until the tenant has vacated the premises. Please advise on the timing of Form 6I.

Also, is it just the Notice to Termination "Eviction Notice" that needs to be recorded within the 14 day period?

Thank you for your assistance with this matter.

Respectfully,

John Brannan

 Notice 6-I -signed by owner....  
449 KB

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---  
Hello Emily and Blaise:

Please see the attached Notice 6-I for both your records, as well.

Thank you,

John B



# PUBLIC COMMENT

Attachment 3

Please see the attached form 6-I.

Thank you,

John Brannan

On Thu, Oct 20, 2022 at 2:06 PM John Brannan <[johnb@brannanrealtygroup.com](mailto:johnb@brannanrealtygroup.com)> wrote:

Hello:

Thank you for clarifying that nothing needs to be recorded against property for substantial rehab at this time. Please confirm the name of the GI form referenced.

Hello Emily and Blaise:

Please see the attached Notice 6-I for both your records, as well.

Thank you,

John B

Since this process is new to us all. Could you please confirm if it's just the Notice of Termination that needs to be recorded? Is that with the City or County?

We appreciate your assistance in this matter.

Thank you,

John Brannan

On Thu, Oct 20, 2022 at 2:06 PM John Brannan <[johnb@brannanrealtygroup.com](mailto:johnb@brannanrealtygroup.com)> wrote:

Hello:

Thank you for clarifying that nothing needs to be recorded against property for substantial rehab at this time. Please confirm the name of the GI form referenced. Is this From 6-I?

The tenant has received both the Notice of Tenants Rights and Notice of Termination in English. I was not aware that these Notices were required in both English and Spanish where English is the primary language. Please advise.

Thank you for your assistance in this matter.

John Brannan

To: Tenant Protections

Fri 10/21/2022 4:43 PM

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---  
Do these notices need to be mailed or can they be sent via email? What is the required delivery?

Sincerely,

Thomas Gehring  
Bundesen Property Management  
Co-Owner/Property Manager  
Direct Line 707-769-7178  
Main Line 707-762-7777  
DRE#01357011  
[www.bundesen.com](http://www.bundesen.com)



Hi Thomas,

The answer depends on the type of notice that you are providing to your tenant.

The notice of tenant's rights form required under Section 6.60.040 does not specify a service method, so email, mail, or in person is sufficient.

The notice of termination forms needs to be served in accordance with California Civil Code Sections 1946 and 1946.1. Here are links to those Civil Code Sections. [https://leginfo.ca.gov/faces/codes\\_displaySection.xhtml?sectionNum=1946.1&nodeTreePath=8.4.69.3&lawCode=CIV](https://leginfo.ca.gov/faces/codes_displaySection.xhtml?sectionNum=1946.1&nodeTreePath=8.4.69.3&lawCode=CIV) But they state that notices required by these sections shall be served either in accordance with "Section 1162 of the Code of Civil Procedure or by sending a copy by certified or registered mail". Here is a link to Section 1162 of the Code of Civil Procedure [https://leginfo.ca.gov/faces/codes\\_displaySection.xhtml?sectionNum=1162.1&lawCode=CCP](https://leginfo.ca.gov/faces/codes_displaySection.xhtml?sectionNum=1162.1&lawCode=CCP)

If you are evicting the tenant per PMC Section 6.60.050(D), either withdrawing the property from the rental market, owner or owner's family is moving into the unit, or eviction is needed to perform substantial rehabilitation, there may be an additional form that you need to provide to the City Housing Manager. This form or notice can be provided by email, mail, or in person.

Please let us know if there are any questions.

Thanks,

Dylan Brady  
Assistant City Attorney  
City of Petaluma | City Attorney  
office: (707) 778-4497 | [DBRADY@cityofpetaluma.org](mailto:DBRADY@cityofpetaluma.org)





# PUBLIC COMMENT

Attachment 3

To: Tenant Protections

Thu 10/27/2022 1:22 PM

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---  
Does this apply to both properties within and outside the city limits? Like Adobe or Skillman? Please advise. Thank you.

**Karen Karlow**  
Real Estate Broker  
**Century 21 Epic**  
616 Petaluma Blvd South  
Petaluma, CA 94952  
707-486-6728  
DRE # 01185160  
Please note new email address:  
[karenkarlowrealestate@gmail.com](mailto:karenkarlowrealestate@gmail.com)  
[www.karenkarlow.com](http://www.karenkarlow.com)

Hello,

Only within the City of Petaluma's jurisdiction. So, for unincorporated areas that lie within the City they would not be covered by the ordinance. If you want to provide specific addresses the City can see if those are residences would be covered.

Thanks,

...

You indicate that we have 14 days from when we provide the city with a copy of the notice to record a city memorandum with the Sonoma county Recorder's Office. What is the city memorandum that needs to be recorded? How will this be provided to us?

Sincerely,

Thomas Gehring  
Bundesen Property Management  
Co-Owner/Property Manager  
Direct Line 707-769-7178  
Main Line 707-762-7777  
DRE#01357011  
[www.bundesen.com](http://www.bundesen.com)



Hello Thomas,

Here is a link to the memorandum. Please let us know if there are other questions.  
<https://cityofpetaluma.org/documents/memorandum-notice-of-withdrawal-of-a-dwelling-unit/>

...

Dear Housing Manager,

Please see the attached Notice 6G - Additional Notice for Withdrawal of Property from Rental Market( Ellis Act) to be submitted for 839 Sixth Street Petaluma CA.  
We kindly request confirmation of receipt for our records.

Please let me know if there are any other action needed on our part to complete this process.

Thank you.

Kindly,  
Mia Powell  
Bundesen Property Management  
Property Manager  
Direct Phone 707.769.7186  
Office 707.762.7777  
Fax 707.762.7757  
[Mia@bundesen.com](mailto:Mia@bundesen.com)  
522 Petaluma Blvd South  
Petaluma, California 94952

Thanks. The City is in receipt.

...



## PUBLIC COMMENT

Attachment 3

Good afternoon, Karen ,

My name is Mia Powell, and I am a property manager with Bundesen Property Management in Petaluma. Thank you for taking the time to get back to me today. I wanted to recap our conversation and request direction on our next steps and the best way to stay compliant with the rules and regulations of your office.

We are in the process of removing a rental property from the market and in compliance with the new Petaluma ordinance have brought the Notice of Withdrawal of a Dwelling Unit to the Sonoma County Recorders Office to be recorded with the county. However, our request was denied by the recorder's office. They have let me know they were unable to record the document as it was city ordinance and not a state ordinance and had noted there was information missing on the form required for recording .

We have notified the tenants as of 11/1/2022 and the ordinance states we are required to have the document recorded and submitted to the City of Petaluma with 14 days of notifying the tenants. Our 14<sup>th</sup> day will be 11/14/2022. I want to make sure we are compliant with the rules and not hindering the sales of the home.

I am attaching a copy of the document which has been notarized, for reference. Please let me know what our next steps should be.

Thank you

Kindly,  
Mia Powell  
Bundesen Property Management  
Property Manager  
Direct Phone 707.769.7186  
Office 707.762.7777  
Fax 707.762.7757  
[Mia@bundesen.com](mailto:Mia@bundesen.com)  
522 Petaluma Blvd South  
Petaluma, California 94952  
[www.bundesen.com](http://www.bundesen.com)  
DRE#02144701

I am a fairly new attorney and have taken on a case for a tenant in Petaluma. Can you please refer me to the local landlord - tenant laws for your city?  
Thank you.

**Vanessa Amador Mosby, Esq.**  
Nor Cal Attorney Broker  
PO Box 580876  
Elk Grove, CA 95758  
(916) 396-9934  
[NorCalAttorneyBroker@gmail.com](mailto:NorCalAttorneyBroker@gmail.com)  
[www.Norcalattorneybroker.com](http://www.Norcalattorneybroker.com)

Good afternoon,

Please see the below link to the Tenant Protections Webpage. Please let me know if you have any additional questions.

<https://cityofpetaluma.org/tenant-protections-ordinance/>



# PUBLIC COMMENT

Attachment 3

Rent increases are capped at 5% plus CPI per the ordinance. What month do we use as the indicator for the CPI and what index do we use? This information is essential to do this correctly. Are we to use the same month as the TPA (April) and the same index (Western Region).

Please let me know.

Thomas Gehring  
Owner/Property Manager  
Bundesen Property Management  
[www.bundesen.com](http://www.bundesen.com)  
Direct 707-769-7178  
Main 707-762-7777  
DRE#01357011

Hello Thomas,

The City's tenant ordinance does not address rent control, which means the State's TPA would apply.

\*\*\*

Thank you for the information.

Can you please tell me if you have a copy of the signed city ordinance?

When I click on the link I do not see an Ordinance number or a signature and don't know when it went into effect or when it ends.

Thank you.

**Vanessa Amador Mosby, Esq.**

Nor Cal Attorney Broker

PO Box 580876

Elk Grove, CA 95758

(916) 396-9934

[NorCalAttorneyBroker@gmail.com](mailto:NorCalAttorneyBroker@gmail.com)

[www.Norcalattorneybroker.com](http://www.Norcalattorneybroker.com)

Hello Vanessa,

The Ordinance is currently in effect and sunsets on March 1, 2023.

I have cc'd the City Clerk's Office to see if they can provide a signed copy of the Ordinance.

Thanks,

Good Morning,

Once executed, our office can follow up with a copy to you. This is currently in the process of getting signatures.

Thank you,  
Kami

**Kami Garcia**  
Deputy City Clerk

To: Tenant Protections

Fri 12/9/2022 12:48 AM

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---

Hi,

Please send me the new form for tenant protections/rights. I can not find it on you website.

Thank you,

Rose Booth Real Estate Broker & California Notary Public

BRE#01976028/Commission #2338742

Rose Booth Realty

[www.roseboothrealty.com](http://www.roseboothrealty.com)

(707) 776-7362 | [petbooth@gmail.com](mailto:petbooth@gmail.com)

<https://cityofpetaluma.org/landlords/> Here is a link to the webpage that has the "Notice of Tenant Rights" in both English and Spanish. Please let us know if there are any other questions.

Thanks,



# PUBLIC COMMENT

Attachment 3

Are you saying that the TPA exemptions to rent control apply in Petaluma. In other words....single family dwellings, homes who have received their occupancy permit less than 15 years ago, condos are exempt from rent control still?

Thomas Gehring  
Co-Owner/Property Manager  
Bundesen Property Management  
[www.bundesen.com](http://www.bundesen.com)  
Direct 707-769-7178  
Main 707-762-7777  
DRE#01357011

Correct. The TPA's provisions regarding rent control applies to properties in Petaluma. Petaluma would likely need to create a Rent Control Board or other mechanism for landlords to apply to seek rents greater than whatever the rental cap on the ordinance would be, and Petaluma does not have that appeal body in place. So, the State TPA is the default for rent control in Petaluma.

...

Rec'd, thank you. I do have a question. Does a Landlord have to provide a signed copy of "Notice of Tenant Rights" to the City of Petaluma?

Warm Regards,

Rose Booth Real Estate Broker & California Notary Public  
BRE#01976028/Commission #2338742  
Rose Booth Realty  
[www.roseboothrealty.com](http://www.roseboothrealty.com)  
(707) 776-7362 | [petbooth@gmail.com](mailto:petbooth@gmail.com)

Nope, the City does not need to receive a copy of the notice of tenants rights.

...

Hello,

My husband and I own a house at 1109 East Sunnyslope Road and are thinking about renting it while we travel. We plan/hope to have a one-year lease followed by month-to-month, since we plan to be gone for at least a year and perhaps longer. Ideally, the one-year lease would begin in March 2023.

While reading the city regulations about rentals we noticed the rule that if renters are asked to leave without cause, owners might be required to pay them compensation/moving expenses. In the scenario above (one-year lease followed by month-month), if we move back into our house during the month-to-month period after giving the renters a 30-day notice, would we be required to pay them compensation?

Thanks for your help.

Good morning,

Yes, under both the City's Ordinance and under the State's Tenant Protection Act, relocation assistance would be required. The City's Ordinance and the TPA both state that the relocation assistance is 100% of monthly rent but there is an additional 50% relocation under the City's Ordinance if the tenant is elder, deemed low income, or has a child.

Please let us know if there are any other questions.

**Karen Shimizu**  
Housing Manager  
City of Petaluma | City Manager's Office  
office: 707-778-4563 | [kshimizu@cityofpetaluma.org](mailto:kshimizu@cityofpetaluma.org)  
11 English St, Petaluma, 94952





## PUBLIC COMMENT

Attachment 3

Hi, sorry for the second email, but to follow up on my question to your response, wouldn't your response indicate that every renter who enters into a month-to-month lease agreement receive compensation? That seems odd to me.

Thanks for helping to clarify it.

Val Richman  
707-695-9268

Hi Valerie,

Just following up. Petaluma Peoples Services Center is working in partnership with the City to address questions. They will be giving you a call directly. This way you can have a conversation and we can make sure we fully answer your questions.

Please feel free to email me directly if you have any further questions.

Respectfully,

**Karen Shimizu**  
Housing Manager  
City of Petaluma | City Manager's Office  
office: 707-778-4563 | kshimizu@cityofpetaluma.org  
11 English St, Petaluma, 94952

Good evening, Ingrid,

It was great meeting you on Monday night at the City Council meeting. Thank you for introducing yourself and clarifying the purpose of the January 26th meeting, as well as affirming your commitment to making the community workshops as accessible and equitable as possible. We look forward to that conversation.

I did want to bring up a concern about the timing of events and who will be participating in the workshop(s).

Re timing: There's only 3-4 weekdays between our 1/26 meeting and the first workshop on 2/1, and we will need time to reach out to tenants to recruit them for the event (especially if they need to arrange childcare, set up Zoom tech, etc.). So, **could we please confirm ASAP the dates and times of the event, at least to share with tenants in a Save the Date?** Based on our experience and what we know of many tenants' schedules, 6pm on 2/1 would be ideal. For 2/4, we think 11am might be a good starting time.

Re who will participate: **We would prefer at least one workshop without landlords present.** This is because we want tenants to feel empowered and secure to speak freely without the implicit intimidation (and sometimes triggering statements and behavior) of landlords, including potentially their very own landlords, who may be abusing or mistreating them.

Thank you again so much for your consideration. We're excited to work with you to ensure it's a rich, helpful conversation full of diverse voices, including from folks who are the most marginalized.

Sincerely,  
Diana Kingsbury  
Housing and Deep Democracy Organizer  
Sonoma County Tenants Union, North Bay Organizing Project  
(707) 324-9791

Hi Diana,

I tried calling but did not connect. Is there a time you could chat? I'm pulling together data and I'm wondering if you have Petaluma data related to tenant evictions that I can review. My goal is to be able to educate myself and our community about the prevalence of evictions that have taken place over the last 3 years that would be prevented by a new ordinance. Do you keep data on your case files by address?

Best way to reach me is 707-332-4354.

Thanks Diana!

Ingrid

**Ingrid Alverde**  
Director Economic Development and Open Government  
City of Petaluma | Economic Development & Open Government  
office: 707-778-4549 | IAlverde@cityofpetaluma.org



# PUBLIC COMMENT

Hi Ingrid,

Thank you so much for following up! Not sure if you saw that I called back on Thursday, but I'm really happy to respond and stay in communication about all this.

## Summary

- The existing data on Petaluma evictions is extremely limited for several reasons:
  - Tenants moving out because of fear– i.e. "self-evictions"
  - Of those tenants who are officially evicted by their landlord, many of them may not know to reach out to us.
  - The lack of a rental registry (making it nearly impossible to target those most impacted by the ordinance in outreach efforts)
- Despite all these barriers, we have received calls from several Petaluma tenants about evictions.
- Preventing even just one unjust eviction is better than zero.
- Petaluma has committed to strong tenant protections, including just cause and rent stabilization in their general plan via Program 29 of their 6th cycle housing element.

I want to give you some context: The Sonoma County Tenants Union created its tenant counseling hotline during the pandemic in response to unmet community needs. It is hard to grow an organization during a pandemic, but we have grown, and we continue to grow. Wherever tenants don't speak up for themselves, we will show up.

For example, one tenant called us last year because their landlord had pressured them to move out in order to sell the house to a speculator (a phenomenon happening all over the state and country right now, which is why we need to include single-family homes in the ordinance).<sup>\*</sup> Out of fear, this tenant did not want to speak with Legal Aid, and they did not assert their rights. This tenant ended up moving out, at great personal cost, both mentally and financially. This self-eviction would not have shown up on our radar or in any dataset if they had not reached out to us. The fact that this tenant did not go through eviction proceedings is not surprising due to the fear of negative consequences. After all, as stated in the study I cited ([Leifheit et al.](#)) in my public comment on Monday, "Because evictions carry a lasting legal record, a single eviction can prevent a family from accessing quality, affordable housing in a desirable neighborhood years later (Desmond, 2016)."

In other words, this tenant's fears were not unreasonable. This is why we need protections for them.

We continue to reach out and encourage tenants to speak up and assert their rights, and we hope that as we make progress, tenants will have less fear about speaking up. That said, in the meantime, the reticence does create a challenge for data collection.

I also want to clarify that the work of the Sonoma County Tenants Union is organizing. Our SCTU hotline was created as a form of mutual aid and peer support for tenants, but our primary focus is tenant organizing through door-knocking, one-to-ones, and forming tenant associations, rather than either a) providing direct service to tenants in a traditional provider-client direct service relationship or b) conducting comprehensive data collection as a researcher might.

Despite the fear that prevents some tenants from reaching out for help, from just August 2020 to July 2022, our tenant crisis hotline recorded eviction-related calls from around 178 tenants. 12 of the tenants were calling about their eviction-related situation in Petaluma for their families/themselves. 72 of these tenants calling about eviction had no location marked, so a number of them could have been Petaluma tenants.

Regarding affected tenants' awareness of SCTU, worth noting is the near impossibility of us doing targeted outreach to those affected by Ellis Act evictions – mainly those living in houses, not apartment complexes. This is because it is not feasible for us to go blindly knocking doors in residential neighborhoods hoping to find tenants who live in houses who might be more affected by the ordinance. This is why we need a rental registry to systematize this data collection, for which we have advocated multiple times at the Petaluma City Council meetings (as well as to the Sonoma County Board of Supervisors). See this important link on how you can use data to understand your eviction crisis: [Using Data to Understand Your Local Eviction Crisis - National League of Cities \(nlc.org\)](#)

If you want to follow up with [+Margaret DeMatteo](#) at Legal Aid of Sonoma County (copied here), I know they have some data as well.

As important as data is, and as much as it could help us all grasp the scope of this problem, we firmly believe that even one unjust eviction can have deep, long-lasting impacts on children, families, and our communities.

Not to mention, regardless of the data, just cause eviction policy is a commitment that Petaluma has made to implement in their general plan via the housing element, and we're here to support furthering that commitment.

We often hear decision-makers press us for data without understanding the bigger, more complex picture. I am interested to hear from you or your colleagues about what data would be helpful to know, and to explore how much data the City itself has access to that we do not. Thank you so much for your time and consideration.

Warmly,  
Diana

<sup>\*</sup>Citations: [As Wall Street Buys Up Single-Family Homes in Bulk and Worsens Housing Crisis, Warren and Reed Call on HUD to Preserve Affordable Homeownership for Families | Senator Jack Reed \(senate.gov\)](#); [Let's stop another Wall Street takeover of single-family homes - CalMatters](#); [Wall Street is buying up family homes. The rent checks are too juicy to ignore | CNN Business](#); [See the Wall Street Investors Buying Single Family American Homes - SWFI \(swfinstitute.org\)](#)





## PUBLIC COMMENT

Attachment 3

Thank you Diane. Just so I am clear, the current data you have is:

"Despite the fear that prevents some tenants from reaching out for help, from just August 2020 to July 2022, our tenant crisis hotline recorded eviction-related calls from around 178 tenants. 12 of the tenants were calling about their eviction-related situation in Petaluma for their families/themselves. 72 of these tenants calling about eviction had no location marked, so a number of them could have been Petaluma tenants."

Can you provide any additional data about what happened in each of the 72 calls related to evictions? Did you defend the tenant? Was it successful?

Thank you!

Ingrid

**Ingrid Alverde**

Director Economic Development and Open Government  
City of Petaluma | Economic Development & Open  
Government  
office: 707-778-4549 | [IAverde@cityofpetaluma.org](mailto:IAverde@cityofpetaluma.org)

Hi Ingrid,

To be clear, SCTU/NBOP does not do individual case work like that, but we instead make referrals as needed to organizations like Legal Aid who can provide legal representation. (We organize groups of tenants around issues/demands/campaigns.) As mentioned before, please feel free to reach out to Legal Aid for more information on the calls they receive, their data, etc.

I'm afraid I can't share with a government body any personally identifiable/confidential information about tenants' situations and information that tenants have shared with SCTU/NBOP as their advocates, organizers, and peer supporters (especially without knowing exactly what the information will be used for). I hope you understand. If you'd like to hear more about what people have gone through, I can share more general stories and themes, though much of it has already been shared in public comments and our communication thus far.

Warmly,  
Diana

Thanks you Diana. I totally understand your limitations. We are currently seeking data so we appreciate anything you can share.

Best,

Ingrid

**Ingrid Alverde**

Director Economic Development and Open Government  
City of Petaluma | Economic Development & Open  
Government  
office: 707-778-4549 | [IAverde@cityofpetaluma.org](mailto:IAverde@cityofpetaluma.org)

Hi Ingrid,

I would like to share some information but am wondering if we can speak over the phone beforehand? If so please let me know your availability early next week. I would also urge you to contact the Petaluma Federation of Teachers. Thanks!

In the meantime, I thought I would share a couple of sources for national and Bay Area data around the housing crisis.

[Pleas for help finding housing spiked last year in the Bay Area \(mercurynews.com\)](https://www.mercurynews.com/2022/07/27/bay-area-housing-crisis/)

[United Way Bay Area 211 Dashboard \(2019-2022\) | Tableau Public](https://www.tableau.com/publication/united-way-bay-area-211-dashboard-2019-2022)

It is unfortunate that Sonoma County does not have a 211 service as do all the other Bay Area counties.

I look forward to hearing from you!

Best Regards,  
Margaret

Margaret DeMatteo (she/her/hers)  
Housing Policy Attorney

**LegalAid**  
OF SONOMA COUNTY

144 South E Street Suite 100  
Santa Rosa, CA 95404  
[mdematteo@legalaidsc.com](mailto:mdematteo@legalaidsc.com)  
Cell: 415-952-6519  
Fax: 707-542-0177  
<https://legalaidsc.org/>



## PUBLIC COMMENT

Attachment 3

Thanks Margaret,

What does your day look like tomorrow? I have some time for a call between 11 and 1pm. Also, for reference, Sonoma does have a 211

Hi Ingrid,

Sorry for the delay, it is a very busy month! I am connected to 211 United Way Wine Country. But I would suggest reaching out to orgs like that to see what their most frequent calls have been, by Petaluma zip code if possible. The trend across the Bay Area and nation is that the most predominate reason for calls is housing related. See [United Way Bay Area 211 Dashboard \(2019-2022\)](#), [Tableau Public](#). And [Pleas for help finding housing spiked last year in the Bay Area \(mercurynews.com\)](#)

Additionally, public records requests like the ones I along with the County are making of the Court, can also be made by the City. I am happy to share what I have on Thursday at the workshop, but I urge the City to consider seeking publicly available data as well.

One stat that it would be helpful to have is a reliable source for the current number of renters in Petaluma (even more so the total each year over the past 5 years). Without a rental registry, we have to rely on private websites like this [Petaluma, CA Household Income, Population & Demographics | Point2 \(point2homes.com\)](#) as well as the outdated census [S1101: HOUSEHOLDS AND FAMILIES - Census Bureau Table](#)

Anyhow, I can check in about this on Thursday. If we need a follow up call I will be happy to arrange for it after the workshop.

Best Regards,  
Margaret

Margaret DeMatteo (she/her/hers)  
Housing Policy Attorney

  
**LegalAid**  
OF SONOMA COUNTY  
144 South E Street Suite 100  
Santa Rosa, CA 95404  
[mdematteo@legalaidsc.com](mailto:mdematteo@legalaidsc.com)  
Cell: 415-952-6519  
Fax: 707-542-0177  
<https://legalaidsc.org/>

Hi Ingrid,

It was a pleasure speaking with you, and I appreciate your desire to include the following housing providers in the discussion regarding the City's Residential Tenancy Protections. As we discussed, there is a lot of confusion regarding the Ordinance, and we are happy to provide our expertise. As housing providers representing landlords and tenants, property managers are uniquely qualified to give an accurate account of the rental market in Petaluma. We can provide real-time data and help craft the survey for tenants and housing providers (property owners).

Carolyn Gavriloff, Property Manager  
Westgate Property Management  
221 Petaluma Boulevard South  
Petaluma, CA 94952  
Property Management: (707) 762-1565  
Sales Office: (707) 769-9590  
Fax: (707) 769-9591  
Email: [carolyng@westgaterealestate.com](mailto:carolyng@westgaterealestate.com)  
DRE #01381423

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# PUBLIC COMMENT

Attachment 3

Thank you Carolyn. I think this meeting will actually be virtual. We are finalizing logistics now. Thank you for this super helpful contact list! We'll be in touch.  
Ingrid

Get [Outlook for iOS](#)

**Ingrid Alverde**

Director Economic Development and Open  
Government  
City of Petaluma | Economic Development & Open  
Government  
office. 707-778-4549 | [IAverde@cityofpetaluma.org](mailto:IAverde@cityofpetaluma.org)

Ingrid:

I really believe the interaction would be more valuable in person. Is there any way we can meet at City Hall or if we need another venue, I would be happy to facilitate this.

**Kerry M. Davison**

Mahoney Davison Co. Property Management  
[www.mahoneydavison.com](http://www.mahoneydavison.com)  
628 E. Washington St. Ste. C  
Petaluma, CA 94952  
(707)762-7710, fax (707)762-7618  
CA Brokers License #769140

Hello,

I have been subletting from a tenant, who is the sole person on the lease, for 1.5 years. She sent me a text alerting me that a worker was going to work on the heat within 30 minutes (it had not worked since I moved in last year), and he was going to be entering my bedroom and other living space. I rent 1/2 of the house; the front living room, a bedroom, a bathroom, and I have use of the kitchen. I texted her that I would rather NOT have him in my bedroom, and to simply clean the other vents in the house. I arrived in the house 30 minutes later to find the worker having been in my bedroom. I have since installed a lock on my bedroom door. Subletter is now asking for the key to my bedroom. I explained to her why I installed the lock (I don't want her, or anyone else in my bedroom without my knowledge or consent). She let me know she would begin eviction paperwork if I didn't give her a key. She has always had a lock on her bedroom door. Do I have to give her a key, or can I simply send it to the landlord? I don't have a key to her bedroom. There was no 24 hour notice to entry.

Kind regards,  
Kerstin  
916.501.9425

Sent from my iPhone

Hello Kerstin,

Thank you for reaching out to the City of Petaluma. The City doesn't directly work with landlords or tenants but instead we have community partner agencies such as Petaluma People Services and Legal Aid of Sonoma County that serve members of the public. Please find the contact information below. I hope they can help you resolve your matter.

Legal Aid of Sonoma County (707) 843-4432

Petaluma People Service Center (707) 765-8488

Please feel free to reach out and let me know if there are any other resources or information, I can connect you with!

Respectfully,

Sarah Wolf

**Sarah Wolf**

Housing Specialist  
City of Petaluma | City Manager's Office  
[swolf@cityofpetaluma.org](mailto:swolf@cityofpetaluma.org)  
11 English St, Petaluma, 94952

Good afternoon,

As you may be aware, the Petaluma City Council adopted an ordinance that provides special protections, that expand on existing State laws, for Petaluma tenants. It was approved as an interim ordinance with a sunset date of March 1, 2023. The purpose of adopting the interim ordinance was to protect tenants provisionally while staff could complete broad outreach with stakeholders and our community about how best to protect tenants and landlords locally. To make sure we have sufficient time for meaningful outreach and dialogue, on Monday January 9, the City Council will be considering an extension to the current interim ordinance.

As an important stakeholder, we want to be sure that your input is considered before a final Ordinance is presented to our City Council. As such, we are reaching out to invite you to a workshop with our staff to learn and share your thoughts about a long-term ordinance. Please mark your calendar for January 26<sup>th</sup> from 1pm to 3 pm and look for specific instructions in a follow up email. Please feel free to forward the meeting details to other similar stakeholder organizations. In addition to bringing all parties up to speed about what our current ordinance includes, we would like to hear from you what your thoughts and concerns are and what, if any, changes you would like to see included in the new Ordinance. If you have any questions in the meantime, please email [tenantprotections@cityofpetaluma.org](mailto:tenantprotections@cityofpetaluma.org) and we will respond accordingly.

Your input, along with all community wide input we receive, will be shared with the City Council at a Workshop on March 6, 2023.

Respectfully,

**Karen Shimizu**

Housing Manager  
City of Petaluma | City Manager's Office  
office. 707-778-4563 | [kshimizu@cityofpetaluma.org](mailto:kshimizu@cityofpetaluma.org)  
11 English St, Petaluma, 94952





## PUBLIC COMMENT

Attachment 3

Good afternoon, Ms. Shimizu,

I was forwarded your correspondence by TWO different primary recipients - Lisa Badenfort of NorBAR, and Korin Robles of NARPM. In order to achieve the greatest good for the greatest number, I'm hoping for a better understanding of the planned structure of the 1/26 meeting.

Is this expected to be a "workshop," wherein each stakeholder organization would provide just one or a few representatives, and those representatives would be actively engaged in discussion? Or, alternately, would it be more of an "auditorium" event with NUMEROUS stakeholder representatives, but with most attendees assuming a passive "listening" role rather than active and influential participation?

I genuinely hope we have a productive and immediate conversation on this very important topic. It is of tremendous importance to many in the Petaluma community.

As always,

**Keith T Becker, MPM RMP**  
Director, PM Compliance & Education  
Pure Property Management, Inc.  
[purepm.co](http://purepm.co)

I left a voicemail last week requesting for more information regarding the meeting coming up.

I am the past president for the Sonoma Marin National Association for Residential Property Managers, and we are housing providers here in the area. We manage many rentals here in Petaluma. We would like to know the location for the workshop, and we feel this is necessary to be held in person. I still have not received a follow up email with further instructions. We look forward to giving actual data and statistics that would greatly benefit the decision making in this ordinance. I also had Eric Danyl attend one of our meetings earlier last year in which we provided feedback and concerns regarding this ordinance. So far, we plan to bring data on notices given and vacancies since 2020. Please let me know of any information that you feel would be helpful for the workshop.

**Korin Robles, Property Manager**  
BRE # 02025881  
**Mahoney Davison Co.**  
707-762-7710 x 2 / 707-762-7618 (fax)  
**Past President- Sonoma/Marin NARPM**

Good Morning,

The City team meet last week to discuss and plans for the stakeholder meetings and public workshop. Staff is planning the stakeholder meetings to be held via zoom and the public workshop will be held in March. The team is meeting today at 1 and working on confirming the details and we will be sending out more information this week.

If you would like we can schedule a time today to check in via phone, to discuss further. Do you have time today between noon and 1? Or I can call you after 4. Just let me know if a phone call is your preference and what time will work best.

**Karen Shimizu**  
Housing Manager  
City of Petaluma | City Manager's Office  
office: 707-778-4563 | [kshimizu@cityofpetaluma.org](mailto:kshimizu@cityofpetaluma.org)  
11 English St, Petaluma, 94952

I am available between 12-1pm today. I can be reached at 707-762-7710.

Thank you,

**Korin Robles, Property Manager**  
BRE # 02025881  
**Mahoney Davison Co.**  
707-762-7710 x 2 / 707-762-7618 (fax)  
**Past President- Sonoma/Marin NARPM**

Hi Korin,

Staff are working on the location and meeting time today and should be sending out that information shortly. We will make sure that you get that information and that data would be helpful when staff present to Council. Thanks,

...



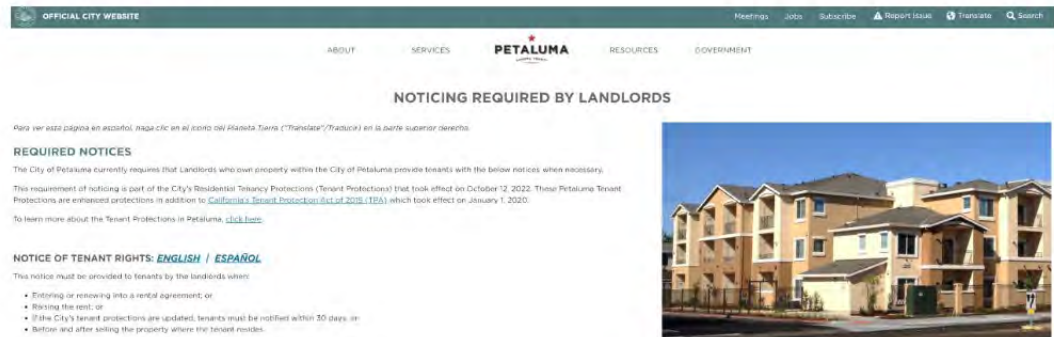
# PUBLIC COMMENT

Attachment 3

Hello,

I recently saw on your website that the City of Petaluma currently requires that landlords who own property within the City of Petaluma provide tenants a "Notice of Tenants Rights" when necessary (see screenshot below). We have a manufactured home community in the City of Petaluma and want to know if this applies to us as well.

Please review and advise at your earliest convenience. Thank you.



Best,

*Edna Cano*  
Manufactured Home Investors, Inc.  
651 N. Sepulveda Blvd Ste 2A  
Los Angeles, CA 90049  
Office: 310.894.9394  
Cell: 310.424.8505  
E-Mail: [edna.cano@mhinvestors.com](mailto:edna.cano@mhinvestors.com)

Hi,

I we live in Petaluma & have a month-to-month lease, however we've lived here for a year, and heard my landlord is considering giving the house to a family member. I wanted to know if no-fault tenant rights & benefits applied given she chooses to follow through.

Thank you,  
Tera

Warm regards,

Tera

(650)533-4695 | [LinkedIn](#) | [Tera Earlywine](#)  
B.B.A. Operations and Technology Management



# PUBLIC COMMENT

Hello,

We are looking forward to gathering this Thursday, Jan. 26 from 10am-12pm to discuss the current Petaluma Tenant Protections Ordinance.

**WHEN: Thursday, Jan. 26 from 10am-12pm**

**WHERE: Council Chambers at [Petaluma City Hall, 11 English Street, Petaluma](#)**

In advance of the meeting we ask that all attendees review the current information we have available on our [Tenant Protections webpage](#), as well as on the supporting webpages below:

- [Guide to Tenant Protections in Petaluma](#)
- [Tenant Rights](#)
- [Noticing Required by Landlords](#)

At this meetings we will:

- Provide information about the current Tenant Protections Ordinance
- Explain how Petaluma's Ordinance compares to existing state law
- Discuss ways the Ordinance might be amended before further consideration by the City Council
- Answer your questions and gather feedback

Thank you,  
Ingrid

**Ingrid Alverde**

Director Economic Development and Open Government  
City of Petaluma | Economic Development & Open  
Government  
office: 707-778-4549 | [ialverde@cityofpetaluma.org](mailto:ialverde@cityofpetaluma.org)

Hi Ingrid and team,

I was waiting for the email with the presentation from Thursday to send my information. As a reminder, I am a property manager and owner of Westgate Real Estate and Westgate Property Management in Petaluma. I personally own rental property in Petaluma and have over 25 years of experience as a property manager. Westgate manages 173 single-family residential units and provides an average of 35 Tenant Placements yearly for self-managed housing providers.

The Petaluma ordinance was developed based on a narrative that Petaluma housing providers are evicting tenants just to raise rents without any data to support this assumption. The report and ordinance use the term eviction for all vacancies; however, in practice, there are two types of "evictions". Property managers use the term "eviction" as a formal process utilizing an unlawful detainer action. We use the term "termination of tenancy" when a tenant or owner gives Notice.

We went back and reviewed our "Termination of Tenancy" for the past three years and collected the following data:

In the years 2020, 2021 & 2022

- 63 Notices to Terminate Tenancy for 2020, 2021 and 2022
- 86% of "Notices to Terminate Tenancy" were given by the tenant (54)
- 14% of "Notices to Terminate Tenancy" were given by owners (9)
- Owner-driven terminations were given for the sale of the home or the owner moved in. Not one of these homes was re-rented after the owner gave Notice. Not one.
- 0% Evictions or arbitrary Termination of Tenancy
- 41% of tenant-driven Notices given were due to the tenant purchasing a home.
- 52% of tenant-driven Notices given were due to the relocation
- Our average rent increase from the vacancy tenant's rate to the new market rent was \$100.00.
- 0% Vacancies were caused by unlawful actions of the landlord or from a rent increase
- 15% of tenant-driven termination, the owner removed the property from the rental market due to a sale or a family member moving into the home. I believe this trend will continue when the property becomes vacant; the owner will seriously consider selling the home and removing it from the rental market.

Based on this information and to preserve our housing inventory, please exempt single-family homes and small multifamily units from the ordinance.

Please let me know if you need any additional data or support information.

Thank you,

Carolyn Gavriloff, Property Manager  
Westgate Property Management  
221 Petaluma Boulevard South  
Petaluma, CA 94952  
Property Management: (707) 762-1565  
Sales Office: (707) 769-9590  
Fax: (707) 769-9591  
Email: [carolyng@westgaterealestate.com](mailto:carolyng@westgaterealestate.com)  
DRE #01381423





# PUBLIC COMMENT

Attachment 3

Thanks! Last question, what are you hoping to get out of tomorrow? I want to make sure it accomplishes as much as possible.

Margaret DeMatteo (she/her/hers)  
Housing Policy Attorney



**LegalAid**  
**OF SONOMA COUNTY**  
144 South E Street Suite 100  
Santa Rosa, CA 95404  
[mdematteo@legalaidsc.com](mailto:mdematteo@legalaidsc.com)  
707-308-2518  
Cell: 415-952-6519  
Fax: 707-542-0177  
<https://legalaidsc.org/>

If there are any recommendations on edits that would be helpful. And then just any boots on the ground information that you are able to share with us, so we can share with Council to show why this ordinance and any specific amendments are needed would be great.

**Dylan Brady**

Assistant City Attorney  
City of Petaluma | City Attorney  
office: (707) 778-4497 | [DBRADY@cityofpetaluma.org](mailto:DBRADY@cityofpetaluma.org)

Hi Ingrid and Dylan,

It has been a heck of a week! I am trying to compile some things for you and revisiting my suggested edits in comparison with the suggested changes in the letter from Andrew Zacks office on behalf of Norbar. In advance, I wanted to point you to a few things. I just came from the Economic Perspective put on by the Sonoma County Economic Development Board. The top theme was that housing is the largest influence on economic development. It is important that this quest for specific City data not be used as a tool to say no to transformative policies. Housing in Petaluma is housing in Sonoma County, in CA, and the nation at large. Thus trends nationally or at the state or County level are trends in Petaluma. Whether or not all Petalumans will admit that is the issue I see. Please take some time with the resources below, they are worth reading.

1. A recent study: [Racial and Gender Disparities among Evicted Americans](#)
2. Another [study on eviction interventions and moratoriums in CA](#)
3. Resources: [Using Analytics to Address Disparities in Housing Displacement \(3disystems.com\)](#); [Why You Need a Centralized Rental Registry System \(3disystems.com\)](#)
4. [A Statewide Analysis of Just Cause Protections \(by Legal Aid\)](#)...I will invite you through google docs to this spreadsheet. Let me know if you need it in another form or have issues accessing.
5. [S1101: HOUSEHOLDS AND FAMILIES - Census Bureau Table](#)
6. [S2504: PHYSICAL HOUSING ... - Census Bureau Tabl](#)
7. [Unlawful Detainer Data in Petaluma](#)

Finally please consider this data from Fair Housing Advocates of Northern CA, the only group that conducts fair housing testing in Sonoma County

- In 2019-20, FHANC conducted an audit to test for national origin and source of income (SOI) discrim., and in 2021-22, FHANC conducted an audit to test for race and SOI discrimination.
- Both of these audits revealed that Sonoma County had the highest rate of discrimination of the three counties (Solano, Sonoma, Marin), with **evidence of discrimination found in 86% and 92% of tests** conducted in each audit, respectively.
- In 2019-20, FHANC found evidence of SOI discrimination in 62% of tests in the county, national origin discrimination in 5% of tests, and both national origin and SOI discrimination in 19% of the tests.
- In 2021-22, **FHANC found evidence of SOI discrimination in 88% of tests in the county, race discrimination in 63% of tests, and both race and SOI discrimination in 62% of the tests.**
- FHANC continues to see increases in complaints of SOI discrimination, and in the past fiscal year FHANC received more SOI complaints than any other type except disability. FHANC's May 2021 Audit Report also found evidence of disability discrimination in 60% of County tests.

Thank you!

Margaret DeMatteo (she/her/hers)  
Housing Policy Attorney



Hello,  
I hope you are well! Dylan I wanted to share a new case that upheld relocation payments in Oakland (\$6,000 to be precise) [19-16550.pdf \(uscourts.gov\)](#)

I am working on compiling my data in conjunction with the sheriff eviction data Keith provided.

I am also working on a formal recommendation letter regarding amendments. Is there anything you need from me in regards to our discussion last week? Briefing on the term lease issue?

Do you all happen to have a flyer prepared announcing the dates/times/links for the community workshops and the City Council workshop? Otherwise I am making one but thought I would ask.

Thanks!

Margaret DeMatteo (she/her/hers)  
Housing Policy Attorney



I read most of the proposed TPA but did not see anything that allows for a pass through for capital improvements. Also you state that if the tenant has to be removed for building repairs, that they have to be offered the same apartment for the same price after the improvements. So I have a building on the Boulevard and a tenant that I have not raised the rent on since she moved in in 2010. There is a commercial space below her apartment that is for rent. If there is some TI work that the commercial tenant wants, and it triggers the requirement to install fire sprinklers at a cost of \$80,000.00, I will not be able to re-rent that apartment to her for the same rent. There has to be a way that I can pass that through. San Francisco has a Capital Improvement Pass Through. I have a building in the City of SF that is under rent control. There are 2 - 3 bedroom flats and 1 - 2 bedroom flat. The tenants have lived there since the mid 80's, each pays less than \$1,400.00 a month (the 2 bedroom is \$1,156.00 - 1200 Sq Ft) and I just had the building exterior painted at a cost of \$47,400.00 plus over \$20,000.00 in dryrot and termite damage repairs. The rent board will allow me to raise the rent approximately \$186.00 per apartment to cover the cost of painting and repairs.

I think you need to address this item.

--

*Remember God is with you always,*  
Terry

I finally found our prior letter regarding changes to the ordinance. I will be submitting one very similar to this.

Margaret DeMatteo (she/her/hers)  
Housing Policy Attorney



**Subject:** Spreadsheet shared with you: "Comprehensive Tenant Protection Review: CA 2022"

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---

Margaret DeMatteo shared a spreadsheet

see  
a1



## PUBLIC COMMENT

Attachment 3

Hello,

Thank you all for attending Thursday's meeting to discuss Petaluma's current [Residential Tenancy Protections Ordinance](#). We appreciate so many of you coming with thoughtful feedback and data. As we discussed, City Staff is gathering a menu of amendments/comments to the Ordinance and ideally we would be able to include data that supports each suggested amendment/comment. We welcome you to share what you have with us via the email provided below. If you are able to include the source of the data you are providing that would be incredibly helpful. Please note all data and comments provided to City Staff will be publicly shared.

Attached are the slides we reviewed during our meeting.

Email: [landlordtenantprotections@cityofpetaluma.org](mailto:landlordtenantprotections@cityofpetaluma.org)

Webpage: [Residential Tenancy Protections webpage](#)

Thank you,  
Ingrid Alverde

Hi Ingrid

Please advise that the email address you provided in the original body of the email is missing an "a" in Petaluma and it has not been updated on the website here: <https://cityofpetaluma.org/residential-tenancy-protections/#:~:text=In%20October%202022%2C%20Petaluma%20City,and%20establishes%20remedies%20for%20violations.>

This poses a potential issue to the original folks that you sent this email to.

Thank You,

[Angelina Soldatos](#) - Director, Local Public Affairs  
California Apartment Association  
[asoldatos@caanet.org](mailto:asoldatos@caanet.org) - 408-273-7577 ext. 7577

*CAA is your partner in the rental housing industry.*

*Find out how we're working for you.*

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Hello,

What is the passcode to watch the zoom meeting that was conducted last evening regarding the tenant protection ordinance?  
Can you please send me a copy of the slides that were presented?

Thank you,  
Linda





February 2, 2023

Dear Mayor, Council Members & Planning Staff,

We bought our first home here in Petaluma in 1986. Both of our two children were born while we lived in that home and it holds many special memories for us of our family and friends.

In 1995 we took needed jobs in the South Bay and put our home into the rental market with the plan of moving back to Petaluma when feasible. We now are back in Petaluma, but we live in another part of town and continue to rent out the house to supplement our teachers' retirement pensions. Over the years we used the rental income to send our children to college; our youngest one is due to graduate from Sonoma State at the end of May and the mortgage on the house has only a few more years before it is paid off.

Over the years we have had a small number of excellent and mostly long-term tenants. However, two years ago, we had our first problem tenant.

He precipitated a fight with a neighbor across the street, which in turn led to a gun being fired on our property by that neighbor. But the fact that this incident led to a police helicopter hovering over the neighborhood and a SWAT team blocking off a street that is known for its neighborliness and friendship was shocking to everyone on Wallace Court and nearby. Unprecedented. All because of a conflict precipitated by that tenant. Imagine our shock to see the coverage in the news, including our house visible in the background beyond the police vehicles.

Additionally, this man avoided interaction, and made a habit of peeking into windows. A police report was filed.

He had been living there for less than 10 months and we decided not to renew his annual lease. He moved promptly within legal limits, but left extensive damages to this lovely 1930's home, over \$5,000 worth, the lion's share of which we paid for out of pocket. It would've been significantly more costly if we hadn't done a good part of the work ourselves. Between 3 months' of lost rental income when we did repairs to make it rentable again plus the property damage, we calculated that his brief tenure had cost us over \$10,000. Additionally, imagine our stress level, as he then sent us a series of rancorous, threatening emails about retaliation.

Since then, we again have found excellent tenants, and all is well with the rental income that pays the mortgage. All's well that ends well.

However, a new concern has surfaced: the tenant protection ordinance passed in Petaluma last October means that a couple like us with income from a single rental would not have been able to end the previous tenant's lease for a very long time. With a problem tenant, the costs incurred by us could far exceed any income we receive. Income which currently pays the mortgage on the house.

Needless to say, if the City Council votes to keep current rental guidelines as written in the new Tenant Protection Ordinance, making no distinction between owners like us and larger multi-unit rental owners and corporate development, we reluctantly need to be serious about taking our home out of the housing market.

We are retired and depend on the rent for part of our income. Stress-wise and financially we cannot afford the usual maintenance costs, plus relocations payments to tenants, and potentially quite lengthy period of rent non-payment allowed to tenants as specified in the current language of the ordinance.

As a landlord in Petaluma, we'd be vulnerable to losing control of our one and only rental, a property of sentimental as well as financial value to us. If the language of the ordinance becomes permanent, it increases the possibility that our home could become an unaffordable drain instead of the asset that we've been slowly building for the past 37 years; it might be a wiser choice to move into it ourselves sooner than we intended or to (reluctantly) sell it.

Thank you for your time and consideration. Please contact either of us if you wish.

Dan & Maureen Svenson  
Owners, 24 Wallace Court, Petaluma, CA



**Guillermina Cortez**

My name is Guillermina Cortez and I have been a tenant in Petaluma for six years. I have worked in this community for many years. I want my voice to be heard in this process, but it is very difficult for me to participate in these meetings because of my work schedule and because I have a young child and cannot afford time off or pay for child care.

Though I have never been evicted before, these protections are very important to me because they protect me and my family. I don't have money to cover moving costs and I wouldn't have anywhere else to go.

**Elizabeth Partida**

My name is Elizabeth Partida. My family and I, which includes my two young children, have lived in Petaluma as tenants for four years. I also work in Petaluma. Though I have never been evicted, I have come close. I was previously sued in an unlawful detainer case, but I was able to avoid eviction only because of the ERAP program.

These tenant protections are important to me because I have seen a few of my friends and family experience eviction and, if I am evicted, my family would have nowhere to go, no family to rely on and we would have to live on the streets. I have not been able to participate in these meetings because I have to work a lot to support my children's needs. But I want you to know that these protections are important to me and my family.





Hello,

I have been working up to this but have been slammed the past few weeks. I had not planned on attending tomorrow's meeting, but after the way things went Thursday, I definitely want to get you our position in writing so the community presentation can include more than just LL suggestions (though we did provide many at the tenant stakeholder meeting. Sorry it is so late in the day. Please consider these in advance of tomorrow's meeting. A formal coalition letter will be submitted as well next week, but as of now these are Legal Aid's public comment.

## Tenancies at Sufferance

First, regarding the idea that a tenancy at sufferance should be able to be evicted (I think that is the question?)...it is well established caselaw that a local authority can regulate contracts, and that just cause ordinances are a valid exercise of local police power limiting the substantive grounds for evicting tenants. (*Gross v. Superior Court* (1985) 171 Cal.App.3d 265, 270-272; see *Birkenfeld v. City of Berkeley*, 17 Cal.3d 129) To state a cause of action for unlawful detainer, a complaint must comply with the Rent Ordinance requirements for eviction. (*Rental Housing Association of Northern Alameda County v. City of Oakland* (2009) 171 Cal.App.4th 741, 755-756.) Thus, a tenant may defend against an eviction on the grounds that an owner has not complied with the applicable provisions of the Rent Ordinance. (*Lamey v. Masciotra* (1969) 273 Cal.App.2d 709, 713; *Saberi v. Bakhtiari* (1985) 169 Cal.App.3d 509, 516 n.6; *Naylor v. Superior Court* (2015) 236 Cal.App.4th Supp. 1, 8; *Aguirre v. Lee* (1993) 20 Cal.App.4th 1646, 1653). Nearly all caselaw involves a tenant not vacating at the expiration of a lease term...because the local ordinance regulates the reasons a person may be forced to vacate. Expiration of a lease is not one of that via common law nor via the Tenant Protection Act (AB 1482). I am happy to jump on a call if this does not clear up the issue.

## Proposed Amendments

### A. Accrual of Protections

Nearly all just cause ordinances around the State begin their tenant protections on Day 1 of the tenancy! We urge the City Council to implement these protections on day 1 of a tenancy, rather than 180 days (6 months) as reflected in Section 6.60.030(A). Landlords are already trying to think of ways to get around protections taking effect via the tenancy at sufferance issue, which is a red herring if you ask me. The whole purpose of a just cause ordinance is to limit the reasons that a rental contract terminates. Expiration of a term is not a just cause under the TPA and should NOT be added if you want this ordinance to be more protective (as required for it to be effective).

Additionally, the Ordinance does not give tenants protections until they have lived in the unit for a year where the owner resides in a dwelling unit on the same property as the owner's primary residence. (Section 6.60.030(B).) The effect of this provision as worded, means that tenants have to wait a year for protections to apply where the owner lives in a unit on the property; whether the property is a duplex or 15-unit building. We request that this provision is eliminated.

### B. Recommendations Regarding Exceptions to the Ordinance

We strongly urge that Exemptions 1-4 in the Specific Dwelling Unit Exceptions (Section 6.60.030(C)) are removed from the Ordinance. A protective just cause ordinance does not have exemptions for government-owned housing, affordable housing, nor ADUs where tenant has lived for less than 1 year. Some of the most rampant tenant abuse occurs in subsidized and "affordable" housing. Additionally, units where the tenant is a property manager should not be explicitly exempted. Exemptions that do not exist under the CA Tenant Protection Act should not be added to this more protective Ordinance.

### C. Just Cause Language and Protections

#### 1. Breach of Lease

We urge the City Council to consider adding the following language to this just cause to prevent a common abuse:

A tenant may not be evicted for violation of material terms that were added to the rental agreement after the initial creation of the tenancy ("additional terms"), unless the landlord first notified the tenant in writing that tenant has a right to reject the additional terms, and the tenant agreed to those additional terms thereafter in writing.

#### a. A landlord must not take any action to terminate a tenancy based on tenant's sublease of the unit if the following requirements are met:

- a. Tenant continues to live in the unit as his or her primary residence.
- b. The number of tenants and subtenants actually occupying the unit does not exceed the number of occupants originally allowed by the rental agreement OR under CA Health and Safety Code, whichever is greater.
- c. Landlord has unreasonably withheld the right to sublease following written request by the tenant. If landlord fails to respond to tenant in writing within 14 days of receiving tenant's request, the tenant's request is considered to be approved by the landlord. A landlord's reasonable refusal of the tenant's request may not be based on the proposed additional occupant's lack of creditworthiness if that person will not be obligated to pay rent to the landlord. A landlord's reasonable refusal may be based on, but is not limited to, the ground that the total number of occupants in a rental unit exceed the maximum number of occupants as determined under CA Health & Safety Code.
  - i. Before trying to recover possession based on subletting or limits on the number of occupants in the unit, landlord must serve the tenant a written notice of violation that provides the tenant with a minimum of 14 days opportunity to address the violation. The tenant may address the violation by making a written request to add occupants or using other reasonable means, including removal of any additional or unapproved occupant.
- b. **Protections for Families:** Landlord must not recover possession of a unit as a result of the addition to the unit of a tenant's child, parent, grandchild, grandparent, brother or sister, or spouse or domestic partner of such relatives, or as a result of the addition of the spouse or domestic partner of a tenant, so long as the number of occupants does not need exceed the maximum number allowed under the CA Health & Safety Code.

#### 2. Tenant Illegal Activity and Threat of Violent Crime

As stated at the stakeholder meeting, we advocate for removal of the "Tenant illegal activity" and "Threat of violent crime" just causes from the ordinance (Section 6.60.050(B)(3)-(4)) as unnecessary. Tenant illegal activity is encompassed by breach of lease or nuisance just causes. Further, threat of violent crime is not a just cause under the CA Tenant Protection Act, nor anywhere else that we can find.





# PUBLIC COMMENT

### 3. Nuisance

The definition of nuisance under this ordinance should not include "unsanitary condition" (Section 6.60.050(B)(5)). "Unsanitary condition" does not rise to the level of nuisance under state law, and this ambiguous language is ripe for abuse. A mildly "unsanitary" condition could still be a violation of local law and yet not a justifiable reason for a just cause eviction under the nuisance provision.

### 4. Permanent[ly] withdrawal from rental market (Ellis Act)

These provisions must mirror the Ellis Act language, Gov Code Sec. 7060 et seq. No need to rewrite them and risk a lawsuit.

### 5. Owner Move In

While the "Owner to occupy dwelling unit" just cause (Section 6.60.050(D)(2)) is strong, a few additional provisions could be considered as in addition:

- a. Notice terminating the tenancy must contain the name, address, and relationship to the landlord of the person intended to occupy the rental unit. ([See Richmond just cause ordinance](#))
- b. Once a landlord has recovered possession of a unit under the owner move-in just cause reason, no other current landlords or relatives may recover possession of any other unit in the building under the owner move-in just cause reason. Any future evictions in the same building under the owner move-in just cause reason must be of that same unit. (Examples: [See Oakland just cause ordinance](#); [San Francisco](#))
- c. Landlord may not recover possession under the owner move-in just cause reason if they own a comparable vacant and available unit in the City or if such a unit becomes available before the tenant vacates. Evidence that a comparable unit was available within 90 days before the notice creates a presumption in tenant's favor. (See Berkeley just cause ordinance) Petaluma's draft ordinance refers to a unit on the lot instead of in the City.
- d. Landlord must offer any non-comparable unit they own to the tenant if it becomes available before they recover possession – at a rate based on the rent the tenant is paying with an adjustment based on condition/size/other amenities of the replacement unit. (See Berkeley just cause ordinance)
- e. Where a landlord has recovered possession of a unit under the owner move-in just cause reason, tenant must be given the right of first refusal to re-occupy the unit upon its next vacancy. (See [Berkeley just cause ordinance](#); San Francisco Just Cause)

Finally, the Ordinance has extra protections for elderly, disabled, and catastrophically ill tenants **only** if the landlord has another unit available. ~~No owner move-in evictions should be permitted if they have other comparable vacant units available.~~(see above). Other jurisdictions bar owner move-in evictions altogether for elderly, disabled, and catastrophically ill long-term tenants – essentially as follows:

Landlord may not evict tenant for owner move-in if tenant (1) has lived in the unit for at least 5 years and is either at least 62 years old or disabled; or (2) is certified as being terminally ill. However, landlord may evict a tenant who qualifies for this exemption if landlord or relative who will occupy the unit also meets the criteria for this exemption and no other units are available.

We think this language is strong, and would only urge that the City Council consider the following addition:

"If landlord owns any other units in the City that are vacant at the time, the landlord must notify the tenant in writing of the vacant unit and the address and offer the tenant the right:

- i. To enter into a temporary rental agreement on any available rental unit which the tenant chooses, at a rent not greater than the lawful rent which may be charged for the available unit or the lawful rent in effect at the time of the notice (whichever is less), at the time of the notice, for a term of 90 days or until repairs are completed (whichever is less); OR
- ii. To enter into a new rental agreement or lease for such available unit at a rent not greater than the lawful rent which may be charged for such available unit."

### D. Relocation Payments

The no fault just cause eviction relocation requirements under the Ordinance are barely greater than the Tenant Protection Act. The Ordinance only requires one month's rent which can be a direct payment or a rent credit. Landlords most often apply it to last month's rent, and sometimes it is a fight for the tenant to get the security deposit back as a result.

Most tenants need at least half of a direct payment at the time of service of the notice to cover moving costs, which accrue prior to the day they move out. Tenants need to secure moving services, potentially storage, and a deposit for a new rental unit well in advance of their move out date.

Nearly all other Ordinances require between a relocation payment of 3x the rent<sup>[2]</sup> or \$7,000, up to \$27,000. Additional relocation payments for vulnerable tenants is only half a month's rent for low income tenants, long term tenants, seniors, disabled folks, and school age children.

Most Ordinances require between \$2,000-\$7,500 in additional relocation payments. Seniors, disabled persons, and households with children require more assistance with the eviction process. We recommend these amounts are increased accordingly.

### E. General Comments

We recommend that the City promulgate forms that state the required information for the landlord to attach to notices required under the Ordinance. Concise, clear and easy understand language will help landlords comply with the Ordinance, and tenant too understand their rights. Providing the actual eviction notice is not recommended.

[1] It is of note that the Ordinance already has an owner-occupying exemption for housing where the tenant shares a bathroom or kitchen with the owner who maintains a principal residence at the property.

[2] [See Healdsburg Municipal Code 9.44.050 \(Amount and timing of relocation payment\)](#)

Thank you!

Margaret DeMatteo (she/her/hers)  
Housing Policy Attorney



## PUBLIC COMMENT

Attachment 3

The Grove,

I am writing as I have been disabled in an automobile accident on 01/12/23. As I was in the hospital, and starting 01/16/23 my father Lee Swarthout and mother Jacque Semple began attempting to contact The Grove on my behalf because we were being informed that I would be unable to ambulate without assistance and would be wheel-chair bound, thus requiring a medical accommodation for a 1st floor unit. They were told that they could not sign the medical accommodation request.

As I was in the hospital until 01/28/23, and unable to access, print or sign a medical accommodation request, my mother traveled to Petaluma, CA from Tulsa, OK in order to facilitate the medical accommodation request. We acquired a hotel room in the interim because I was discharged from the hospital on 01/28/23 and was not able to get up to my 2nd floor apartment. Jacque then appeared at the Grove office on 01/30/23 in person to request medical accommodation and was told we needed documentation from my medical provider. So we made an appointment and obtained the attached 1st Reasonable Accommodation request form with 'Verification of Disability' attached signed by Dr. Leslie Burger. The next morning on 01/31/23, Jacque presented the 1st Reasonable Accommodation and Verification of Disability forms and was told they were insufficient for a medical accommodation and that the Grove legal department required a 'prescription' for a medical accommodation. The 'prescription' verbiage was not previously stated or requested, so we needed to extend our hotel stay in order to make another request for a 'prescription' for the medical accommodation request. Frankly, this seemed discriminatory from our perspective as I am unable to ambulate without assistance and am wheel-charir bound requesting medical accommodation. Since we had the Dr's appointment the previous day, we needed to generate a new request for the 'prescription'.

Thank you,

Kyle

---

Kyle C. Swarthout, CPA

873 Lakeville Cir.  
Petaluma, CA 94954

P. (303) 638-9717

see  
a2

see  
a3





# PUBLIC COMMENT

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Thank you!

Margaret DeMatteo (she/her/hers)  
Housing Policy Attorney

  
**LegalAid**  
OF SONOMA COUNTY  
144 South E Street Suite 100  
Santa Rosa, CA 95404  
[mdematteo@legalaidsc.com](mailto:mdematteo@legalaidsc.com)  
Cell: 415-952-6519  
Fax: 707-542-0177  
<https://legalaidsc.org/>



## PUBLIC COMMENT

Attachment 3

Will the Ppowerpoint presentation that was shared at the workshops be placed on the City's website?

Question: the statement that tenants can't be removed from the rental property "through no fault of their own", seems very broad. This implies, for example, the tenant gets ill, is in an accident, is laid off, etc. I believe this needs to be expanded and explained.

Thank you,  
Linda

Hello-

Thank you for the opportunity to provide feedback on the proposed extension of the Petaluma TPA. Please forgive me if I have left anyone out.

I did submit the attached document as a copy/paste, in the final comments of the survey but wanted to send the original, as I believe it will be easier to read. It's not perfect, but time is of the essence.

Feel free to respond to the above email, should you feel the need.

Thank you in advance, for your time.

I hope you have a beautiful and blessed day.

Sincerely,  
Cynthia George

see  
a4

I have several questions please:

1. Was the Feb. 4, 2023 community workshop videotaped?
  - a. If 'yes', when and where will it be viewable online
  - b. If 'no', how was the meeting, and the comments made by attendees, documented and when and where will such documentation become available?
2. As concerns the online 'survey':
  - a. Who drafted it?
  - b. Did any community groups help in the drafting and if so which?
  - c. When and where will results of the survey be available?
3. I had understood that any identifying information (name; etc.) of public comments submitted would remain confidential. However, the comments shown online for the Aug. 1 and Sept. , 2022 do show the names of each submission. Has this since been corrected?
4. Am I correct that under the proposed Ordinance, if a tenant give notice to vacate then they would not retain a right of first refusal thereafter?

I look forward to your answers and thank you.  
Cordially, a concerned citizen.

Hello,  
A week ago I sent the questions below about the proposed Ordinance but, unless mistaken, I haven't yet received a response. Could you please send a return receipt so that I know you have received this request.  
Thank you.

...

Good afternoon,

Sending some certification of publication, for your records.

Thank you,  
Daibel

**Daibel Fernandez-Bolt**  
Administrative Assistant  
City of Petaluma | City Clerk  
dfernandez-bolt@cityofpetaluma.org

see  
a5

Hello,  
I am a tenant at PEP River City low income senior apartments. I recently had problems with the management over them not enforcing the no smoking law. (which also involved the city).  
Now I am having difficulty with management because after my informal hearing, Dominic said he is giving me a non compliance (not sure what that is) note in my file. I sent an email a couple of weeks ago to set up a informal hearing, as stipulated in my lease. I also mailed a copy to Lisa Marie Risner. I went to the informal hearing yesterday and Dominic Said he would not have a formal hearing, which is the next step after giving me a written report in response to the reasons I did not sign each form that was given to me by management.  
I would like an appointment with the tenant protection personnel at your office.





## PUBLIC COMMENT

Attachment 3

Hello,

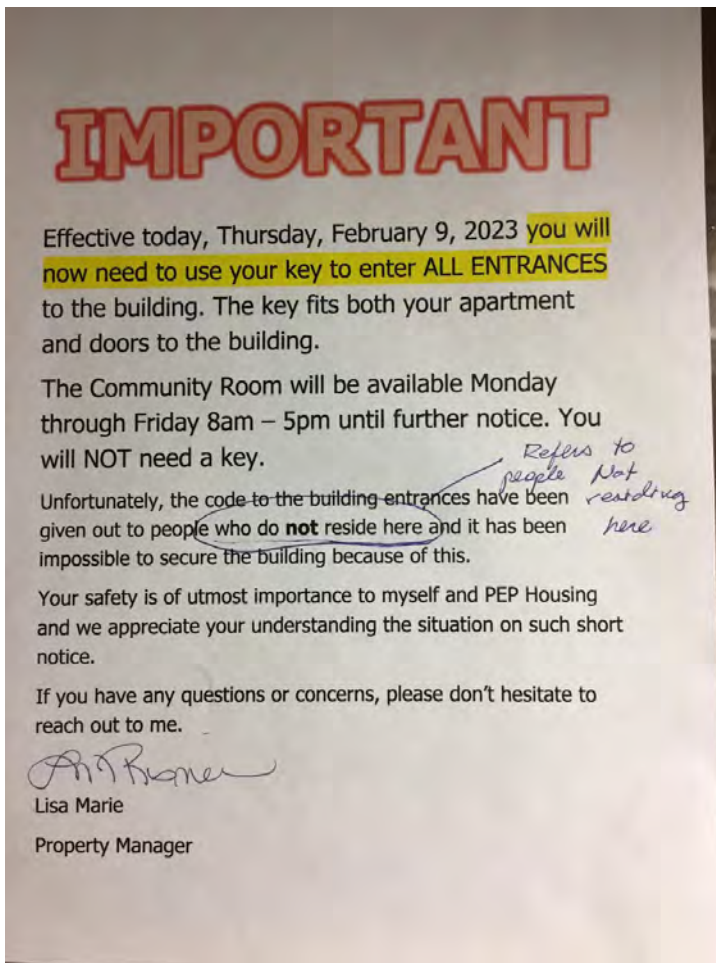
I've written for over 4 months about illegal smoking at an elderly low income apartment complex with tenants that have COPD, asthma, heart disease, etc. and multiple conditions like high blood pressure, diabetes, PAD, and other diseases that are made worse by cigarette and pot smoke. This is all happening at PEP River City Senior apartments at 951 Petaluma Blvd.S. in Petaluma, CA. 94952.

The management has done nothing that has worked to stop the illegal activity and the police department has also not been able to stop the illegal activity. Smoking is illegal in Petaluma and the property is a smoke free community. When there are no consequences for the smokers etc., the smoking in the building and their apartments increases, often multiple smokers getting together in apartments. I've had the apartment above me #213 smoking for months, I do not know if he is still renting the apartment or not. It is possible that it is empty and not rented again yet or that the smoker is still there? Management knows the location of all the smokers and probably the pot smokers etc too.?

The management also does not stop outsiders from coming to pot smokers in resident's apartments(another tenenat said they have had that illegal activity going on for months also. Now the tenants here cannot use the code to enter the building because outsiders etc have gotten the code. We now use our keys to enter the building. It is possibly dangerous to have some of the outsiders staying here or visiting overnight. I have seen people with large pit bull looking dogs here, and there are cars that do not have parking stickers for our parking lot staying here overnight.

Please call or email River City senior apartments managers to pressure them to stop the illegal smoking in a senior apartment complex. Also, you can call or email the Petaluma Police Department code enforcement officer.

Management is not controlling the illegal activity here and it could be getting dangerous. It already is for elderly COPD asthma and other conditions that a lot of the elderly have.







# PUBLIC COMMENT

**33. No Smoking**

**NO SMOKING!!!!!!!**

Smoking is prohibited anywhere in the unit, on the deck, or in the building, including common areas. Residents are responsible for ensuring that family members, guests and invitees also comply with this rule.

Management shall post designated area smoking signs at each property, except for smoke-free properties.

**Definition of Smoking:** The term "smoking" means inhaling, exhaling, breathing, or carrying any lighted cigar, cigarette, other tobacco product or marijuana or similar lighted product in any manner or in any form. This also includes Vaporizers (E-Cigs) or "vaping".

**Management Not a Guarantor of Smoke-Free Environment:** Residents acknowledge that Management's adoption of a smoke-free living environment, and the efforts to designate the resident's unit or the community as smoke-free, does not make Management or any of its managing agents the guarantor of resident's health or of the smoke-free condition of the common areas. However, Management shall take reasonable steps to enforce the smoke-free terms of leases. Management is not required to take steps in response to smoking unless Management knows of said smoking or has been given written notice of said smoking.

Management cannot and does not warrant or promise that the common areas will be free from secondhand smoke. Residents acknowledge that Management's ability to police, monitor, or enforce the agreements of this policy is dependent in significant part on voluntary compliance by resident and resident's guests. Residents with respiratory ailments, allergies or any other physical or mental condition relating to smoke are put on notice that Management does not assume any higher duty of care to enforce the policy than any other Management obligation under the lease.

**34. Violations**

These Community Rules become a part of your lease and will be enforced. Violation of any part of these Community Rules may result in assessments, charges and other Management action, including termination of lease and eviction.

Complaints about cigarette smoke come in DAILY. Violations will be given to anyone who is caught smoking in their unit or balcony.

Thank you all for your attention in the matter.

Marie Risner, Property Manager  
River City Apartments  
7-559-3704

*Handwritten notes:*  
MARILYN BUONO  
marilyn.buono@petaluma.org  
SLABE  
Property MAN



COMMUNITY LAW CLINIC

**KATHLEEN STEWART SECONDHAND SMOKE DEMAND LETTER**

FROM THE OFFICE OF: COMMUNITY LAW CLINIC  
Attorney of Record: Colin Frey  
To: River City Apartments  
In care of: Lisa Marie Risner, Property Manager

DATE: 1/9/23  
Client: Kathleen Stewart

Kathleen Stewart has retained our services regarding secondhand cigarette smoke entering her unit. The consistent intrusion of secondhand smoke has become a health hazard. Additionally, these pollutants are illegally depriving Ms. Stewart of the ability to use and enjoy her apartment. We believe there to be reasonable solutions to this problem. We seek your cooperation in finding a remedy.

Ms. Stewart moved to her unit 11/7/22. Ms. Stewart, a former smoker, recognized secondhand smoke in her unit shortly thereafter. Ms. Stewart initially brought this to your attention on 12/4/22 via email. Since this time, near-daily smoke intrusions have plagued Ms. Stewart.

Secondhand smoke is especially concerning for Ms. Stewart as she is diagnosed with Chronic Obstructive Pulmonary Disease (COPD). Secondhand smoke is quite literally deadly for someone with COPD. The corresponding stress of managing this issue has negatively impacted Ms. Stewart's mental health. This in-turn has exacerbated COPD symptoms.

As you know, Petaluma has codes prohibiting smoking in apartment complexes. Petaluma, CA. Petaluma Municipal Code 8.20.040 (2022) prohibits smoking in enclosed areas including individual units within an apartment complex. Petaluma Code 8.20.050 states it is a material breach of a lease to smoke or allow smoking in one's unit. Petaluma Code 8.20.080 says offenders are liable to any occupant exposed to smoke or who suffers harm because of smoke. In fact, offenders can be held personally liable for any smoke-induced harm.

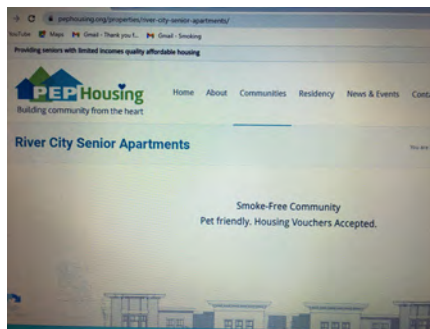
Concurrently, your lease, Provision 33, prohibits smoking anywhere within a unit (including the deck) or the building's common areas.

We do appreciate the difficulty in monitoring a large building. However, the laws are clear: smoking in Petaluma apartment buildings is prohibited. Additionally, your duty of care to Ms. Stewart requires you protect her from preventable danger: this includes secondhand smoke. We ask objective measures be implemented to prevent second hand smoke. Most importantly, we strongly implore citations be given to offenders and repeat offenders face potential eviction.

Ms. Stewart wants to continue living in her home, she is comfortable and enjoys the community setting BRF provides. We simply ask for cooperation resolving this matter. Please contact my office as you are able. I am available via text, call, or text. We will resolve this issue cordially. I look forward to our meeting.

Regards,  
Colin Frey, Esq  
707-789-5336  
communitylawclinic.ca@gmail.com

1  
Kathleen Stewart



Emergency Visit at Srf-Hospital  
Kathleen V Stewart seen by Toby Otis (M.D.) Salz

Patient payment

Service Provided: Emergency

Payment Date(s): 12/26/2022

Total Paid  
**\$50.00**

Total Due  
**\$50.00**





# PUBLIC COMMENT

Dear Council Members and those on the Committee regarding the Petaluma Protection Ordinance,

Attached to this email is a letter regarding the existing Petaluma Tenant Protection Ordinance and possible changes for consideration if a new Petaluma Tenant Protection Ordinance is approved once the current one expires.

In addition, at both the Zoom meeting and the open meeting there was not one landlord who spoke in favor of either the existing ordinance or the proposed new ordinance. Of the tenants who spoke most voiced dissatisfaction and/or problems with their current landlords and the properties they were living in. Seems that resources and ordinances should better address bad landlords and their properties than to put burdens on the good landlords.

Although I have attached my letter to this email it is also below.

Respectfully submitted,  
Reva Novey

First off I would like to acknowledge the desire and effort to those that want better protection for tenants. At the same time as doing this, it is important to recognize that there needs to be equal protection for landlords.

With this being said, the current Petaluma Ordinance and the proposed changes do not do this.

I believe that the vast majority of landlords, not including large corporate landlords, but instead, landlords who own and lease out a single family home, a duplex, or a property with one or two living structures on it, are good, responsible, and trustworthy landlords. They have proper relationships with their tenants, meaning the rent amount charged is reasonable for the area, they address concerns of their tenants, perform repairs correctly and in a timely manner when repairs are needed, and they respect the privacy of their tenants. In return, their tenants keep the rental in a clean condition, use all the appliances and other parts of the rental in its proper manner, communicate well with their landlord, and pay their rent portions on time.

The CA TPA was largely a response to Covid when vast numbers of people were laid off from work resulting in their inability to pay their rent. Although Covid is still with us and likely will remain forever in our lifetimes, businesses and most of us have made adjustments and we are moving forward with work and life. In my personal opinion, I don't feel that some of the conditions of the CA TPA are still necessary, or at least not necessary unless it is modified to give better and equal protection to landlords. There was no provision to help landlords that need their rental income to pay for mortgages, taxes, or upkeep on their rental property. Many landlords therefore lost their rental properties to foreclosure after the implementation of the CA TPA.

If the council wants to continue to have a Petaluma Ordinance then the ordinance needs to be more balanced between landlords and tenants.

To have an ordinance that is retroactive for all rentals in effect at the time of the acceptance of the ordinance is completely unreasonable, plus I would imagine illegal if brought to court. Landlords and their tenants agreed upon a lease at the time of signing the lease. The lease was based on the circumstances of life and conditions at that time. If the parameters of the ordinance were in effect when negotiating that lease, it is quite possible that the lease would be different than it is. An example, a landlord setting the rent at a reasonable amount, maybe even under market, with the expectation that when after giving the tenant proper notice that a new lease will not be offered, that when the lease rightfully ends that the tenant will move out, with no expectation of the landlord paying relocation expenses, especially if the landlord will either move back into their home or put their home up for sale.

Many landlords already have leases that end during the school year. To now require that a landlord must continue to rent to tenants that have school age children until the end of the school year is also restrictive. If tenants have school age children in their household, it behooved the prospective tenants to have negotiated a lease that ends after the school year and if not, then those prospective tenants understood that their lease ended during the school year and that they might need to seek other housing.

Much more importantly in my opinion, if there is to be an adoption of an ordinance, it should have a start date at a point in the future for the start of compliance. All existing leases should be honored as written until their end dates. All new leases, either for new tenants or continuing tenants would then be subject to the conditions of the adopted ordinance. If implementing the latter, then both landlords and tenants are on the same playing field when offering or considering a rental.

I recognize that some landlords have and will possibly continue to abuse how they offer their rentals on the market. An example being a landlord requiring their tenant to move out at the end of their lease and then the landlord subsequently putting their rental back on the market for a substantially higher rent amount. I can see safeguards put in place to counter this. This in specific is already covered by the CA TPA so there is no need for the Petaluma TP ordinance to do so.

I recognize that some landlords do not address concerns of their tenants nor do they keep their properties in good condition and perform proper repairs in a timely fashion. And that some tenants are fearful of asking for repairs because their landlord might not offer a new lease or will hike the rent substantially. I can see safeguards put into place to counter this, such as having an inspection required by the city for an owner to have a rental and a process by which a tenant can register deficiencies of the rental property that have not been addressed.

I can see no reason why a landlord should be responsible for paying tenants a move out fee. This is enabling tenants to be irresponsible regarding taking care of themselves. What's more, why are you turning to the landlord to pay this? If the public sector wants to provide assistance to tenants that need money to fund relocation, then the public sector should provide the funding for it, possibly in the form of either a grant or long-term low- or zero-interest loan that can be forgiven over a period of time, say 5 years. Dumping this payment on the landlord is unfair, unbalanced, and is effectively a form of rent control, imposing an 8.5% reduction in the effective rent amount. Landlords that are forced to pay this will simply raise the rent as much as they can as often as they can in order to recoup the lost rent.

If you want tenants to have a fund to help them relocate, then create a program that requires a lease to include a provision in which the tenant pays a monthly amount, over and above their rent amount, into an interest bearing saving account set up in the tenant's name. Just as the security deposit needs to be put into an interest bearing account and returned to the tenant at the end of their lease, except for allowable expenses repairing damage, so would this additional monthly amount. A ceiling of how much would be paid into this account could be set...an amount equivalent to one month's rent, 1.5 times one month's rent, etc. Once that threshold is reached the tenant no longer pays this additional amount.

As stated in the Zoom meeting and the open meeting, among the purposes of the Petaluma TP ordinance is to stabilize rents and have more rentals available. It does not seem that those involved have done their due diligence regarding this. They need to see the effect such ordinances have actually produced in other communities. What has actually happened in those communities is that small landlords...those with one or a few properties... have withdrawn their properties permanently off the market. Those landlords who have remained in the rental market have increased their rents to the allowable maximum each time a new lease goes into effect, to compensate for the move out payment. I believe this will surely happen in Petaluma. The actual number of rentals have decreased. The end result is that the great majority of rentals then available will be large corporate landlords. Those landlords will be more arbitrary regarding minimum income requirements and minimum credit scores for accepting new tenants. Instead of stabilizing the rental market, the available rentals, especially single family homes, will shrink and prospective tenants will have to go elsewhere for housing. The tighter market will result in still higher rent amounts.

It also is troubling to consider those that will be voting regarding this ordinance. Which council members are landlords? Which council members are tenants? Will both not vote, since both have vested interest on one side or the other of this ordinance?

Thank you for hosting this public meeting and the Zoom meeting.





## PUBLIC COMMENT

My name is Don Bordessa, I'm a landlord of a house in Petaluma.

After reading the proposal and listening to what the people at the February 4th workshop had to say, it appears to me that this is the wrong thing for Petaluma.

There is a vast majority of mom and pop landlords like myself that are trying to help the community, housing people fairly and working with them while trying to survive as well.

This sounds like a lose - lose for everyone. Many of the small landlords will be forced to sell as they don't have deep pockets to withstand the impact of this.

The ones that are left will be forced to keep the rent high in order to survive to withstand the added expense. This will only make it harder for people to find housing. I'm sure there is a few landlords that take advantage of tenants, just like there is tenant that try to take advantage of landlords. I don't think this the way to solve that problem.

Thank you for your time and I hope you take everything and everyone into consideration.

Regards

Don Bordessa

707-495-7163

dlbordes@sonic.net

Thank you for your feedback, Don! I'm looping in the City's email address for Tenant Protections so that your comment is included in our report to the City Council. We are so grateful for your presence at our workshop on the 4<sup>th</sup> - and yes, we're taking all comments into account. This happens in a few ways: the Council will receive all the results of the online survey to review, we're gathering all emails received on this topic in a single public comment document also for the Council's review, and then staff provide a brief summary of the feedback we receive in the Staff Report for Council that is sent a few days prior to the official workshop on March 6. That way, nothing gets left out while Councilmembers decide what happens next for the ordinance.

Hope this helps to clarify the process, and thank you again for providing your comments.

All best,

Jamieson Bunn

Communications Program Manager

We would respectfully submit that after 40+ years of living in Petaluma, and 20 years of renting our former single family residence, we are very much opposed to additional restrictions. The California TPA serves tenants who rent single family homes, it is fair, and does not need augmenting.

At the age of 71 we are potentially looking at downsizing and selling our residence, and moving into our rental home. It's smaller and maintenance free, less expensive, with a homeowners association. Should we become ill, experience a change in our financial situation, need to be in a quieter neighborhood without steep hills, or be otherwise challenged as we age, we have retained ownership of our rented property in order to better accommodate those possibilities. Should any of those life changes be necessary we will not be in a position to navigate yet another set of regulations, experiencing potential delays and possible financial penalties above and beyond the TPA requirements.

We have been good landlords, we maintain our property in excellent condition, rent at a below market rate to a family who have been in the house for several years, and pay a management company to insure our tenants have everything they need. We kept this property in Petaluma because we had planned to live here for the balance of our years.

However, now we worry that we should maybe sell the property and make plans to get a smaller home outside Petaluma, where we don't have laws on top of laws.

Single family home renters are fully protected under the TPA. Please do not penalize taxpayers who have invested in Petaluma single family property. You will drive out people like us who have made long term plans based on having a single family home as an investment in Petaluma, and in our future.

Respectfully, Irene Fay and Gary Nelson

Hello,

I am unclear about this part of the Petaluma Ordinance. My understanding is that the owner cannot terminate a tenancy for the sake of removing the property from the rental market with the intent to sell. My question is how long does an owner need to live in a property after removing it from the rental market prior to selling the property?

Thomas Gehring

Co-Owner/Property Manager

Bundesen Property Management

[www.bundesen.com](http://www.bundesen.com)

Direct 707-769-7178

Main 707-762-7777

DRE#01357011

California's statewide Tenant Protection Act is already in effect and provides significant protection to residents.

No additional restrictions should be added!!

Sent from my iPhone



Good morning,

Thank you for engaging in this outreach. We appreciate that you created this survey as another way to reach community members who haven't been able to participate in the workshops.

However, we've been getting a lot of feedback from the community that folks are having trouble understanding the answer options. I took it as a community stakeholder so I could see how it works. I also had trouble completing it, as a couple of the options regarding which protections to retain/remove/unsure crossed over and others left parts of the protections out. I'm happy to provide more detail upon request.

Also, the Spanish version has some issues. For instance, nuisance is translated as "molestia" (inconvenience, bothersome), but that is not what the legal definition of nuisance means. And if a monolingual Spanish speaker wants to research to try to interpret what is intended, they don't have access to the same resources that English speakers do (i.e., the powerpoint, staff report, and interim ordinance are all in English).

We have been engaging in outreach to encourage the community to complete the survey and most people we've spoken to are unaware of it and/or confused/unable to answer it. We respectfully request that you extend the time for submissions to allow more community members to participate. While we expect a margin of error and assume the Council will not rely only on this data, we would like an opportunity to get more community input to ensure a representation across the City. We are acting diligently in this regard.

Thanks so much for your efforts on this. If you have any questions please feel free to reach out.

Best Regards,  
Margaret

Margaret DeMatteo (she/her/hers)  
Housing Policy Attorney

  
**LegalAid**  
OF SONOMA COUNTY  
144 South E Street Suite 100  
Santa Rosa, CA 95404  
[mdematteo@legalaidsc.com](mailto:mdematteo@legalaidsc.com)

Hi Margaret,

Thanks for your email below. We are able to extend the deadline to next Friday, Feb. 24, to provide more time for individuals to complete the survey. If you are able to provide a better Spanish translation for "nuisance" that is more accurate in the legal sense, we can also make that correction to the survey from the back end. It won't be reflected on the printed copies that you have, but the online version may be more understandable for our Latinx community members.

All best,  
Jamieson

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**Jamieson Bunn**

Communications Program Manager  
City of Petaluma | Economic Development & Open  
Government  
[jbunn@cityofpetaluma.org](mailto:jbunn@cityofpetaluma.org)

Jamieson,

Thanks so much! This will be very helpful and just in time for us to update our flyers about the surgery! Let me get back to you on nuisance. Thanks!

Margaret

Honorable Petaluma council members,

Please provide me with the **Data** and the aggrieved tenant **testimonials** that are driving this ordinance. Without the data there is no "there, there".

Thanks,  
Larry Pullin





## PUBLIC COMMENT

see  
a6

Please disregard my prior email and my apologies.

I am resending the count, as I am not great with spreadsheets and calculated them incorrectly. There are a total of 225 non-owner occupied sales between 01/01/2021- Current

2021-118 total  
2022- 103 total  
2023- 4 total

Corrected email below

Hello Ingrid,

I wanted to reach out with more accurate date for the sales of single family non-owner occupied homes. The list I gave you was from MLS for only for tenant occupied properties. Meaning a tenant was still in place when the property went on the market.

Some owners will give notice, then put the property on the market once vacant, while others decide to sell once a tenant gives them notice and moves out on their own. Some owners take a few months to remodel before they list so it's hard to get an accurate idea when a tenant was given notice..

The feedback I have heard from owners selling after a tenant gives notice, is that they would rather just sell than deal with the unintended consequences of rent protections. Some property may also not make it onto MLS either, so these title records are most accurate.

My apologies for the discrepancy, but as you may see this is many properties also leaving the rental market and in 2022. My fear remains the same is by limiting when owners can sell their homes, it will funnel families and educators, into looking into a time where there already is a high housing demand and not enough supply.

Between 01/01/2021- 02/17/2023 there is a total of 225

2021 -total of 118  
January- 3  
Feb- 5  
March-5  
April-12  
May- 11  
June- 8  
July- 15  
August- 10  
September- 19  
October-10  
November-15  
December-5

2022- Total 103  
January-8  
February-5  
March-9  
April-11  
May- 17  
June- 10  
July- 11  
August-7  
September- 7  
October -8  
November- 4  
December- 6

2023  
January-4

Best Regards,

**Korin Robles, Property Manager**  
BRE # 02025881  
Mahoney Davison Co.  
707-762-7710 x 2 / 707-762-7618 (fax)  
*Past President- Sonoma/Marin NARPM*



# PUBLIC COMMENT

Attachment 3

Thanks Korin. I'm not great with spreadsheets either. Appreciate you providing us this information.

**Eric Danly**

City Attorney  
City of Petaluma | City Attorney  
office: 707-778-4402 | EDanly@cityofpetaluma.org

Hello,

My former landlord in the city of petaluma failed to return my deposit for 5 months. Is this something you can help with?

Thanks so much,  
Paige

Paige Dulberg (she/her)  
paigedulberg@gmail.com  
1-707-478-3562

Hi Erin,

Here are all the Feedback documents I've compiled in Sharepoint. I'm also including the letters of appeal that have come into my inbox from both landlords and tenants that have been uploaded onto SharePoint.

Best,  
Sarah

**Sarah Wolf**

Housing Specialist  
City of Petaluma | City Manager's Office  
swolf@cityofpetaluma.org  
11 English St, Petaluma CA, 94952

• **Zip folder: Data from Legal Aid Margaret (a7)**

- (doc a) A Statewide Analysis of Just Cause Protections by Legal Aid (*uploaded to City website*)
- (doc b) Census\_data\_S1101\_Households and Families
- (doc c) Census\_data\_S2504\_Physical Housing
- (doc d) Eviction Intervention and Moratoriums
- (doc e) EvictionData\_2013-2022
- (doc f) Racial and Gender Disparities among Evicted Americans
- (doc g) Sheriff^MUNlawful Detainer Data Petaluma\_From Legal Aid
- (doc h) Using Analytics to Address Disparities in Housing
- (doc i) Why You Need a Centralized Rental Registry System

• **Zip folder: Letters on Opposition (a8)**

- (doc a) Opposition Letter\_Cynthia George
- (doc b) OppositionLetter\_Daniel\_Dean
- (doc c) OppositionLetter\_Irene Fay\_Gary Nelson
- (doc d) OppositionLetter\_Tom Irvine
- (doc e) OppositionLetter\_Londa\_Alec\_Fuhrman
- (doc f) OppositionLetter\_YvonneWeller

• **Zip folder: Tenant Advocate Data (a9)**

- (doc a) Landlord\_Anecdotes – Reasons for vacancies
- (doc b) Landlords Proposed Changes to TPO
- (doc c) Median\_Rent\_Petaluma\_01262023
- (doc d) MLS Listings
- (doc e) Oakland Case Info\_19-16550
- (doc f) Petaluma Ordinance – Non-incentives for Owners Data
- (doc g) Tenancy Protections Workshop 2.1\_attendee feedback

see  
**a7**

see  
**a8**

see  
**a9**



# PUBLIC COMMENT

see  
a10

Please add the attached statement for record.

Thank you,  
Mary

*Mary Reynolds, Ed.D.  
Principal  
Miwok Valley Elementary Charter School*

I am writing to share my concerns about TPA. After reviewing all the information and watching the recent meeting I have come to the conclusion that this TPA is not a balanced solution. Landlords will be adversely affected. The mom and pop owners will lose any ability to safeguard their investment and they will limit their options as life events occur. There is existing state law with many protections that all abide by and are sufficient. These exemptions in regards to waste, subletting and criminal activity are far reaching and do not benefit the landlords. If this is allowed to move forward there will be far more terrible scenarios. Most of these properties will sell and create a housing rental shortage. Where will the tenants move to? The relocation assistance /fee is going beyond reason. There is just too much regulating creating too much government control. Allow property owners to feel secure in their investments, do not punish them. We provide a service to the community and want to insure a safe, healthy environment to tenants and neighbors. Please let this expire as the data shows there is no problem. Two property management services shared their data. Kerri Davison and Carolyn Gavriloff both stated they shared recent data that in Petaluma evictions were non-existent. Ultimately this will interfere with an owner's ability to make wise decisions and will result in serious consequences for all residents in Petaluma.

Thank you,

Tina Haller

Hello,

My mom had to be put in a memory care facility and we are trying to sell her mobile home to help pay the cost of the facility. Her current rent is \$736 and there was a notice that went out that was raising it to \$758 on May 1st.

Since we are selling the unit, the management says the rent for the new owners will be \$1200 a month. I read through the mobile home codes on the website and I believe there is a clause that they management is not able to raise the rent this high upon a sale.

Can you please let me know what the code is for this type of rent increase. We have had a few people interested, but the rent increase has been a deterrent.

Thank you,

To the Petaluma City Council Members:

I am a retired lawyer. I own one rental property, a single family residence in Petaluma. I contend that under the Fifth and Fourteenth Amendments of the U.S. Constitution, the extension of the Tenant Protection Act to single family residences would constitute a regulatory taking of my (and other similarly situated landlords') properties, without just compensation, to the extent that it would impose new restrictions on my ability to sell the property. This would effectively reduce the marketability of the property and hence, its value. (See <https://www.nossaman.com/newsroom-insights-9th-circuit-reverses-course-on-rent-control>, in which it appears that the Ninth Circuit would have found a taking if the landlords had purchased the property before the restriction was imposed.) Furthermore, I believe that if the single family residence rule is adopted, future investors in Petaluma rental properties will be deterred and will invest their funds elsewhere.

I look forward to discussing this issue with other Petaluma landlords, their attorneys, and other advisors. In my opinion, the City Council's proposal, while well-intentioned, would have unfortunate consequences for all concerned.

Kim Hettena

Hello,

My name is Mia Powell, and I am the property manager managing a property in Petaluma that has gone up for sale. I had completed the memorandum recording with the County Clerk's Office. When the Clerk's office returned the recorded document to us, we mailed a copy to your office per the instructions on the notice 6G.

I hadn't received a confirmation of receipt and wanted to make sure the document had made it to your office. Property listed below:

839 Sixth St.  
Petaluma Ca 94952  
Owner- Catherine Schmoll





## PUBLIC COMMENT

Attachment 3

Hi All,

Here is some documentation that Keith Becker and I, with DeDe's Rentals, have collected regarding the costs of turning a 3/2 SFR home in Sonoma County. Our findings surmise that there is no real motivation for landlords to evict their tenants in the hopes of renting the home for a higher rent. Please see the attached documents and let me know if you have any questions.

*Kind regards,*



**Jenny Rihl**  
Property Manager  
Pure Property Management dba DeDe's Rentals  
(707) 512-0889 | [dedesrentals.com](http://dedesrentals.com) | [jrihl@purepm.co](mailto:jrihl@purepm.co)  
1101 College Ave, Ste. 140, Santa Rosa, CA 95404  
DRE# 01973343 | [she/her/ella](https://www.instagram.com/she/her/ella)

see  
a11

see  
a12

Hi All,

The last document that I sent didn't have the dates that my survey was performed. Here is the corrected document.

Hello. I am an attorney assisting a property owner interested in terminating a tenancy in Petaluma. I have read the ordinances, your web site, and the links on the website, but I still have a couple of questions. Can you help me with this?

**Terry Kilpatrick**  
805-441-0650

To all Council Members:

It's my understanding that California's statewide Tenant Protection Act is already in effect and the it provides significant protection to the residents. Your really shouldn't be making interim ordinances that will make it increasingly difficult for housing providers to effectively own or operate their investment property..

**Marita Stanford**  
Petaluma Property Owner

Dear Mayor and Council Members,  
I urge you to reconsider implementing the proposed Residential Tenancy Ordinance. I am a small-time landlord and own a fourplex. Why does the city need to go beyond what is mandated in AB 1482? Doing so would cause further confusion to all parties involved, and increase expenses to the landlord. I hope you will reconsider making the Residential Tenancy Ordinance permanent.

Thank you,  
Jeff Slavitz



## PUBLIC COMMENT

Dear Honorable Mayor McDonnell and Council members,

I strongly urge the City Council to listen to its community and put an end to the Residential Tenancy Ordinance.

This anti-housing law makes it nearly impossible to maintain rental properties, protect my residents, and make necessary improvements to older rental homes.

As ethical housing providers, we are proud to provide homes for local families and work closely with our residents to meet their needs. The notion that we need new, strict rental housing regulations is beyond comprehension. We do not need to add layers of regulations and bureaucracy to California's existing Tenant Protection Act (AB 1482). Your proposal only causes further confusion and harm to all members of the community.

Sincerely,  
Miroslav Raytchev

Dear Honorable Mayor McDonnell and Council members,

I strongly urge the City Council to listen to its community and put an end to the Residential Tenancy Ordinance.

This law makes it nearly impossible to maintain our rental property on Prince Albert, protect my residents, and make necessary improvements to this older rental home.

As ethical housing providers, we are proud to provide a home for a local family and work closely with our residents to meet their needs. The notion that we need new, strict rental housing regulations is beyond comprehension. We do not need to add layers of regulations and bureaucracy to California's existing Tenant Protection Act (AB 1482). Your proposal only causes further confusion and harm to all members of the community.

A few years ago we had tenants that were constantly behind in their rent sometimes as much as three months! Besides that problem they were ruining the house doing things like repairing their motorcycle in the family room! We had to evict them as we were losing money. I don't want to be a landlord in a city that does not consider the owner's investment. We consider our rental income as part of our retirement income. I think there may be many other families doing the same thing. We need ordinances that protect both the tenant and the owner in a fair and balanced manner.

Sincerely,  
Ettamarie Peterson  
[ettamarie@petersonsfarm.com](mailto:ettamarie@petersonsfarm.com)

Dear Honorable Mayor McDonnell and Council members,

I strongly urge the City Council to listen to its community and put an end to the Residential Tenancy Ordinance.

This anti-housing law makes it nearly impossible to maintain rental properties, protect my residents, and make necessary improvements to older rental homes.

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Sincerely,

Susie Ryan  
[Ryandds7926@gmail.com](mailto:Ryandds7926@gmail.com)



## PUBLIC COMMENT

Attachment 3

Hello,

Please see attached.

Thank you

Chris Scerri  
President  
Advanced Building Solutions, Inc.  
855 Lakeville Street, Suite 200  
Petaluma, CA 94952  
Office – 707.206.4041  
Cell – 415.994.3118  
Email – [chris@absconstruct.com](mailto:chris@absconstruct.com)  
[www.absconstruct.com](http://www.absconstruct.com)



ADVANCED BUILDING SOLUTIONS, INC.  
DEVELOPMENT & CONSTRUCTION SERVICES

February 23, 2023

City Of Petaluma  
11 English Street  
Petaluma, CA 94952

Dear Honorable Mayor McDonnell and Council members,

I strongly urge the City Council to listen to its community and put an end to the Residential Tenancy Ordinance.

This anti-housing law makes it nearly impossible to maintain rental properties, protect my residents, and make necessary improvements to older rental homes.

As ethical housing providers, we are proud to provide homes for local families and work closely with our residents to meet their needs. The notion that we need new, strict rental housing regulations is beyond comprehension. We do not need to add layers of regulations and bureaucracy to California's existing Tenant Protection Act (AB 1482). Your proposal only causes further confusion and harm to all members of the community.

Sincerely,

Chris Scerri  
President  
Advanced Building Solutions, Inc.  
855 Lakeville Street, Suite 200  
Petaluma, CA 94952  
Office – 707.206.4041  
Cell – 415.994.3118  
Email – [chris@absconstruct.com](mailto:chris@absconstruct.com)  
[www.absconstruct.com](http://www.absconstruct.com)





## PUBLIC COMMENT

Honorable Mayor McDonnell and Council members,

owner of rental property in Petaluma, that has been in my family for 40 years I can not believe that our "small town" is adopting these strict regulations. These new rules, combined with our hardships to keep property maintained will make housing less affordable and less available.

City Council must listen to its community and put an end to the Residential Tenancy Ordinance.

Anti-housing law makes it nearly impossible to maintain rental properties, protect my residents, and make necessary improvements to older homes.

As an ethical housing provider, I am proud to provide housing to local families and work closely with my tenants to meet their needs. The notion that we need new, strict rental housing regulations is beyond comprehension. We do not need add layers of regulations and bureaucracy to California's existing Tenant Protection Act (AB 1482). Your proposal only causes further confusion and harm to all members of this community.

Sincerely,

LaMonica

This email and any files transmitted with it are confidential & intended solely for the use of the individual or entity to whom they are addressed. This email contains confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this email. Please notify the sender immediately by email if you have received this e-action in reliance on the contents as information is strictly prohibited.

Dear Honorable Mayor McDonnell and Council members,

I strongly urge the City Council to listen to its community and put an end to the Residential Tenancy Ordinance.

This anti-housing law makes it nearly impossible to maintain rental properties, protect my residents, and make necessary improvements to older rental homes.

As ethical housing providers, we are proud to provide homes for local families and work closely with our residents to meet their needs. The notion that we need new, strict rental housing regulations is beyond comprehension. We do not need to add layers of regulations and bureaucracy to California's existing Tenant Protection Act (AB 1482). Your proposal only causes further confusion and harm to all members of the community.

Sincerely,

Michael Ulyatt  
A Petaluma resident



Dear Honorable Mayor McDonnell and Council members,

I strongly urge the City Council to listen to its community and put an end to the Residential Tenancy Ordinance.

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Sincerely,  
Sabrina W.

Dear Honorable Mayor McDonnell and Council members,

I strongly urge the City Council to listen to its community and put an end to the Residential Tenancy Ordinance.

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As ethical housing providers, we are proud to provide homes for local families and work closely with our residents to meet their needs. The notion that we need new, strict rental housing regulations is beyond comprehension. We do not need to add layers of regulations and bureaucracy to California's existing Tenant Protection Act (AB 1482). Your proposal only causes further confusion and harm to all members of the community.

If this ordinance remains in effect, I will have to abandon the Rental Business in Petaluma and remove the properties I own from the rental market.

Sincerely,

Scott Shelley



: see and consider the attached letter.

you.

\*\*\*\*\*  
CONFIDENTIAL COMMUNICATION

This e-mail message and any attachments are intended only for the use of the intended recipient and may contain information that is privileged and confidential. If you are not the intended recipient or have received this e-mail in error, any dissemination, distribution, or copying is strictly prohibited. If you received this e-mail in error, please immediately notify the sender by replying to this e-mail message or by telephone. Thank you.

Brian P. Hedstrom, Esq.  
Hedstrom & Coopersmith, LLP  
1000 Wilshire Street, Suite 200-E  
Berkeley, CA 94702  
(916) 766-0333  
(916) 769-0285

February 24, 2023

Dear Honorable Mayor McDonnell and Council members,

I strongly urge the City Council to listen to its community and put an end to the Residential Tenancy Ordinance.

This anti-housing law makes it nearly impossible to maintain rental properties, protect my residents, and make necessary improvements to older rental homes.

As ethical housing providers, I am proud to provide homes for local families and work closely with our residents to meet their needs. The notion that we need new, strict rental housing regulations is beyond comprehension. We do not need to add layers of regulations and bureaucracy to California's existing Tenant Protection Act (AB 1482). Your proposal only causes further confusion and harm to all members of the community.

Sincerely,



Brian P. Hedstrom





# PUBLIC COMMENT

Attachment 3

Subject: Stop Petaluma's Anti-Housing Law

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---

Dear Honorable Mayor McDonnell and Council members,

I strongly urge the City Council to listen to its community and put an end to the Residential Tenancy Ordinance.

This anti-housing law makes it nearly impossible to maintain rental properties, protect my residents, and make necessary improvements to older rental homes.

As ethical housing providers, we are proud to provide homes for local families and work closely with our residents to meet their needs. The notion that we need new, strict rental housing regulations is beyond comprehension. We do not need to add layers of regulations and bureaucracy to California's existing Tenant Protection Act (AB 1482). Your proposal only causes further confusion and harm to all members of the community.

If this law is passed, you will end up with only large corporate landlords who don't care if there is a vacancy, don't work with their tenants and have no compassion. The rental market will be TIGHTER, not better for renters.

According to Pew Research: <https://www.pewresearch.org/fact-tank/2021/08/02/as-national-eviction-ban-expires-a-look-at-who-rents-and-who-owns-in-the-u-s/>  
<<https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.pewresearch.org%2Ffact-tank%2F2021%2F08%2F02%2Fas-national-eviction-ban-expires-a-look-at-who-rents-and-who-owns-in-the-u-s%2F&data=05%7C01%7CDBRADY%40cityofpetaluma.org%7C2fd33cc37c174c961e3f08db16631ab7%7C3251706cb8d941349f26dd04acbb79d0%7C0%7C0%7C63812887313774680%7CUnknown%7CTWFPbGZsb3d8eyJWljojMC4wLjAwMDAilCjQljoiv2luMzliLjBTil6lk1haWwLiCjXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=PUWkFv%BLR%2FzPrzMzB%2F%2FJRwZotnFkVFXQxw9ClnfGI%3D&reserved=0>>

Setting policies to help renters in need <<https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.washingtonpost.com%2Fus-policy%2F2021%2F07%2F14%2Feviction-prevention-white-house-moratorium%2F&data=05%7C01%7CDBRADY%40cityofpetaluma.org%7C2fd33cc37c174c961e3f08db16631ab7%7C3251706cb8d941349f26dd04acbb79d0%7C0%7C0%7C63812887313774680%7CUnknown%7CTWFPbGZsb3d8eyJWljojMC4wLjAwMDAilCjQljoiv2luMzliLjBTil6lk1haWwLiCjXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=F71Zo3pV8FthFphN63WetbpOZzlb8%2B0MFSIR7MWozIM%3D&reserved=0>> without hurting landlords is complicated. Landlords aren't a homogenous group of faceless corporations. In fact, fewer than one-fifth of rental properties are owned by for-profit businesses of any kind. Most rental properties – about seven-in-ten – are owned by individuals, who typically own just one or two properties, according to 2018 census data <<https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.census.gov%2Fprograms-surveys%2Fhhs%2Fhhs.html&data=05%7C01%7CDBRADY%40cityofpetaluma.org%7C2fd33cc37c174c961e3f08db16631ab7%7C3251706cb8d941349f26dd04acbb79d0%7C0%7C0%7C63812887313774680%7CUnknown%7CTWFPbGZsb3d8eyJWljojMC4wLjAwMDAilCjQljoiv2luMzliLjBTil6lk1haWwLiCjXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=AgFZ9giEEgThZIZ%2FhF6sQiq5PXRtQ1qZUGad6AzyELE%3D&reserved=0>>. And landlords have complained about being unable to meet their obligations <<https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.cnbc.com%2F2021%2F06%2F25%2Fthe-eviction-moratorium-is-killing-small-landlords-saves-one.html&data=05%7C01%7CDBRADY%40cityofpetaluma.org%7C2fd33cc37c174c961e3f08db16631ab7%7C3251706cb8d941349f26dd04acbb79d0%7C0%7C0%7C63812887313774680%7CUnknown%7CTWFPbGZsb3d8eyJWljojMC4wLjAwMDAilCjQljoiv2luMzliLjBTil6lk1haWwLiCjXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=1uPzTghjCe7qj995N7iwmRp4cNer6xy2y6XeUGIP4%3D&reserved=0>>, such as mortgage payments, property taxes and repair bills, because of a falloff in rent payments.

Sincerely,

Leslie C. Shiner



## PUBLIC COMMENT

Hi there,

I am looking for advice and understanding of my rights as a renter who has just been asked to move out.

I live in Petaluma at 1048 Daniel Drive.

I rent from an owner who informed me on 2/22/23 that my tenancy is being terminated. What is most concerning is that she states that my lease is being canceled for violations AND that she is taking it off the market and is taking up residency.

I have lived here since December 2020 with my son who is now 21 years old who is also on the lease. We started with a one year lease and then it was moved to a month-to-month lease for this past year.

My oldest son who is 23 has recently been visiting and staying overnight sometimes. On January 20th, 2023 I got an email from her stating "I am aware that you have tenants living at the house that are not on the lease for sometime now." which was the first she had ever brought up a concern about my tenancy.

If you read below you will see our communication regarding her concern and her agreement to add my oldest son to the lease. My son sent her the application she requested and she emailed me back saying she would be coming by the house on 2/22/23 to discuss the terms of my lease and bring contractors for some remodeling she wanted to do. It was during that visit that she informed me that she was not going to accept my son's application and was giving me notice to vacate and canceling my lease. She said during the meeting that her primary reason for canceling my lease was because she was moving back to Petaluma to live in the house but added the paragraph about the "violations" for extra coverage for asking me to move. My lease has NO rules about smoking and while I told her that smoking has stopped via email, I do not believe I violated a non-stated rule.

My greatest concern is coming up with the finances for deposit on a new place as well as finding a place in my price range. I have already begun looking and I must stay in Petaluma to be close to family. The son that I share this current lease with has a disability called schizoaffective disorder and his medical team is here at Petaluma Health Center.

What advice can you provide me?

thanks so much,  
Cami Roberts

> Good Morning Cami,

>

> I am aware that you have tenants living at the house that are not on the lease for sometime now. I have also been made aware that there has been smoking on the property. This is a direct violation of the terms of your lease. You can refer to your lease copy for exact limitations and rules that I am referring to.

> Please respond to this email within 3 business days. Your response will determine the next steps.

>

> Thank you,

>

>

> Cathleen Llorence

> Landlord

I responded with:

Cami <[camliveaver3@gmail.com](mailto:camliveaver3@gmail.com)>

to Cami, Cathleen



Cathleen,





# PUBLIC COMMENT

Attachment 3

I am confirming receipt of your email regarding your concerns with the terms of the lease agreement. In order to remedy the tenancy issue, I would like to add my eldest son as a tenant to the agreement to correct the violation of terms, as soon as possible. He is planning on moving out in the upcoming months, but I understand the need for him to be added as a tenant for the remaining time he is living here, going forward.

Regarding the smoking issue, I apologize and understand your concerns. The issue will be remedied immediately and there will be no more smoking on the property. Please let me know if you feel this will resolve both concerns.

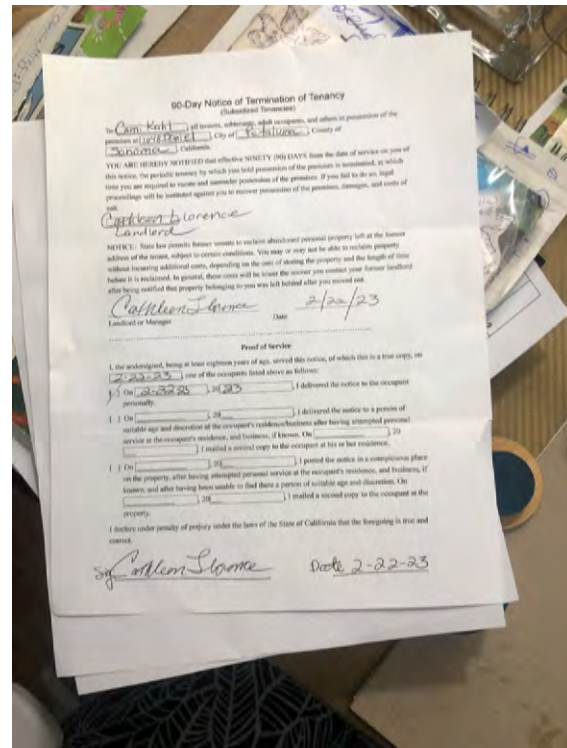
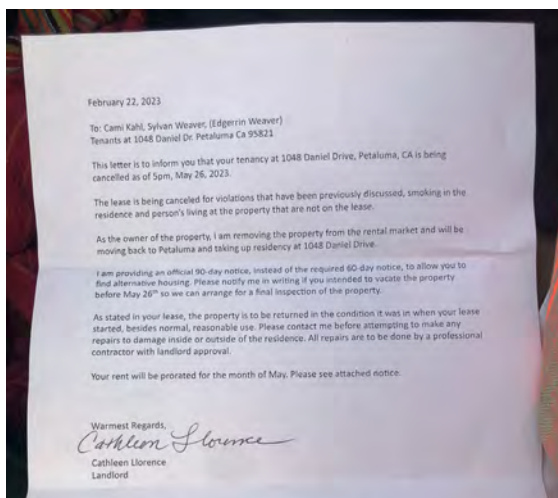
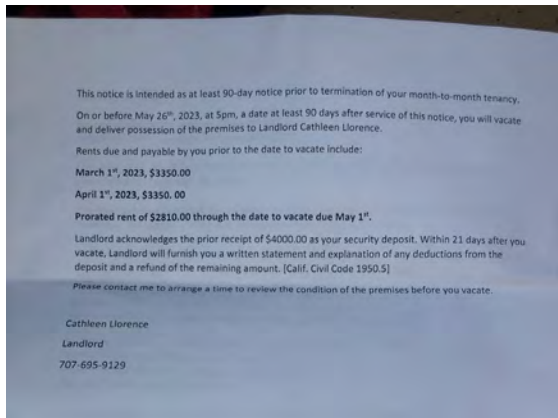
Thank you,  
Cami

She wrote back:  
Hello Cami,

I will need your son's name. He will need to fill out a rental application and provide a copy of his photo ID. If he is agreeable to this I will need his email address to forward the application. I understand there is a young lady staying in the house also? If so and you plan to continue to have her stay in the house I will need the same.

Thank you,

Cathleen Llorence







## PUBLIC COMMENT

Attachment 3

I am confirming receipt of your email regarding your concerns with the terms of the lease agreement. In order to remedy the tenancy issue, I would like to add my eldest son as a tenant to the agreement to correct the violation of terms, as soon as possible. He is planning on moving out in the upcoming months, but I understand the need for him to be added as a tenant for the remaining time he is living here, going forward.

Regarding the smoking issue, I apologize and understand your concerns. The issue will be remedied immediately and there will be no more smoking on the property. Please let me know if you feel this will resolve both concerns.

Thank you,  
Cami

She wrote back:  
Hello Cami,

I will need your son's name. He will need to fill out a rental application and provide a copy of his photo ID. If he is agreeable to this I will need his email address to forward the application. I understand there is a young lady staying in the house also? If so and you plan to continue to have her stay in the house I will need the same for her.

Thank you,

Cathleen Llorence

**Subject:** Sheriff/UD data

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---

Hi Dylan,

I am attaching the UD/Sheriff data I think I already shared but just in case I did not. The UD data is based on mine and the County's FOIA requests. The year 2022 only goes through the middle of December.

The Sheriff data is what Keith Becker provided. I do not inherent trust that data without knowing where he got it (and also he does not map any property in Petaluma according to several people). Attached is another sheriff eviction spreadsheet for the County at large that I found online here [Eviction lockout notices January 2019 thru present day \(Sonoma County Sheriff's Office\)](#) you have to search the different tabs.

I know the Ordinance is under major attack. I try not to let it get me down! If there is anything at all that I can do to assist please let me know. I do know that some council members have not read it, and would benefit from a simplified version of the ordinance. Happy to try and find a way to take a crack at that if it would be helpful. Just let me know. Thanks!

Also, can you tell me the likelihood of this coming back as a revised ordinance for vote on 3/20? That would guarantee its failure as I have heard not all members will be present at that meeting.

One thing that keeps coming up no matter who I talk to, is the need for a rental registry. Here is a company who has made that super streamlined and feasible: [Rental Property Registry – 3Di Systems](#)

I requested a demo with them, the City staff could do the same. A registry would would arguably take a lot longer.

Just let me know if I can help!

Margaret DeMatteo (she/her/hers)

Housing Policy Attorney



see  
a13



## PUBLIC COMMENT

Attachment 3

Dear Honorable Mayor McDonnell and Council members,

I strongly urge the City Council to listen to its community and put an end to the Residential Tenancy Ordinance.

This anti-housing law makes it nearly impossible to maintain rental properties, protect my residents, and make necessary improvements to older rental home

As ethical housing providers, we are proud to provide homes for local families and work closely with our residents to meet their needs. The notion that we need new, strict rental housing regulations is beyond comprehension. We do not need to add layers of regulations and bureaucracy to California's existing Tenant Protection Act (AB 1482). Your proposal only causes further confusion and harm to all members of the community.

Sincerely,

Misha

I have a client who is in memory care facility. They need to sell the property for the monthly expense to pay the facility. There is a tenant in place. The ordinance as I perceive it says you cannot terminate the tenancy for the sake of selling. Is this correct or is there an exception for these types of situations?

I need to know this ASAP.

Sincerely,

Thomas Gehring  
Co-Owner/Property Manager  
Bundesen Property Management  
[www.bundesen.com](http://www.bundesen.com)  
Direct 707-769-7178  
Main 707-762-7777  
DRE#01357011

**Subject:** Stop the Madness and Overreach

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---

Dear Mayor McDonnell and Council members,

I strongly urge the City Council to listen to its community and put an end to the Residential Tenancy Ordinance. This is very unnecessary overreach. Petaluma has never needed such overreach before especially since California has already added AB1482.

This anti-housing law makes it nearly impossible to maintain rental properties, protect my residents, and make necessary improvements to our older rental home that we take great pride in.

As ethical housing providers, we are proud to provide homes for local families and work hard to ensure local residents are happy as they understand how special Petaluma is. The notion that we need new, strict rental housing regulations is beyond comprehension. We do not need to add layers of regulations and bureaucracy to California's existing Tenant Protection Act (AB 1482). Your proposal only causes further confusion and harm to all members of the community.

Please do NOT Do this...

Regards

Cynthia Mason and Steven Lipson  
B Street Landlords for over 10 years....  
Cynthia Mason



## PUBLIC COMMENT

Attachment 3

Dear Honorable Mayor McDonnell and Council members,

I strongly urge the City Council to listen to its community and put an end to the Residential Tenancy Ordinance.

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Sincerely,  
John Barella



SECTION 2:

**TENANT PROTECTIONS  
ORDINANCE DOCUMENTS**

A spreadsheet titled “Comprehensive Tenant Protection Review\_CA 2022” was received by Margaret DeMatteo from Legal Aid and has been uploaded to the City of Petaluma website. A link to the document is included below.

This information was uploaded to our site as received. The information has not been verified by the City.

|  |           |
|--|-----------|
| Comprehensive Tenant Protection Review_CA 2022 | Legal Aid |
|--|-----------|

**RESIDENT'S REASONABLE ACCOMMODATION(S) AND/OR MODIFICATION(S) REQUEST FORM**

Montage Apartments is committed to the letter and spirit of the Fair Housing Act, which, among other things, prohibits discrimination against persons with disabilities. In accordance with our statutory responsibilities and management policies, we will make reasonable accommodation(s) in our rules, policies, practices and services and/or modifications to a unit or common area, when such accommodation(s) and/or modification(s) may be necessary to afford persons with disabilities an equal opportunity to use and enjoy their housing communities. If you are requesting such an accommodation(s) and/or modification(s), please fill out this form and return it to the manager.

Resident's Name:

Kyle Swarthout

Address:

515 Lakeville Cir, Petaluma, CA 94951

Date of Request:

01/30/23

Please describe the requested accommodation(s) and/or modification(s):

Request 15<sup>th</sup> Fl 2 bdrm (if possible) unit + parking (a replacement for my 2<sup>nd</sup> fl unit)

1. Do you consider yourself to be disabled?

The Fair Housing Act defines disability as a physical or mental impairment that substantially limits one or more major life activities. The Supreme Court has determined that to meet this definition a person must have an impairment that prevents or severely restricts the person from doing activities that are of central importance in most peoples' daily lives.

YES

NO

2. Please describe how the requested accommodation(s) and/or modification(s) is necessary for your use and enjoyment of your apartment community? (If needed, you may write on the back of this form or attach additional sheets of paper.)

I do not have use of my right leg or left arm temporarily due to a major auto accident on 01/12/23.

3. **Medical Documentation:** Please have your medical provider complete the attached form or provide appropriate medical documentation regarding the nature of the disability, the limitation(s) identified above, and the requested accommodation(s) and/or modification(s).

Please note that this form does NOT request or require that the individual certifying the disability and need for a certification reveal the specific nature and/or severity of the individual's disability.

thegrovelease@TRK.com



## Verification of Disability

I, Leslie Burger, have been working with  
 (Professional's Name - Please Print)  
Kyle Swarthout since 1/30/23  
 (Patient/Client's Name) (Date)

I understand that the Fair Housing Act and Section 504 of the Rehabilitation Act defines "Disability" as:

1. A physical or mental impairment which substantially limits one or more of the person's major life activities, and/or
2. A record of having a physical or mental impairment which substantially limits one of more of the person's major life activities, and/or
3. Being regarded as having a physical or mental impairment which substantially limits one or more of the person's major life activities.

I also realize that under this definition, a major life activity includes, but is not limited to: caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and/or working. Understanding this, I affirm that the above-named patient has a disability which meets this legal definition.

Additional Comments: \_\_\_\_\_

Furthermore, I would be willing to testify under oath that because of the above-named patient's disability, the reasonable accommodation or modification described below is necessary and will affirmatively enhance the above-named patient's quality of life by ameliorating the effects of their disability:

Ground-level unit given inability to ambulate,  
wheel-chair bound due to multiple severe injuries &  
 (Please specify the accommodation(s) and/or modification(s) needed in relation to the identified fractures disability)

[Signature]  
 Professional's Signature

Date: 1/30/23

1179 N McDowell Blvd  
 Address  
Petaluma, CA 94954

707-559-7500  
 Phone

Rohnert Park  
Health Center

phhealthcenter.org/rohnert-park

Kyle Swarthout  
873 LAKEVILLE CIR  
PETALUMA CA 94954-5741

Acct #: 270488

02/02/2023

To Whom It May Concern:

Kyle Swarthout is a patient at the Rohnert Park Health Center. He was recently in a severe motor vehicle accident resulting in loss of consciousness and concussion, fractures of his right ankle, left elbow, and spine. He was hospitalized from 1/12/23-1/28/23. He is currently unable to ambulate without assistance and is wheel-chair bound. I am writing a letter in support of him receiving a ground-level apartment given his current disability.

Please don't hesitate to contact me if you have any questions or concerns.

Sincerely,

Leslie Burger, FNP

(707) 559-7500

Rohnert Park Health Center  
5900 State Farm Drive, 2<sup>nd</sup> floor  
Rohnert Park, CA 94928



---

5900 State Farm Dr., Suite 200, Rohnert Park, CA 94928  
phone: 707.559.7600 • fax: 707.978.5874

## YOUR RIGHT AS A TENANT

**Do you rent a residential unit in the City of Petaluma? If so, then you should know about new rules that may protect you from some evictions, provide proper notice for evictions, and/or pay you money to cover relocation costs when you are evicted.**

The City's Residential Tenancy Protections (Tenant Protections) were adopted on September 12, 2022 and took effect on October 12, 2022. To learn more about the Tenant Protections in Petaluma, [click here](#).

**The Tenant Protections require Landlords to provide tenants with this Notice of Tenant Rights:**

[English](#) / [Español](#)

**Notice of Tenant Rights must be provided to tenants:**

- Within 30 days of Chapter 6.60 taking effect, or by November 17, 2022
- When renewing a rental agreement,
- When entering into a new rental agreement,
- When providing notice of a rental increase,
- Within 30 days after the City has amended this notice and provided a landlord the new notice,
- Before terminating a rental agreement
- Before selling a rental property, and
- Within 30 days after buying a property.

Landlords CANNOT raise rents or terminate a tenancy until this notice has been provided to a tenant. The Tenant Protections also provide the option for tenants to defend against a rent increase or tenancy termination. If a tenant is successful, they may recover their attorneys' fees and other costs from the court.

If you are providing additional protection for tenants, where is the information that justifies this act, and the costs associated with it? Where is the additional protection for landlords? This ordinance implies that all landlords are predatory, evil business operators. Rather than penalize the few, you appear to, instead, build an entire infrastructure around implementing ordinances to punish people for providing rental homes to the community. Where is the information of cost associated with this proposal? Where is the information projecting how many rentals will be lost (or gained) as a result of this ordinance.

## PROPERTIES COVERED BY THE CITY'S RESIDENTIAL TENANCY PROTECTIONS

The City's Residential Tenancy Protections apply to all residential rental properties in Petaluma where a tenant has lawfully resided for a continuous period of **six months or more**, except:



I am now holding a property that I was preparing for rental, and will not release until I know what the City will do. If the ordinance is to go through, I will sell that property for whatever the market bears, or seek any other option at my disposal. I will be 62 in about a year- where is my protection to retain my property and rent it out, in compliance with California law, to provide for our retirement? It is wrong to do this to mom & pop rental providers, and all such properties should be exempt... this whole ordinance should be scrapped, in favor of the California TPA.

- Dwelling units that are owned by a government agency; or that receive rent subsidies from a government agency so that the tenant's portion of the rent does not exceed thirty percent of household income;
- Dwelling units in developments in which at least forty-nine percent of the dwelling units are subject to affordable rent deed restrictions in accordance with state law;
- Dwelling units with tenant managers; and
- Dwelling unit that is the owner's primary residence that they share with the tenant.

The City's Tenant Protections take effect after a tenant has lawfully and continuously resided in the unit for **at least a year** for:

- Accessory Dwelling Units and Junior Accessory Dwelling Units as defined in the City's Zoning Ordinance; and
- Units on the same property where the owner resides

## PERMITTED REASONS FOR TERMINATING A TENANCY

In some cases, landlords choose to terminate residential tenancies for reasons related to actions taken by the tenants. Qualifying reasons (called "For Cause.") are:

1. The tenant fails to pay rent within three days of receiving written notice from the landlord demanding payment.
2. The tenant continues to violate material terms of the rental agreement after the landlord's written notice to cure.
3. Tenant conducts illegal activity that during the tenancy at or within a thousand feet of the rental property.
4. Threat of violent crime made by a tenant or at their direction to any person who is on the rental property or to the landlord, or to the landlord's agent.
5. The tenant or tenant household creates or permits a nuisance at or within one thousand feet of the rental property after the landlord's written notice to cease, and a reasonable period to cure the nuisance.
6. The tenant fails to give the landlord reasonable landlord access to the rental property after the landlord's written notice to provide access.

Under the City's Tenant Protections, landlords can terminate residential tenancies for reasons that are not the fault of the tenant (called "no-fault,"). The reasons that qualify under the "no fault" terminations are:

1. Termination of a residential tenancy to permanently withdraw a residential rental property from the rental market in accordance with the Ellis Act.
2. Termination of a residential tenancy to permit the landlord or one of the landlord's relatives to reside in the property as their primary residence.
3. Termination of a residential tenancy for substantial repairs to the rental property that cannot be completed while the unit is occupied to comply with health and safety codes after the landlord has obtained all necessary permits for the repair work. Or...

**The contract has been satisfied, and one party opts not to renew.** If you are going to do something like the above, then you should also have a provision for landlords who want to retain their current tenant. If I am forced to keep the tenant, they should be forced to stay- otherwise, there is no equity for fair practices between the parties

If a tenancy is terminated for any of the reasons above, the tenant is entitled to relocation benefits. This will incur rental increases, each year. Even 5% plus CPI will undo many tenants. Calculated on \$3000, that's \$150 a month increase, plus CPI (4.9% last year) and you're looking at nearly \$300 additional rent. People can't afford this; how is this helping tenants? This will actually upend favorable relationships, creating a divisive environment, between landlord and tenant.

Exceptions and Limitations for "no-fault" terminations:

1. A tenancy CANNOT be terminated during the school year if the tenant is employed as an educator in a Petaluma school or has a child in grades kindergarten through 12th grade. This will create what you would label as discrimination, but a landlord considers all aspects of an application, looking for their most suitable tenant. The definition for "educator" appears to be anyone who works on a school campus- I'm not sure if it also includes those in any kind of educational administration, but I have to assume that it probably does.
2. A landlord may not terminate a tenancy in retaliation for a tenant exercising their rights of the Tenant Protections.

## RELOCATION ASSISTANCE

If Landlord terminates a tenancy without cause (to permanently remove the unit from the market, owner to occupy the unit, or for substantial rehabilitation,) the tenant is entitled to relocation assistance. The assistance can be a direct payment or credit towards payments due.

This is counterproductive, and will cause the maximum annual allowance of rent increase, as landlords must prepare for a financial hit, should they want to exercise their rights, according to rental contracts, over their property. Now the landlord is forced into a business partnership with the city, who has more jurisdiction over the rental than the landlord

- 100% of one month of rent; or
- 150% of one month rent if the tenant household:
- Qualifies as low income; or
- Includes a member with a disability; or
- Includes a member over the age of 62; or
- Includes a child below the age of 18; or
- The tenancy commenced prior to January 1, 2010

## OTHER TENANT RIGHTS

In some cases, an Owner must re-offer the dwelling unit to the displaced tenant at the same rent and subject to the same terms as when the tenancy was terminated. These cases are:

This is absurd and punitive, and wouldn't stand up to any other rental process, such as vehicles, entertainment venues, business rental locations, etc. How would it be, if the city adopted the same rental policies for downtown merchant spaces? People earning a living by way of renting a storefront, are in just as much need to conduct business, as they are to have a place to live. You wouldn't apply such laws to downtown, expecting commerce to flourish.

- The property is returned to the rental market within 10 years of the time the unit was withdrawn from the rental market for Ellis Act evictions.
- If the unit was returned to the market within 5 years of the withdrawal date for Ellis Act eviction. In this case the tenant has a right of first refusal to return to the unit at a rent that does not exceed the lawful rent at the time the unit was withdrawn, subject to adjustments for cost of living.
- The owner or owner's relative fails to occupy the dwelling unit within 90 days of the tenant household vacating the dwelling unit; or
- The owner or owner's relative fails to occupy the residential unit for at least three consecutive years following the move out date. Again, this is punitive, in advance. People realize all kinds of mitigating factors and changes that may offer an opportunity to better their lives. With this, you are punishing landlords for the free will of their tenant, because it's "family". Tenants ALL have free will to change their place of rental, but landlords will be tracked (?) and penalized for the free will choices, outside of their control. This seems like it could be successfully challenged in a court of law.

Other concerns:

This TPA creates an extraordinary burden of re-education and administration on landlords

This TPA will likely generate an augmentation of infrastructure to Housing Management to police landlords, and all of the attendant and confusing, not fully realized consequences that would be imposed. This will likely increase taxes on all citizens.



This TPA discourages investment in rental properties by the average citizen

This TPA encourages a surge of housing sales, which will benefit Real Estate sales, homeowners who don't want to live next to renters, additional taxes to support enforcement, relocation out of Petaluma by tenants who can't afford the increases, and landlords for losing their retirement income

This TPA doesn't create additional needed housing, and deflects that fact by going on a witch hunt for landlords who can't keep up with, or understand the confusing and inter-conflicting terms of the ordinance

This TPA stipulates that a landlord cannot evict a tenant for subletting, which creates a number of problems:

- The tenant can now usurp the landlord, and sublet- gaining revenue from property that is not theirs
- The landlord has no way of vetting the subletted tenant(s)
- The subletted tenant might be an "educator", disabled, 62 years or older, ill with a terminal diagnosis- all of which is "protected"
- What protection does the landlord have?

This TPA will make it more difficult for the "educator", disabled, 62 years or older, ill with a terminal diagnosis, to obtain housing in an already tight market.

This TPA assumes that all landlords are bad and need constant oversight and consequences to operate the rental properties that they have purchased through planning, savings, and self-discipline. It's insulting and over-reaching

This TPA assumes that all tenants are victims, or victims in the making. It will embolden, entitle, and protect the worst of them, causing more to care less for the maintenance of the structure, while protecting them under the subletting clause.

This TPA ignores the fact that judgements in favor of a landlord are often unenforceable, while the judgement against a landlord is a payday.

This TPA assumes that contractors have a fixed schedule, which will coordinate seamlessly with other contractors, and that planned work will be performed exactly as and when needed.

This TPA is, at the minimum, premature. There is no cost analysis; there is no data that supports its implementation

This TPA will discourage the addition of much needed Accessory Dwelling Units

**I am opposed to the entire amended ordinance. Our state TPA is more than adequate**

## CERTIFICATION OF PUBLICATION IN

Petaluma Argus-Courier

(Published Fridays)

IN THE

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OF THE

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In and for the County of Sonoma

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DATED

1/20/2023

at Petaluma, California.



Proo

Synopsis of Petaluma City Council Ordinance No. 2836 N.C.S. Extending to July 1, 2023 the March 1, 2023, Expiration of Ordinance No. 2823 N.C.S., which Added Chapter 6.60 Entitled, "Residential Tenancy Protections" to the Petaluma Municipal Code

## Introduction

On January 9, 2023, at a regularly scheduled meeting, the Petaluma City Council, by a vote of 4 to 2, with 1 recusal, introduced Ordinance No. 2836 N.C.S. (Ordinance 2836), with Vice Mayor Cader Thompson, and Council Members Barnacle, Pocey and Shribbs, voting in favor; Council Members Healy and Nau voting to oppose; and Council Member McDonnell recused. If adopted, Ordinance 2836 would extend from March 1, 2023 to July 1, 2023 the expiration date of Ordinance No. 2823 N.C.S. (Ordinance 2823) which added Chapter 6.60 Entitled, "Residential Tenancy Protections" to the Petaluma Municipal Code. Ordinance 2836 is scheduled for adoption at the City Council regular meeting of January 23, 2023 as soon as the matter can be heard according to the agenda schedule following the opening of the meeting at approximately 6:30 p.m.

Ordinance 2823 was adopted on September 12, 2022 and specifies "just causes" based on which landlords may lawfully terminate tenancies. Ordinance 2823 also implements local regulations that cities are permitted to enact pursuant to Government Code Sections 7050-7060.7, (the Ellis Act) regarding rental units being withdrawn from the rental market.

The public may attend and participate in City of Petaluma City Council meetings either in person at the City Council Chamber located at City Hall, 11 English Street, Petaluma CA or virtually via Zoom. Members of the public can observe and/or participate in the January 23, 2023 City Council meeting virtually via Zoom at <https://us06web.zoom.us/j/88676625534>. City Council meetings may also be viewed on TV via Petaluma Community Access broadcasts on Comcast channel 28 or on AT&T U-Verse channel 099.

This synopsis of Ordinance 2836 is provided in accordance with the requirements of Section 45 of the Petaluma City Charter governing advertisement and other requirements for adoption of City ordinances. A copy of Ordinance 2836 is posted on the bulletin board located at City Hall, and is available at <https://cityofpetaluma.primegov.com/Portal/Meeting?meetingTemplateId=5102>

## Background

On May 2, 2022, the City Council voted to include "Adoption of Tenant Protection Ordinance Package" as one of its Top Ten Goals for Fiscal Years 2022-2024. Ordinance 2823 addresses this Council goal. The City Council found that Ordinance 2823 was exempt from the requirements of the California Environmental Quality Act (CEQA) and that enactment of Ordinance 2823 did not qualify as a "project" within the meaning of Section 15378 of the CEQA Guidelines, because enactment of Ordinance 2823 was an administrative activity that has no potential for resulting in physical change in the environment. Ordinance 2823 adopted residential tenant protection measures for existing residential units in Petaluma, which is a solely administrative process resulting in no physical changes to the environment, and Ordinance 2823 contains no provisions affecting the physical design, development, or construction of residences or nonresidential structures. Ordinance 2823 was adopted with an expiration date of March 1, 2023, which means that on March 1, 2023, Petaluma Municipal Code Chapter 6.60 would no longer be in effect without further action by the City Council.

Ordinance 2823 was adopted by the City Council, on September 12, 2022, and added Chapter 6.60 entitled, "Residential Tenancy Protections" to the Petaluma Municipal Code. Ordinance 2823 prohibits evicting residential tenants who have resided continuously and lawfully in their units for 6 months or more unless "just cause" exists to terminate the tenancy. "Just cause" under Ordinance 2823 includes: failure to pay rent, breach of the rental agreement, illegal activity, threat of violent crime, committing a nuisance, failure to give the landlord access, permanently withdrawing the property from the rental market, the owner or owner's family planning to occupy the unit, and substantial rehabilitation of the unit. The protections of Ordinance 2823 apply to tenants who reside on the property with the landlord in an accessory or junior accessory dwelling unit once the tenant has continuously and lawfully resided in the unit for 12 months. Government units, units restricted by affordable housing covenants, and units of tenant property managers are exempt from Ordinance 2823. Information about Ordinance 2823 can be found at this link: <https://cityofpetaluma.org/tenant-protections-ordinance/>

## Synopsis

The City Council found that Ordinance 2836, like Ordinance 2823 is exempt from the requirements of the California Environmental Quality Act (CEQA) and that enactment of Ordinance 2836 does not qualify as a "project" within the meaning of Section 15378 of the CEQA Guidelines, because enactment of Ordinance 2836 is an administrative activity that has no potential for resulting in physical change in the environment.

If Ordinance 2836 is adopted on January 23, 2023, and takes effect 30 days later on February 23, 2023, the expiration date for Ordinance 2823 would be extended from March 2, 2023 to July 1, 2023. Ordinance 2836 makes no other changes to Ordinance 2823. When the City Council introduced Ordinance 2823, they directed staff to conduct stakeholder outreach and return to the City Council with potential amendments to the ordinance to address stakeholder concerns. Extending the expiration date of Ordinance 2823 will allow City staff to perform stakeholder outreach, meet with stakeholders and bring the results to the City Council in a workshop setting to receive City Council direction on potential amendments to Ordinance 2823. According to the tentative schedule for these staff actions, stakeholder meetings are scheduled to occur in January, community workshops are scheduled to occur in February, and a City Council workshop to consider possible amendments to Ordinance 2823 is scheduled for March 6, 2023. The City will also be conducting a stakeholder survey regarding the Petaluma tenant protections and potential amendments to them. Depending on the City Council's direction, amendments to Ordinance 2823 could be introduced at the March 23, 2023 City Council meeting. To learn more about the stakeholder outreach events please email [tenantprotections@cityofpetaluma.org](mailto:tenantprotections@cityofpetaluma.org).

Kendall Sawyer  
City Clerk  
January 10, 2023

151816 - Pub Jan 20, 2023

111.



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In and for the County of Sonoma

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1/27-1/27/2023

I DECLARE UNDER PENALTY OF PERJURY that the foregoing is true and correct.

DATED

1/27/2023

at Petaluma, California.

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This space for County clerk's Filing Stamp

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## Proof of Publication of

**AYÚDENOS A DECIDIR CÓMO GASTAR EL DINERO PROVENIENTE DE LOS FONDOS ANUALES CONOCIDOS COMO "COMMUNITY DEVELOPMENT BLOCK GRANT" QUE ESTÁN DESTINADOS PARA AYUDAR A LOS RESIDENTES DE BAJOS INGRESOS DE PETALUMA**

La Ciudad está embarcándose en un proceso que facilite la decisión de cómo gastar los fondos que el Gobierno Federal de los Estados Unidos tiene para apoyar a los residentes de ingresos económicos bajos y muy bajos en Petaluma. A este programa se lo conoce como CDBG's por Community Development Block Grant" (en español "Fondo Subsidios para el Desarrollo Comunitario") y la Ciudad estima que para el año 2023-24 habrá unos \$330,000 disponibles, aproximadamente. La primera parte del proceso consistirá en escuchar a la comunidad sobre cómo consideran que la Ciudad podría usar estos fondos. La segunda parte del proceso tendrá como fin recibir solicitudes de organizaciones sin fines de lucro locales para financiar aquellos programas que ayuden a los residentes con salarios bajos y muy bajos. La parte final del proceso nos encontrará revisando estas solicitudes e incorporando los comentarios de la comunidad para desarrollar a partir del 1° de julio de 2023 un plan para acceder a estos fondos federales (Plan CDBG) para el próximo año fiscal.

Este también es un aviso para informar a la comunidad que a la vez también estamos buscando solicitudes para recibir estos subsidios.

Las solicitudes para aplicar a los fondos del Plan CDBG para el año fiscal 2023-2024 pueden presentarse hasta el 23 de Febrero de 2023, antes de las 5:00pm. Estas solicitudes deben enviarse a través del siguiente sitio web [www.citydataservices.net](http://www.citydataservices.net). Si tiene alguna pregunta inmediata, puede comunicarse con la Especialista en Vivienda, la Sra. Sarah Wolf, enviando un correo electrónico a [swolf@cityofpetaluma.org](mailto:swolf@cityofpetaluma.org). Si ya ha participado de este programa anteriormente, use sus credenciales existentes para iniciar sesión en [www.citydataservices.net](http://www.citydataservices.net) y completar su solicitud. Las nuevas aplicaciones deben ingresar a <http://www.citydataservices.net> e ingresar el nombre de usuario: PET2023 y la contraseña: PET2023

**Calendario para el desarrollo del Plan CDBG:**

- Reunión comunitaria abierta al público/Taller con asistencia técnica - 9 de febrero de 2023 a las 11am
- Fecha límite para enviar las solicitudes y aplicar para los subsidios: 23 de febrero de 2023 a las 5pm
- Borrador del Plan CDBG para revisión de la comunidad - 2 de marzo de 2023 - 2 de abril de 2023
- Audiencia pública del "City Council" (Ayuntamiento) - 3 de abril de 2023 a las 6:30pm

Estas reuniones serán en persona y virtuales. Para obtener más información sobre cómo usted podrá participar en estas reuniones y solicitar estos subsidios, por favor visite <http://www.cityofpetaluma.org/cdbg2023>. Para obtener ayuda adicional, usted también se puede comunicar con la gerente del proyecto, la Sra. Sarah Wolf, Especialista en Vivienda, en esta dirección de correo electrónico: [swolf@cityofpetaluma.org](mailto:swolf@cityofpetaluma.org).

153458 - Pub Jan 27, 2023

11.



## CERTIFICATION OF PUBLICATION IN

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(Published Fridays)

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In and for the County of Sonoma

CITY CLERK

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1/20 - 1/20/2023

I DECLARE UNDER PENALTY OF PERJURY that the foregoing is true and correct.

DATED

1/20/2023

at Petaluma, California.



Proof



CITY OF PETALUMA

## NOTICE OF ADMINISTRATIVE ACTION

## ADMINISTRATIVE SITE PLAN AND ARCHITECTURAL REVIEW

PROJECT NAME: Amendment to Redwood Business Center Master Sign Program

PROJECT ADDRESS: 1205 Redwood Way

ASSESSOR PARCEL NO. (APN): 007-411-034 | City Record Number: PLSR-2022-0038

APPLICANT NAME(S): David Ford of All Sign Services

**PROJECT DESCRIPTION:** The application seeks approval to amend the Redwood Business Center Master Sign Program to allow installation of a 35 square foot Home 2 Suites sign to the bottom of the existing Redwood Business Center monument sign located at the corner of Redwood Way and North McDowell Blvd. Home 2 Suites is a 140-room hotel, currently under construction at the address listed above. Existing Home 2 Suite signage includes three building wall signs totaling 300 sq. ft., and one 28 sq. ft. secondary monument sign. The proposed new signage will be located on the existing monument below "Redwood Business Center" text, thereby providing directional assistance to out-of-town guests traveling to the hotel.

**CALIFORNIA ENVIRONMENTAL QUALITY ACT:** The Project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 for Class 1 - Existing Facilities.

**ACTION DATE:** On or after Monday, January 30, 2023, the Community Development Director will consider all comments and either approve, conditionally approve, or deny the project.

**HOW TO COMMENT:** Please send comments via email to the Project Planner (see Project Planner Contact below) prior to the action date. You may also mail comments to the Community Development Department, Planning Division, City of Petaluma, 11 English Street, Petaluma, California 94952. Visit [cityofpetaluma.org/planning-participate](http://cityofpetaluma.org/planning-participate) to learn more about public comment opportunities.

**FOR MORE INFORMATION:** Please consider these options to learn more about the project:

**Project Planner Contact:** Larissa Alchin, Associate Planner, at [alchin@cityofpetaluma.org](mailto:alchin@cityofpetaluma.org) or (707) 778-4422

**Online:** Review project information online at [cityofpetaluma.org/planning-projects](http://cityofpetaluma.org/planning-projects)

**In-person:** Review project information in-person at the City Hall Planning Counter located at 11 English Street, Monday through Thursday between 10 AM and 2 PM.

**HOW TO APPEAL A DECISION:** Pursuant to IZO Section 24.070, the applicant, or any other interested party, may appeal any part of the administrative decision to the Planning Commission. Such appeal must be filed in writing within fourteen (14) days of the date of the decision, along with the appeal fee as specified by Resolution 2010-206 N.C.S. as adopted by the City Council. For more information on how to file an appeal, visit [cityofpetaluma.org/planning-participate](http://cityofpetaluma.org/planning-participate) or call 707-778-4470.

**ACCESSIBILITY:** Efforts will be made to accommodate persons desiring this notice in an alternative format. Please notify Planning Division at (707) 778-4470 or (707) 778-4480 (TDD) within 5 days from date of publication of this notice if you need special accommodations including translation or assisted reading format. A minimum of 48 hours is needed to ensure the availability of translation services.

## PROJECT LOCATION MAP:



152355 - Pub Jan 20, 2023

111.



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1/13 - 1/13/2023

I DECLARE UNDER PENALTY OF PERJURY that the foregoing is true and correct.

DATED

1/13/2023

at Petaluma, California.

*[Signature]*



**CITY OF PETALUMA  
NOTICE OF PLANNING COMMISSION PUBLIC MEETING  
STUDY SESSION**

**PROJECT NAME:** Scannell Mixed-Use Development Project

**PROJECT ADDRESS:** 500 Hopper Street (former Pomeroy site)

**ASSESSOR PARCEL NO. (APN):** 135-010-024 & 007-171-023  
**City Record Number:** PLMA-20-0001

**APPLICANT NAME(S):** Scannell Properties

**PROJECT DESCRIPTION:** Revised conceptual proposal to develop a vacant 39.22-acre site with 245 market-rate apartments, 158 attached and detached single-family units, 72 affordable apartments, and 4,200 square feet of commercial space. The project includes improvements to Hopper Street, development of new public and private streets, and development and potential dedication of a 3.5-acre linear park along the Petaluma River and McNear Channel with a multi-use trail, a floating dock with parking and restroom facilities, a dog park, playgrounds/tot lots, volleyball courts, and fitness stations.

The proposal includes the following entitlement requests:

- General Plan Amendment to change the land use designation from River Dependent Industrial to Mixed Use
- Amendment to the Central Petaluma Specific Plan and SmartCode to change the zoning of the site from D-3 to T-4, T-5 and CS
- Warrants to allow relief from certain SmartCode standards for lot size, setbacks, building dimensions, and private open space dimensions
- Tentative Subdivision Map to divide the site into 158 single-family residential lots and two multifamily lots.

**CALIFORNIA ENVIRONMENTAL QUALITY ACT:** After a formal development proposal is submitted, an Environmental Impact Report (EIR) will be prepared for the project to analyze potential environmental impacts associated with the proposal. The Draft EIR will be subsequently scheduled for consideration by Planning Commission and City Council at future separately noticed public hearings.

**MEETING DATE AND TIME:** Tuesday, January 24, 2023, at or after 7:00 PM

**VIRTUAL MEETING FORMAT:** Consistent with Government Code Section 54953 and orders from the Sonoma County Health Official, the Planning Commission meeting will not be physically open to the public and all Commissioners will be teleconferencing into the meeting via Zoom. See information below.

**MEETING LINK:** <https://us06web.zoom.us/j/96214053120>

**HOW TO OBSERVE AND PARTICIPATE:** Members of the public can observe and/or participate in the meeting by visiting <https://us06web.zoom.us/j/96214053120>. Members of the public may address the Review Authority during the teleconference meeting only. The Review Authority meeting agenda will be posted on the City's website (<https://cityofpetaluma.org/meetings/>). For more information about how to participate in a virtual meeting, visit <https://cityofpetaluma.org/tips-for-attending-a-virtual-meeting/>.

**HOW TO WATCH ON TV:** Petaluma Community Access broadcasts on Comcast and Petaluma's local channel 28. With AT&T U-Verse, PCA's channels are accessible through channel 099. Local channels are not currently available on Satellite/DISH Networks.

**HOW TO COMMENT:** Members of public may provide written public comment to the Project Planner (see Project Planner Contact below) up to two hours prior to the meeting start (Tuesday, January 24, 2023 at or after 7:00 p.m.). Comments will be distributed to the Review Authority and placed on the agenda on the City's website as part of the public record for the meeting; otherwise, the comments will be distributed and posted online following the meeting. You may also mail comments to the Community Development Department, Planning Division, City of Petaluma, 11 English Street, Petaluma, California 94952. Please visit [cityofpetaluma.org/planning-participate](https://cityofpetaluma.org/planning-participate) to learn more about public comment opportunities.

**WHAT WILL HAPPEN:** The Planning Commission will receive an informational presentation on the project. The Planning Commission may offer non-binding comments for consideration. No action will be taken.

**FOR MORE INFORMATION:** Please consider these options to learn more about the project:

**Project Planner Contact:** Emmanuel Ursu, Principal Planner, at [eursu@cityofpetaluma.org](mailto:eursu@cityofpetaluma.org) or (707) 778-4401.

**Online:** Review project information online at [cityofpetaluma.org/planning-projects](https://cityofpetaluma.org/planning-projects)

**In-person:** Review project information in-person at the City Hall Planning Counter located at 11 English Street, Monday through Thursday between 10 AM and 2 PM.

**ACCESSIBILITY:** Efforts will be made to accommodate persons with disabilities. Please notify Planning Division at (707) 778-4470 or (707) 778-4480 (TDD) within 5 days from the date of publication of this notice if you need special accommodations. Translators and American Sign Language interpreters will be available upon request. A minimum of 48 hours is needed to ensure the availability of translation services.

**PROJECT LOCATION MAP:**



## CERTIFICATION OF PUBLICATION IN

Petaluma Argus-Courier  
(Published Fridays)IN THE  
SUPERIOR COURTOF THE  
STATE OF CALIFORNIA

In and for the County of Sonoma

RECEIVED

FEB 07 2023

CITY CLERK

## DECLARATION

## Notice

I am a citizen of the United States, over the age of eighteen years and a resident of said county and was at all said times the principal clerk of the printer and publisher of The Petaluma Argus-Courier, a newspaper of general circulation, published weekly in the City of Petaluma, in said County of Sonoma, State of California; that The Petaluma Argus-Courier is and was at all times herein mentioned, a newspaper of general circulation as that term is defined by Section 6000 of the Government Code; its status as such newspaper of general circulation having been established by Court Decree No. 35518 of the Superior Court of the State of California, in and for the County of Sonoma, Department No. 1 thereof; and as provided by said Section 6000, is published for the dissemination of local and telegraphic news and intelligence of a general character, having a bona fide subscription list of paying subscribers, and is not devoted to the interests, or published for the entertainment or instruction of a particular class, profession, trade, calling, race or denomination, or for the entertainment and instruction of such classes, professions, trades, callings, races or denominations, that at all said times said newspaper has been established, published in the said City of Petaluma, in said County and State at regular intervals for more than one year preceding the first publication of this notice herein mentioned; that said notice was set in type not smaller than nonpareil and was preceded with words printed in black face type not smaller than nonpareil, describing and expressing in general terms, the purport and character of the notice intended to be given; that the notice, of which the annexed is printed copy, was published and printed in said newspaper on

1/13 - 1/13/2023

I DECLARE UNDER PENALTY OF PERJURY that the foregoing is true and correct.

DATED

1/13/2023

at Petaluma, California.




## CITY OF PETALUMA

NOTICE OF PLANNING COMMISSION PUBLIC HEARING  
ZONING MAP & PLANNED COMMUNITY DEVELOPMENT  
AMENDMENTS & SITE PLAN AND ARCHITECTURAL REVIEW

**PROJECT NAME:** Labcon North America Expansion Project  
**PROJECT ADDRESS:** 3200 Lakeville Highway & 1677 Fisher Drive, Petaluma  
**CITY RECORD NUMBERS:** PLZA-2022-0006 & PLSR-2022-0025  
**APPLICANT:** Greg LeDoux, on the behalf of Labcon North America

**PROJECT DESCRIPTION:** Proposed new development of a 176,657 square foot, two-story manufacturing building with associated onsite improvements including parking and loading areas, landscaping, and required public improvements on a 16.34-acre site in Lakeville Business Park. Project requests a Zoning Map amendment and amendment to the Lakeville Business Park Planned Community Development to rezone a 6.52-acre portion of the site to the Business Park zoning district, as well as Site Plan and Architectural Review approval of proposed site and building development.

**CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):** Environmental review is not required for this project, pursuant to CEQA Section 15183, in that the project is consistent with the General Plan for which an EIR was certified, and no project-specific significant effects were identified.

**MEETING DATE AND TIME:** Tuesday, January 24, 2023, at or after 7 PM

**VIRTUAL MEETING FORMAT:** Consistent with Government Code Section 54953, and orders from the Sonoma County Health Official, the Planning Commission meeting will not be physically open to the public and all Commissioners will be teleconferencing into the meeting via Zoom. Please see below for more information.

**MEETING LINK:** <https://us06web.zoom.us/j/36214053120>

**HOW TO OBSERVE AND PARTICIPATE:** Members of the public can observe and/or participate in the meeting by visiting the meeting link provided above. To view the Planning Commission meeting agenda, please visit <https://cityofpetaluma.org/meetings/>. For more information about how to participate in a virtual meeting, please visit <https://cityofpetaluma.org/tips-for-attending-a-virtual-meeting/>.

**HOW TO WATCH ON TV:** Petaluma Community Access broadcasts on Comcast and Petaluma's local channel 28. With AT&T U-Verse, Petaluma Community Access channels are accessible through channel 099. Local channels are not currently available on Satellite/DISH Networks.

**HOW TO COMMENT:** Members of the public may provide written comments via email to Greg Powell, Principal Planner at [gpowell@cityofpetaluma.org](mailto:gpowell@cityofpetaluma.org) or via US Mail to the City of Petaluma, Planning Division, Attn: Greg Powell, 11 English Street, Petaluma, California 94952. Public comments received by Tuesday, January 24, by 5 PM will be distributed to the Planning Commission and placed on the agenda on the City's website as part of the public record for the meeting. Note that comments received after that time may be summarized for the public record during the public hearing and will be posted online following the meeting. Please visit <https://cityofpetaluma.org/planning-participate/> to learn more about public comment opportunities.

**WHAT WILL HAPPEN:** The Planning Commission will consider all public testimony and decide whether to recommend approval to the City Council to amend the Zoning Map and to amend the Lakeville PCD; separately, the Planning Commission may approve, deny, or modify the Site Plan and Architectural Review application.

**FOR MORE INFORMATION:** Please consider these options to learn more about the project:

**Project Manager:** Greg Powell, Principal Planner at [gpowell@cityofpetaluma.org](mailto:gpowell@cityofpetaluma.org)

**Online:** Review project information online at <https://cityofpetaluma.org/labcon-north-america/>

**In-person:** Review project information in-person at the City Hall Planning Counter located at 11 English Street, Monday through Thursday between 10 AM and 2 PM.

**HOW TO APPEAL A DECISION:** Pursuant to IZO Section 24.050.H, the applicant, or any other interested party, may appeal the Site Plan and Architectural Review decision to the City Council; the recommendation to the City Council regarding the amendments is not subject to appeal. An appeal must be filed in writing within fourteen (14) days of the date of the decision, along with the appeal fee as specified by Resolution 2010-206 N.C.S., as adopted by the City Council. For more information on how to file an appeal, visit <https://cityofpetaluma.org/question/how-to-appeal-a-review-authority-decision/> or call 707-778-4470.



**ACCESSIBILITY:** Effort will be made to accommodate persons with disabilities. Please notify the Planning Division at (707) 778-4470 or (707) 778-4480 (TDD) at least 5 days prior to this meeting date if you need special accommodations. Translators and American Sign Language interpreters will be available upon request. Advanced notice of at least 48 hours is needed to ensure the availability of translation services.

**PROJECT LOCATION MAP:**



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In and for the County of Sonoma

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1/27- 1/27/2023

I DECLARE UNDER PENALTY OF PERJURY that the foregoing is true and correct.

DATED

1/27/2023

at Petaluma, California.



This space for County clerk's Filing Stamp  
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FEB 07 2023

CITY CLERK  
Proof of Publication of

HELP US DECIDE HOW TO SPEND ANNUAL COMMUNITY  
DEVELOPMENT BLOCK GRANT TO SUPPORT PETALUMA'S  
LOW-INCOME RESIDENTS

The City is embarking on a process to decide how to spend funds that are provided by the Federal Government (called Community Development Block Grant Funds, CDBG) to support low and very low-income residents in Petaluma. The city estimates there will be approximately \$330,000 available for the 23-24 program year. The first part of the process is to hear from the community about how the City might use the funds. The second part of the process is to accept requests from local non-profits to fund programs that help low and very low-income residents. The final part of the process is to review the applications and community input and develop a plan for the Federal funds (CDBG Plan) for next fiscal year starting July 1, 2023.

This is also a notice to let the community know that we are also seeking applications for grants of these funds.

Applications for 2023-2024 CDBG funds are due no later than 5:00P.M. on February 23, 2023. Applications must be submitted via the [www.citydataservices.net](http://www.citydataservices.net). If you have any immediate questions please contact Sarah Wolf, Housing Specialist at [swolf@cityofpetaluma.org](mailto:swolf@cityofpetaluma.org). For those that have existing programs, use existing credentials and go to [www.citydataservices.net](http://www.citydataservices.net) to complete your application. New applications need to go to <http://www.citydataservices.net> and enter the username: PET2023 and password PET2023. The schedule for the CDBG Plan development:

- \* Public Community Meeting/Technical Assistance Workshop - February 9, 2023, 11am
- \* Applications for grants deadline - February 23, 2023, 5pm
- \* Draft CDBG Plan out for community review - March 2, 2023 - April 3, 2023
- \* City Council Public Hearing - April 3, 2023, 6:30pm

These meetings will now be held in-person and virtually. For more information on how to participate in these meetings and how to apply, visit <http://www.cityofpetaluma.org/cdbg2023>. For additional assistance you can also contact the project manager Sarah Wolf, Housing Specialist at [swolf@cityofpetaluma.org](mailto:swolf@cityofpetaluma.org).

153451 - Pub Jan 27, 2023

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Petaluma Argus-Courier

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OF THE

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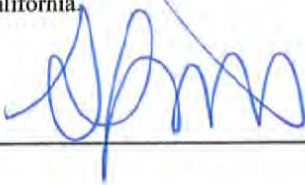
1/27 - 1/27/2023

I DECLARE UNDER PENALTY OF PERJURY that the foregoing is true and correct.

DATED

1/27/2023

at Petaluma, California.




CITY OF PETALUMA

## NOTICE OF CITY COUNCIL PUBLIC HEARING

ZONING MAP &  
PLANNED COMMUNITY DEVELOPMENT AMENDMENTS

PROJECT NAME: Labcon North America Expansion Project  
PROJECT ADDRESS: 3200 Lakeville Highway & 1677 Fisher Drive, Petaluma

CITY RECORD NUMBERS: PLZA-2022-0005

APPLICANT: Greg LeDoux, on the behalf of Labcon North America

**PROJECT DESCRIPTION:** City Council review (First Reading) of proposed zoning amendments involving a 6.51-acre portion of a 16.34-acre site at 3200 Lakeville Highway & 1677 Fisher Drive to (1) Amend the Zoning Map to change the zoning designation from Planned Community District (PCD) to Business Park (BP); and (2) Amend the Lakeville Business Park PCD to remove all references to the portion of the site within the Lakeville Business Park PCD. These amendments are proposed to apply a single zone, BP, across the entire Labcon North America campus. The Lakeville Business Park PCD will otherwise remain as approved by City Council Resolution 2016-173. No change to the General Plan is required.

**CALIFORNIA ENVIRONMENTAL QUALITY ACT:** Pursuant to CEQA Section 15183, a streamlined environmental review process was completed and found that the project is consistent with the Petaluma General Plan 2025 for which an EIR was certified, and no project-specific significant environmental effects were identified. Additionally, the project is subject to all required mitigations contained in the certified EIR.

**MEETING DATE AND TIME:** Monday, February 06, 2023, at or after 6:30 PM

**MEETING LOCATION:** Pursuant to the provisions of Assembly Bill 361, City Council meetings are currently being held by virtual teleconference as well as in-person. Teleconference login information and instructions on how to participate and provide public comment for virtual meetings are available in each specific meeting agenda.

While attending this meeting, consistent with CDC guidelines, participants are encouraged to practice hand hygiene, "social distancing", and wear face coverings to reduce the risks of exposure to COVID-19. The City cannot guarantee that its participants, volunteers, partners, or others in attendance will not become infected with COVID-19.

**HOW TO OBSERVE AND PARTICIPATE:** Members of the Public may participate and provide public comments as follows:

- Written public comments may be submitted by email to [cityclerk@cityofpetaluma.org](mailto:cityclerk@cityofpetaluma.org) up to 2 hours prior to the meeting start (February 6, 2023, by 4:30 pm). These public comments will be provided to the City Council and uploaded onto the City's website in advance of the meeting.
- Oral public comments will be accepted through the teleconference meeting or in person:
  - o Attend In-Person: Petaluma City Council Chambers located at 11 English Street, Petaluma, CA. Please fill out a speaker card for each item you wish to speak on, and place in the speaker card box next to the Zoom moderator.
  - o Attend Virtually via Zoom: <https://us06web.zoom.us/j/86268132321> (use raise hand feature to speak)
  - o Call-In via Telephone: 1-669-444-9171 Meeting ID: 862 6813 2321 (dial '9 to raise hand to speak)
- All City Council meetings are televised via Petaluma Community Access broadcasts on Comcast and Petaluma's local channels 26, 27, and 28. With AT&T U-Verse, PCA's channels are accessible through channel 089. Local channels are not currently available on Satellite/DISH Networks.

**WHAT WILL HAPPEN:** The City Council will consider all public testimony and decide whether to adopt the proposed amendments.

**FOR MORE INFORMATION:** Please consider these options to learn more about the project:

Project Manager: Greg Powell, Principal Planner at [gpowell@cityof-petaluma.org](mailto:gpowell@cityof-petaluma.org)  
Online: Review project information online at <https://cityofpetaluma.org/labcon-north-america/>  
In-person: Review project information in person at the City Hall Planning Counter located at 11 English Street, Monday through Thursday between 10 AM and 2 PM.

**ACCESSIBILITY:** Efforts will be made to accommodate persons with disabilities. Please notify the City Manager's office at (707) 778-4345 at least 5 days prior to this meeting date if you need special accommodations. Translators and American Sign Language interpreters will be available upon request. Advanced notice of at least 48 hours is needed to ensure the availability of translation services.

**PROJECT LOCATION MAP:**



Project Site

A spreadsheet titled “Copy of Petaluma SFR Suites address non-owner occ” was received by Korin Robles, Property Manager at Mahoney Davison Co. and has been uploaded to the City of Petaluma website. A link to the document is included below.

This information was uploaded to our site as received. The information has not been verified by the City.

|   |       |
|---|-------|
| Copy of Petaluma SFR Suites address non-owner occ | Korin |
|---|-------|



A spreadsheet titled “A Statewide Analysis of Just Cause Protections” was received by Legal Aid and has been uploaded to the City of Petaluma website. A link to the document is included below.

This information was uploaded to our site as received. The information has not been verified by the City.

|  |           |
|--|-----------|
| <a href="#">A Statewide Analysis of Just Cause Protections</a> | Legal Aid |
|--|-----------|

| HOUSEHOLDS AND FAMILIES  |  | United States®<br><b>Census</b><br>Bureau |
|--|--|---|
| <b>Note:</b> The table shown may have been modified by user selections. Some information may be missing. |  |   |
| <b>DATA NOTES</b>  |  |   |
| TABLE ID:  | S1101  |   |
| SURVEY/PROGRAM:  | American Community Survey  |   |
| VINTAGE:   | 2021   |   |
| DATASET:   | ACSST5Y2021  |   |
| PRODUCT:   | ACS 5-Year Estimates Subject Tables  |   |
| UNIVERSE:  | None   |   |
| FTP URL:   | None   |   |
| API URL:   | <a href="https://api.census.gov/data/2021/acs/acs5/subject">https://api.census.gov/data/2021/acs/acs5/subject</a>  |   |
| <b>USER SELECTIONS</b>   |  |   |
| TOPICS   | Housing  |   |
| GEOS   | Petaluma city, California  |   |
| <b>EXCLUDED COLUMNS</b>  | None   |   |
| <b>APPLIED FILTERS</b>   | None   |   |
| <b>APPLIED SORTS</b>   | None   |   |
| <b>PIVOT &amp; GROUPING</b>  |  |   |
| PIVOT COLUMNS  | None   |   |
| PIVOT MODE   | Off  |   |
| ROW GROUPS   | None   |   |
| VALUE COLUMNS  | None   |   |
| <b>WEB ADDRESS</b>   | <a href="https://data.census.gov/table?q=housing+in+Petaluma+city,+California&amp;tid=ACSST5Y2021.S1101">https://data.census.gov/table?q=housing+in+Petaluma+city,+California&amp;tid=ACSST5Y2021.S1101</a>  |   |
| <b>TABLE NOTES</b>   | <p>Although the American Community Survey (ACS) produces population, demographic and housing unit estimates, it is the Census Bureau's Population Estimates Program that produces and disseminates the official estimates of the population for the nation, states, counties, cities, and towns and estimates of housing units for states and counties.</p> <p>Supporting documentation on code lists, subject definitions, data accuracy, and statistical testing can be found on the American Community Survey website in the Technical Documentation section.</p> <p>Sample size and data quality measures (including coverage rates, allocation rates, and response rates) can be found on the American Community Survey website in the Methodology section.</p> <p>Source: U.S. Census Bureau, 2017-2021 American Community Survey 5-Year Estimates</p> <p>Data are based on a sample and are subject to sampling variability. The degree of uncertainty for an estimate arising from sampling variability is represented through the use of a margin of error. The value shown here is the 90 percent margin of error. The margin of error can be interpreted roughly as providing a 90 percent probability that the interval defined by the estimate minus the margin of error and the estimate plus the margin of error (the lower and upper confidence bounds) contains the true value. In addition to sampling variability, the ACS estimates are subject to nonsampling error (for a discussion of nonsampling variability, see ACS Technical Documentation). The effect of nonsampling error is not</p> <p>Average family size is derived by dividing the number of related people in households by the number of family households.</p> <p>Housing unit weight is used throughout this table (only exception is the average household and family size cells).</p> <p>The 2017-2021 American Community Survey (ACS) data generally reflect the March 2020 Office of Management and Budget (OMB) delineations of metropolitan and micropolitan statistical areas. In certain instances, the names, codes, and boundaries of the principal cities shown in ACS tables may differ from the OMB delineation lists due to differences in the</p> <p>Estimates of urban and rural populations, housing units, and characteristics reflect boundaries of urban areas defined based on Census 2010 data. As a result, data for urban and rural areas from the ACS do not necessarily reflect the results of</p> <p>Explanation of Symbols:- The estimate could not be computed because there were an insufficient number of sample observations. For a ratio of medians estimate, one or both of the median estimates falls in the lowest interval or highest interval of an open-ended distribution. For a 5-year median estimate, the margin of error associated with a median was larger than the median itself.N The estimate or margin of error cannot be displayed because there were an insufficient number of sample cases in the selected geographic area. (X) The estimate or margin of error is not applicable or not available.median- The median falls in the lowest interval of an open-ended distribution (for example "2,500-")median+ The median falls in the highest interval of an open-ended distribution (for example "250,000+").** The margin of error could not be computed because there were an insufficient number of sample observations.*** The margin of error could not be computed because the median falls in the lowest interval or highest interval of an open-ended distribution.***** A margin of error is not appropriate because the corresponding estimate is controlled to an independent population or housing</p> |   |
| <b>COLUMN NOTES</b>  | None   |   |

| PHYSICAL HOUSING CHARACTERISTICS FOR OCCUPIED HOUSING UNITS  |   | United States <sup>®</sup><br><b>Census</b><br>Bureau |
|--|---|---|
| <b>Note:</b> The table shown may have been modified by user selections. Some information may be missing. |   |   |
| <b>DATA NOTES</b>  |   |   |
| TABLE ID:  | S2504   |   |
| SURVEY/PROGRAM:  | American Community Survey   |   |
| VINTAGE:   | 2021  |   |
| DATASET:   | ACSST5Y2021   |   |
| PRODUCT:   | ACS 5-Year Estimates Subject Tables   |   |
| UNIVERSE:  | None  |   |
| FTP URL:   | None  |   |
| API URL:   | <a href="https://api.census.gov/data/2021/acs/acs5/subject">https://api.census.gov/data/2021/acs/acs5/subject</a>   |   |
| <b>USER SELECTIONS</b>   |   |   |
| TOPICS   | Housing   |   |
| GEOS   | Petaluma city, California   |   |
| <b>EXCLUDED COLUMNS</b>  | None  |   |
| <b>APPLIED FILTERS</b>   | None  |   |
| <b>APPLIED SORTS</b>   | None  |   |
| <b>PIVOT &amp; GROUPING</b>  |   |   |
| PIVOT COLUMNS  | None  |   |
| PIVOT MODE   | Off   |   |
| ROW GROUPS   | None  |   |
| VALUE COLUMNS  | None  |   |
| <b>WEB ADDRESS</b>   | <a href="https://data.census.gov/table?q=housing+in+Petaluma+city,+California&amp;tid=ACSST5Y2021.S2504">https://data.census.gov/table?q=housing+in+Petaluma+city,+California&amp;tid=ACSST5Y2021.S2504</a>   |   |
| <b>TABLE NOTES</b>   | <p>Although the American Community Survey (ACS) produces population, demographic and housing unit estimates, it is the Census Bureau's Population Estimates Program that produces and disseminates the official estimates of the population for the nation, states, counties, cities, and towns and estimates of housing units for states and counties.</p> <p>Supporting documentation on code lists, subject definitions, data accuracy, and statistical testing can be found on the American Community Survey website in the Technical Documentation section.</p> <p>Sample size and data quality measures (including coverage rates, allocation rates, and response rates) can be found on the American Community Survey website in the Methodology section.</p> <p>Source: U.S. Census Bureau, 2017-2021 American Community Survey 5-Year Estimates</p> <p>Data are based on a sample and are subject to sampling variability. The degree of uncertainty for an estimate arising from sampling variability is represented through the use of a margin of error. The value shown here is the 90 percent margin of error. The margin of error can be interpreted roughly as providing a 90 percent probability that the interval defined by the estimate minus the margin of error and the estimate plus the margin of error (the lower and upper confidence bounds) contains the true value. In addition to sampling variability, the ACS estimates are subject to nonsampling error (for a discussion of nonsampling variability, see ACS Technical Documentation). The effect of nonsampling error is not represented</p> <p>Telephone service data are not available for certain geographic areas due to problems with data collection of this question that occurred in 2019. Both ACS 1-year and ACS 5-year files were affected. It may take several years in the ACS 5-year files until the estimates are available for the geographic areas affected.</p> <p>The 2017-2021 American Community Survey (ACS) data generally reflect the March 2020 Office of Management and Budget (OMB) delineations of metropolitan and micropolitan statistical areas. In certain instances, the names, codes, and boundaries of the principal cities shown in ACS tables may differ from the OMB delineation lists due to differences in the effective dates</p> <p>Estimates of urban and rural populations, housing units, and characteristics reflect boundaries of urban areas defined based on Census 2010 data. As a result, data for urban and rural areas from the ACS do not necessarily reflect the results of ongoing urbanization</p> <p>Explanation of Symbols:- The estimate could not be computed because there were an insufficient number of sample observations. For a ratio of medians estimate, one or both of the median estimates falls in the lowest interval or highest interval of an open-ended distribution. For a 5-year median estimate, the margin of error associated with a median was larger than the median itself.N The estimate or margin of error cannot be displayed because there were an insufficient number of sample cases in the selected geographic area. (X) The estimate or margin of error is not applicable or not available.median- The median falls in the lowest interval of an open-ended distribution (for example "2,500-")median+ The median falls in the highest interval of an open-ended distribution (for example "250,000+").** The margin of error could not be computed because there were an insufficient number of sample observations.*** The margin of error could not be computed because the median falls in the lowest interval or highest interval of an open-ended distribution.***** A margin of error is not appropriate because the corresponding estimate is controlled to an independent population or housing</p> |   |
| <b>COLUMN NOTES</b>  | None  |   |



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## BREAKING THE FALL

SUCCESSFUL HOMELESS INTERVENTIONS IN THE COVID PANDEMIC

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DECEMBER 14, 2022 / BY DANIEL FLAMING, SETH PICKENS AND PATRICK BURNS

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#### BREAKING THE FALL – COVID INTERVENTIONS PREVENTED HOMELESSNESS

Struggling workers are either everyone's responsibility now or everyone's problem later. When poorly paid workers become jobless at the thin edge of the job market and then unable to pay rent, homeless destitution follows.

In fact, we are equipped with the tools we need to protect workers from the sharper edges of joblessness and to combat homelessness.

Recent government income and housing interventions during the Covid pandemic had demonstrable benefits in reducing the growth of homelessness. Comparisons of projected versus actual growth in Los Angeles County from 2020 to 2022 validate the benefit of these interventions.

In the 2020 Locked Out (<https://economicrt.org/publication/locked-out/>) report, we projected that the Covid recession would cause homelessness to increase 23 percent in Los Angeles, 17 percent in California and 14 percent in the United States from 2020 to 2022. Despite some observable increases in homelessness, increases on this scale did not occur.

This report offers three types of analysis to identify what curtailed homeless growth. First, the homeless count is re-analyzed for accuracy. Estimates for both the 2020 and 2022 counts are adjusted, based on sampling and other observed problems with these counts. Next, encounters between homeless individuals and government institutions are analyzed to understand the trajectory of homelessness during the pandemic. Then, the successful impacts of government interventions are identified.

We conclude by projecting the growth in homelessness if there is a recession in 2023, and recommending steps for curtailing this growth.

#### CORRECTION OF THE 2020 AND 2022 HOMELESS COUNTS

The evidence that the public saw through car windows and that was reported from every metropolitan region in California, except Los Angeles, was that homelessness increased over the two years of the Covid pandemic. However, the 2022 the Los Angeles Continuum of Care (LAHSA) count suggested a different trend, specifically that that unsheltered homeless declined 0.5 percent from 2020 to 2022. Because this appeared implausible, both the 2020 and 2022 counts were re-analyzed.

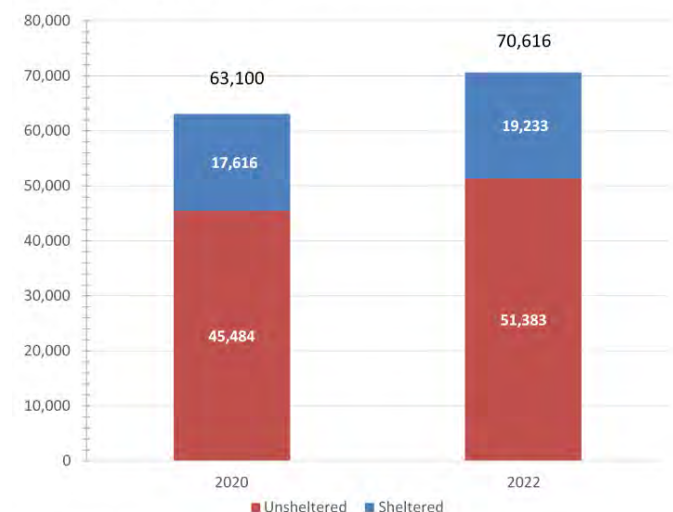
The corrected 2020 estimate is that the number of unsheltered homeless residents was 1.3 percent smaller than had been estimated by LAHSA, and the unsheltered population in 2022 was 13 percent larger than in 2020.

When the unsheltered population is combined with the sheltered population, which did not require correction, the new estimate of 70,616 total homeless individuals in LAHSA's continuum of care in 2022 is 11.9 percent larger than the corrected estimate of 63,100 homeless persons in 2020.

#### CURTAILMENT OF HOMELESS GROWTH

Overall, it appears that government income and housing interventions during the Covid pandemic reduced the forecasted growth of homelessness by 43 percent in Los Angeles County and 41 percent in California. We estimated that the same reduction in homelessness achieved in California was achieved across the United States.

Figure 10: Corrected Estimates of the Point-in-Time Homeless Population in LAHSA's Continuum of Care, 2020 and 2022

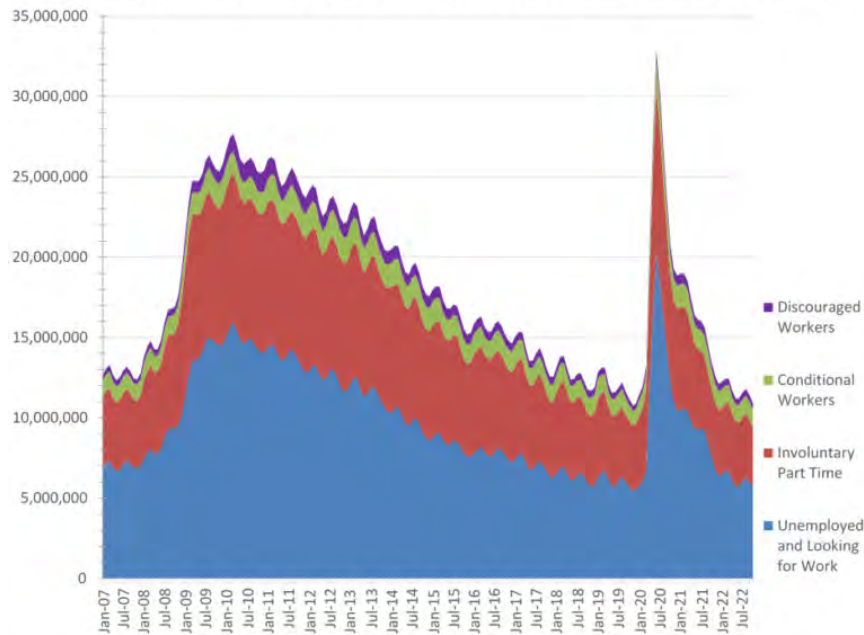


Source: Economic Roundtable analysis and recomputation of Los Angeles Homeless Services Authority data.

The growth in homelessness that we projected in 2020 was based on the ratio of growth in unemployment to growth in homelessness found in Los Angeles, California and the United States in the 2008 recession. We applied these ratios to the number of workers who became unemployed in the Covid pandemic to make our projections.

These pessimistic but solidly grounded projections did not materialize. This success in curtailing the growth of homelessness is attributable to government interventions.

Figure 13: Monthly Under-Employment in the United States Labor Force, 3-month moving average, 2007 to 2022



Source: U.S. Census Bureau, Current Population Survey, Basic Monthly Records. All workers are shown, January 2007 through October 2022.

longer.

Economic homelessness emerges from jobs lost at the thin edge of the labor market, when jobless workers become destitute and are unable to pay rent. The highest rates of precarious housing were among workers with limited education, single parents, Latinos and African Americans. The rates of precarious housing among low-income workers in these groups is twice as high as the total population based on ethnicity, three times as high based on household structure, and four times as high based on education.

### CUSHIONING UNEMPLOYED WORKERS FROM THE SHARPER EDGES OF JOBLESSNESS

Even when institutions fail to help homeless individuals escape homelessness, the record of those encounters exposes the contours and trajectory of homelessness. Records during the Covid pandemic are available for hospital care of homeless patients in California and Los Angeles, homeless deaths, arrests, encampment sweeps, and cash aid in Los Angeles. These records shed light on the course of homelessness during the pandemic as well as institutional practices that ameliorated, and in some cases worsened, homelessness.

Hospitals have become a primary institutional touch point for homeless individuals. The number of homeless inpatients reported by hospitals is 900 times larger now than it was 30 years ago. The primary medical diagnosis for inpatients is a psychotic mental disorder. Not surprisingly, these conditions emerge and become more acute over the course of extended homelessness. This is a compelling reason for providing earlier, more effective interventions to identify and help individuals who are likely to become persistently homeless.

### UNDER-EMPLOYMENT AND HOUSING DESPERATION

To solve the employment upheavals that cause homelessness we have to resist the lure of simple thinking. Instead of looking just at people who are homeless now, we must pay attention to those coming down the tracks – precariously housed workers losing jobs and falling into destitution.

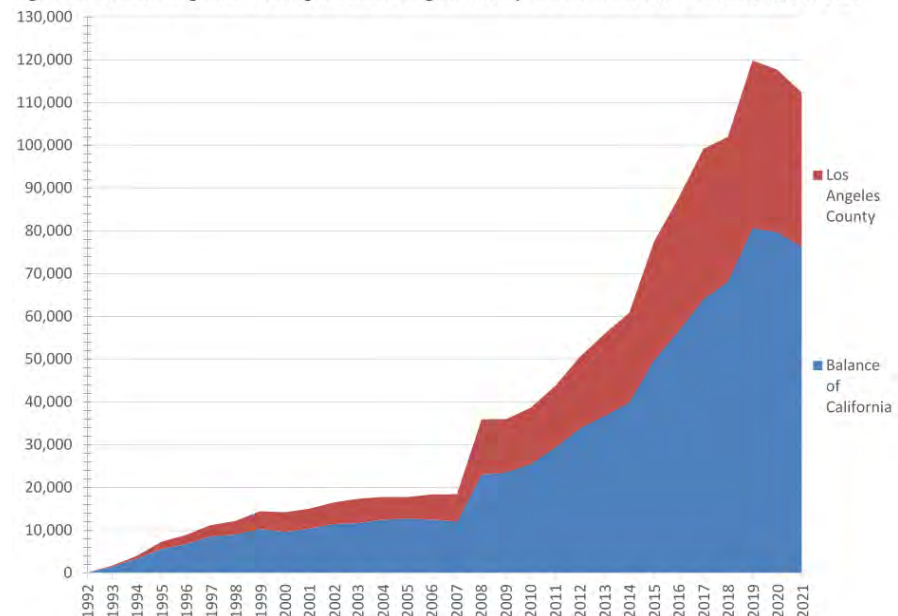
*We must learn to value the homelessness that we prevent and do not see, rather than responding just to those who we have failed and see before us on the street.*

We need to understand the magnitude of unemployment, the attributes of jobless workers, and become capable of identifying those who are most precariously housed and threatened by homelessness.

In the first two months of the Covid pandemic, Los Angeles County lost 17 percent of its jobs, California lost 15 percent and the United States lost 13 percent.

This abrupt decimation of jobs was unlike any other recession. In the Great Recession of 2008, it took Los Angeles 21 months to lose 10 percent of its jobs – a smaller job loss in a time window that was five times

Figure 21: Homeless Inpatients at Hospitals in Los Angeles County and the Balance of California, 1992 to 2021



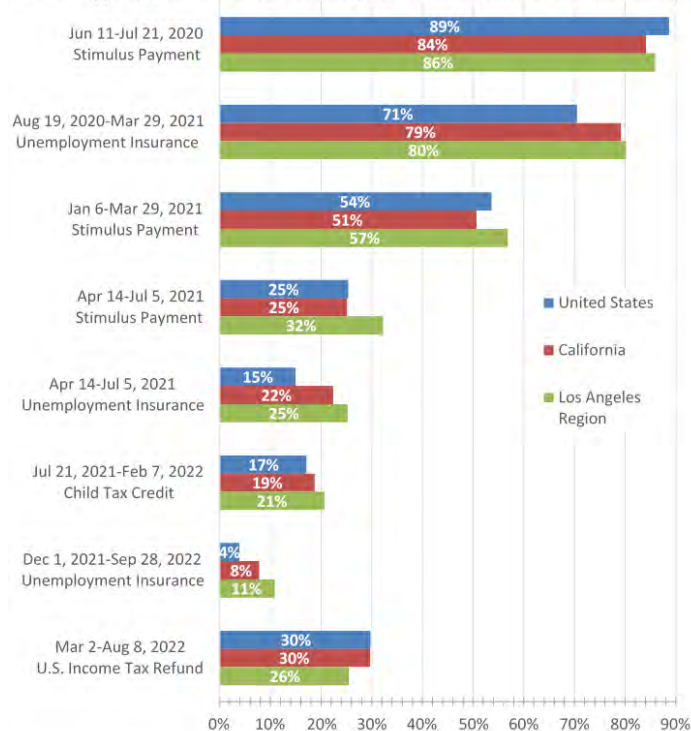
Source: California Department of Health Care Access and Information, formerly OSHPD

There was a 56 percent increase in deaths among homeless individuals during the first year of the pandemic. This includes a 78 percent increase in deaths from drug overdoses. These are deaths of despair and evidence of the damaging effect of social isolation during the pandemic.

The number of calls from Los Angeles residents asking the city to clean up homeless encampments increased by 60 per month after the onset of Covid. The most likely explanation for the increase is that the number of unsheltered dwellings increased. The long-term ineffectiveness of dispossessing and dislocating unsheltered homeless individuals speaks to the need for both more housing and more sustaining sources of income.

The County of Los Angeles terminated 28,435 individuals from the General Relief caseload at the height of unemployment during the Covid pandemic. This action appears to have been driven by an arbitrary administrative decision rather than lack of eligibility and is likely to have caused greater hardship among homeless recipients.

**Figure 30: Percent of Unemployed Adults with Household Incomes <\$25,000 Receiving Income Support, based on the Dates when Questions Were Asked in the Pulse Survey**



Source: U.S. Census Bureau, Household Pulse Survey.

restore the human spirit and connect high-risk unemployed workers with jobs can be effective. The resource library (<https://economicrt.org/publication/predictive-screening-for-unemployed-workers/>) from this project is placing the predictive screening tools, the curriculum and lesson material in the public domain.

## BREAKING THE FALL NEXT TIME

Eviction moratoriums and cash payments kept households and workers intact during the Covid pandemic. These two interventions worked.

The truly obvious and massive problem that causes homelessness in recessions is lack of employment. To solve homelessness, we need a searching, open and good faith dialogue about restorative economic justice and jobs.

*The true answer to homelessness is that we must do a better job correcting our nation's structural social and economic inequities.*

Re-employment is a third, crucial intervention. This strategy has been under-utilized and should be a primary tool for combatting homelessness among low-income, high risk and unemployed workers.

A mild recession in 2023 appears to be a strong possibility, caused by increases in interest rates by the Federal Reserve Bank.

If there is a recession in 2023, we project that unemployment in the United States will increase from 3.7 percent now to 5.25 percent. This level of unemployment would cause an estimated 7,040 individuals who meet HUD's definition of "sleeping in a place not meant for human habitation" to become homeless in Los Angeles County over the coming four years.

They are projected to be accompanied by a total of 20,560 individuals in California and 61,810 in the United States who also will be sleeping in places not meant for human habitation.

We can apply five important lessons about the 2020 interventions to replicate and improve on our most successful measures for closing the pipeline from unemployment to homelessness.

## INTERVENTIONS

Housing and income interventions during the Covid recession and the ensuing wave of unemployment reduced the growth of homelessness by almost half and can provide the same protection in future recessions. Scaling-up re-employment interventions for high-risk unemployed workers would further reduce homeless risks.

The moratoriums on eviction provided the greatest protection against homelessness, reducing the number of evictions nationwide by half, and providing even stronger protections in California and Los Angeles.

Cash income from unemployment insurance and stimulus payments provided parallel support for most unemployed, low-income workers until mid-2021. These payments forestalled destitution and reduced the risk of homelessness.

Roughly one-fifth of vulnerable workers benefited from the expanded child tax credit, and a small fraction of the labor force benefited from rent relief and the Paycheck Protection Program.

The homeless housing system provided minimal support, with the exception of a large increase in emergency shelter beds in most California counties, except for Los Angeles, which reported almost no increase in the number of occupied shelter beds.

Re-employment interventions were almost nonexistent, even though unemployment caused the economic crisis. Re-employment of homeless workers calls for rebuilding hope and purpose to open a path for achieving their productive potential.

For example, the Realization Project (<https://economicrt.org/current-projects/realization-project/>) is demonstrating how interventions that both



## FIRST, DO NOT RELY ON THE HOMELESS SERVICES SYSTEM TO PREVENT HOMELESSNESS

The homeless social services and housing system is largely reactive rather than preventative in addressing homelessness. Furthermore, the system does not have adequate resources to ensure incomes and housing for all unemployed workers at risk of homelessness. It is the responsibility of mainstream public systems to provide income support and protect housing.

## SECOND, KEEP PEOPLE HOUSED – PREVENT EVICTIONS

Eviction moratoriums appear to have been the most effective intervention in preventing housing displacement and homelessness. Tools for keeping vulnerable workers in housing include ordinances that prohibit evictions, legal assistance for households facing eviction, and income supports that enable households to pay rent.

## THIRD, MONEY – MAINTAIN INCOMES

Income is the most essential tool for keeping workers housed. This can be provided in the form of cash aid, rent assistance or earned income.

## FOURTH, WORK – RECONNECT WORKERS WITH JOBS

The workers who are most vulnerable to homelessness are also likely to have the greatest difficulty becoming re-employed. Paying for housing with earned income meets the essential interests of both workers and the public. Reconnecting workers with jobs may require hands-on assistance in finding employment along with restorative justice support for inner healing to overcome trauma.

## FIFTH, TARGET INTERVENTIONS ON HIGH-NEED WORKERS – USE SMART DATA

Interventions should selectively target unemployed workers who are most vulnerable to becoming homeless. The society-wide interventions during the Covid pandemic were one-time events in response to a national trauma. Funding will not be available to replicate income and housing interventions on this scale. However, interventions for preventing homelessness were tested and validated during the Covid pandemic and can be more narrowly targeted based on the scale of available federal, state and local funding.

Predictive analytic screening tools such as those used in the Realization Project (<https://economicrt.org/current-projects/realization-project/>) are in the public domain (<https://economicrt.org/publication/predictive-screening-for-unemployed-workers/>). They can accurately identify unemployed workers who are likely to become persistently homeless. These tools should be used to target cost-effective interventions that lead to productive re-employment rather than persistent homelessness.

## IMPROVE THE ACCURACY AND RELIABILITY OF THE HOMELESS COUNT

We do not know where we are or where we are going without a map. It is the job of the homeless count to provide a map of homelessness, however this effort in Los Angeles County was flawed and unreliable in 2022.

Recommendations for improving the accuracy and reliability of the count for understanding and combating homelessness include:

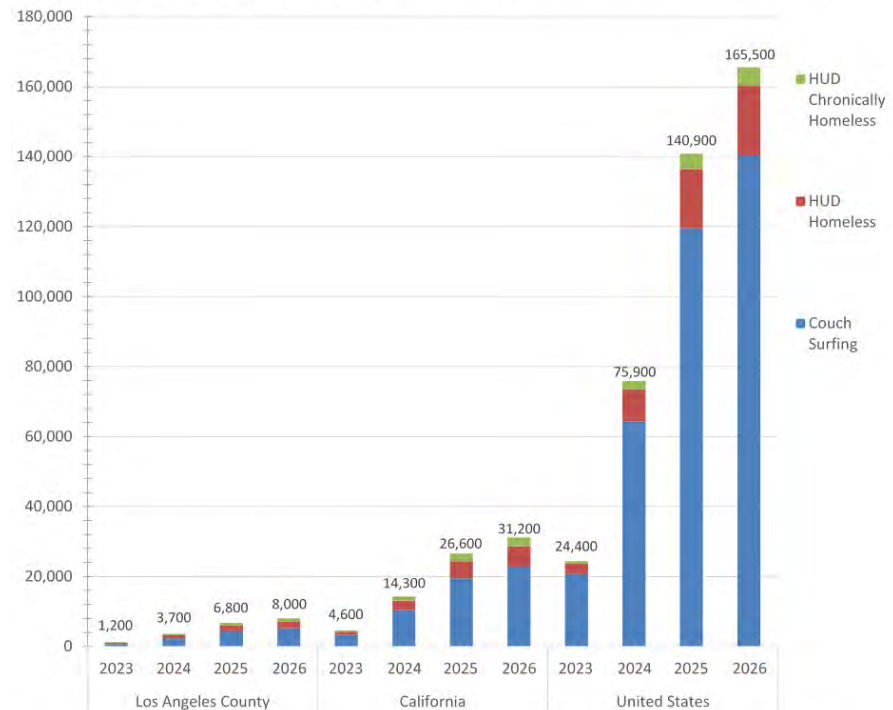
### *Establish a more independent and reliable count process*

1. Establish a peer-review process for the homeless count before it is released to obtain expert and independent assessments of the reliability of the count and recommendations for improving the analysis of data before the final count is released.
2. Give the research organization working with the homeless count a fully independent voice, including independence in releasing data, research findings and recommendations regarding the count.
3. Assess whether the comprehensive information for individuals receiving homeless services and housing provides a more reliable population profile than the demographic survey and should have a role in describing the street population in addition to the sheltered population.

### *Improved specific count practices*

4. Conduct the demographic survey as a uniformly random component of the street count rather than as an activity that is disconnected in time and space.

**Figure 31: Estimated Additional Unemployed Workers Experiencing Some Type of Homelessness Each Year, if there is a Recession in 2023, Broken out by Type of Homelessness**



Sources: Homeless projections are derived from model for Covid recession in 2020 (see *Locked Out, Economic Roundtable, 2021*), using *Current Population Survey* basic monthly data, administrative records of Los Angeles County public assistance recipients who became homeless, (see *Early Intervention to Prevent Persistent Homelessness: Predictive Models for Identifying Unemployed Workers and Young Adults who become Persistently Homeless, Economic Roundtable, 2019*), and unemployment estimates by Eric Rosengren, former president of the Federal Reserve Bank of Boston.

5. Increase the number of families with children that are reached by the demographic survey to provide samples of at least 100 for subgroups that are used in producing demographic estimates.

6. Make it a primary goal of the count to calibrate year-to-year comparability in population estimates and to identify likely causes for shifts in the number or composition of the homeless population.

7. Improve the reliability of the count by identifying, quantifying and correcting undercounts. This includes conducting surveys at homeless provider locations in the days following the count using a questionnaire designed to determine whether homeless respondents were included in the count.

*Use information from the demographic survey to improve homeless outcomes*

8. Encourage independent research using information from the demographic survey that is operationally important for combating homelessness, for example, barriers to employment, health conditions, justice system involvement, and needed services.

## Press Coverage

LA City Council to expand tenant protections with expected start in February (<https://dailybruin.com/2023/01/27/la-city-council-to-expand-tenant-protections-with-expected-start-in-february>)

By Sharla Steinman, *Daily Bruin* (January 27, 2023)

LA's Homeless Count Underway, After Being Criticized for Methodology, Possible Undercounts Last Year ([https://www.theepochtimes.com/las-homeless-count-underway-after-being-criticized-for-methodology-possible-undercounts-last-year\\_5011342.html](https://www.theepochtimes.com/las-homeless-count-underway-after-being-criticized-for-methodology-possible-undercounts-last-year_5011342.html))

By Jamie Joseph, *The Epoch Times* (January 25, 2023)

LA County supervisors extend eviction moratorium to end of March (<https://lbpost.com/news/la-county-supervisors-extend-eviction-moratorium-to-end-of-march>)

By Jason Ruiz, *Long Beach Post* (January 24, 2023)

With An Audit Looming, LA's Homeless Count Moves Forward This Week (<https://laist.com/news/housing-homelessness/with-an-audit-looming-in-the-background-las-homeless-count-moves-forward>)

By Julia Barajas, *LAist* (January 23, 2023)

Editorial: L.A.'s eviction moratorium will end, but tenant protections should continue ([https://www.latimes.com/opinion/story/2023-01-10/eviction-moratorium-tenant-protections?utm\\_id=82519&sfmc\\_id=2395661](https://www.latimes.com/opinion/story/2023-01-10/eviction-moratorium-tenant-protections?utm_id=82519&sfmc_id=2395661))

By the Times Editorial Board, *Los Angeles Times* (January 10, 2023)

As LA's COVID tenant protections expire, some fear eviction wave (<https://heysocal.com/2023/01/05/as-las-covid-tenant-protections-expire-some-fear-eviction-wave/>)

By Eric He, *HEY SOCAL* (January 5, 2023)

New Study Shows Government Aid Prevented More Homelessness (<https://invisiblepeople.tv/new-study-shows-government-aid-prevented-more-homelessness/>)

By Robert Davis, *Invisible People* (January 3, 2023)

'Nowhere close': LA accused of fudging homelessness numbers (<https://www.bizpacreview.com/2022/12/24/nowhere-close-la-accused-of-fudging-homelessness-numbers-1319562/>)

By Kevin Haggerty, *American Wire News Service* (December 24, 2022)

Los Angeles County Follows City, Extends COVID-Era Eviction Moratorium ([https://www.theepochtimes.com/los-angeles-county-follows-city-extends-covid-era-eviction-moratorium\\_4944426.html](https://www.theepochtimes.com/los-angeles-county-follows-city-extends-covid-era-eviction-moratorium_4944426.html))

By Jill McLaughlin, *The Epoch Times* (December 24, 2022)

Pandemic eviction protections, direct payments kept homelessness in check, study shows (<https://www.latimes.com/california/story/2022-12-15/eviction-protections-and-relief-checks-kept-homelessness-in-check-during-the-pandemic-a-new-study-found>)

By Doug Smith, *Los Angeles Times* (December 15, 2022)

Ayuda del gobierno evitó que la indigencia aumentara un 23% en Los Ángeles (<https://laopinion.com/2022/12/15/ayuda-del-gobierno-evito-que-la-indigencia-aumentara-un-23-en-los-angeles/>)

By Jacqueline García, *La Opinión* (December 15, 2022)

250,000 Unemployed U.S. Workers Were Saved From Homelessness By Government Help In The COVID-19 Recession

(<https://www.randomlengthsnews.com/archives/2022/12/19/workers-were-saved-from-homelessness/42887>)

By *Random Lengths News*, (December 19, 2022)

Pandemic resolutions for the new year (and beyond) (<https://www.latimes.com/science/newsletter/2022-12-20/pandemic-resolutions-inb-coronavirus-today>)

By Karen Kaplan, *Los Angeles Times* (December 20, 2022)

New Report Finds LA's Homelessness Crisis Was Curbed By Government Economic Assistance (<https://www.kpcc.org/show/airtalk/2022-12-15/how-the-breakdown-in-us-mexico-relations-exacerbated-the-fentanyl-crisis>)

By Larry Mantle, *Air Talk, KPCC* (December 15, 2022)

Eviction protections, payments kept homelessness in check in L.A., study shows (<https://ustimespost.com/eviction-protections-payments-kept-homelessness-in-check-in-l-a-study-shows/>)

By Alley Einstein, *US Times Post* (December 15, 2022)

Executive order from Mayor Bass aims to speed approval of affordable housing (<https://la.urbanize.city/post/executive-order-mayor-bass-aims-speed-approval-affordable-housing>)

By Steven Sharp, *Urbanize* (December 19, 2022)

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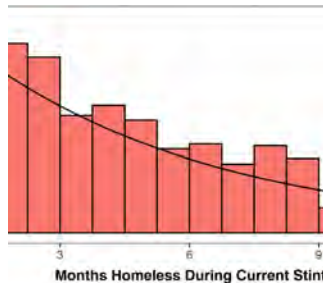
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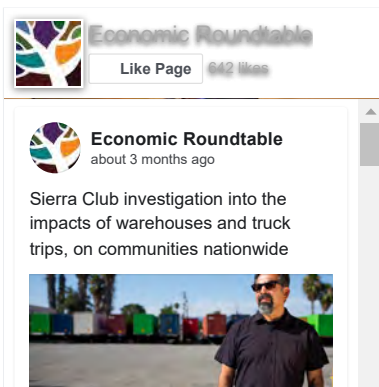
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## Petaluma Evictions 2013-2022

|   |            |   |               |                                   |               |
|---|------------|---|---------------|-----------------------------------|---------------|
| total evictions 2013-2022   | 425        |   | avg % UD's/mo | 0.05%                             |               |
| average number UD's/yr, 2013-2022   | 42.5       |   | avg % UD's/yr | 0.55%                             |               |
|   |            |   |               |                                   |               |
| Year in Total   | Total UD's | Avg #rental units                             | Annual % UD's | % Above/Below 42.5 annual average |               |
| 2013 total  | 57         | 6869  | 0.83%         | 28.4%                             | above average |
| 2014 total  | 46         | 7129  | 0.65%         | 10.0%                             | above average |
| 2015 total  | 52         | 7389  | 0.70%         | 15.82%                            | above average |
| 2016 total  | 51         | 7649  | 0.67%         | 12.12%                            | above average |
| 2017 total  | 63         | 7909  | 0.80%         | 25.10%                            | above average |
| 2018 total  | 36         | 8169  | 0.44%         | -10.48%                           | below average |
| 2019 total  | 54         | 8429  | 0.64%         | 9.51%                             | above average |
| 2020 total  | 12         | 8689  | 0.14%         | -40.74%                           | below average |
| 2021 total  | 23         | 8949  | 0.26%         | -28.85%                           | below average |
| 2022 total  | 31         | 9209  | 0.34%         | -20.89%                           | below average |
|   |            |   |               |                                   |               |
| total Petaluma housing units 2020   | 24,067     | US census                                     |               |                                   |               |
| owner occupied housing rate 2021  | 63.40%     | US census                                     |               |                                   |               |
| rental percentage 2021  | 36.60%     | extrapolated from available data              |               |                                   |               |
| total Petaluma rental units, YE 2020 appx   | 8,808      | extrapolated from available data              |               |                                   |               |
| Petaluma housing growth, units per year   | 260        | per city website General plan housing element |               |                                   |               |
| Petaluma housing growth, units per month  | 21.66      | extrapolated from available data              |               |                                   |               |
| annual change in housing, 2013-2022 appx  | 1-2%       | extrapolated from available data              |               |                                   |               |
| total Petaluma rental units, YE 2022 appx   | 9,328      | extrapolated from available data              |               |                                   |               |
| 2021 Sonoma County UD's as % of population  | 1.96%      | Calmatters                                    |               |                                   |               |
| 2021 California UD's as % of population   | 4%         | Advisorsmith, from US Census                  |               |                                   |               |
|   |            |   |               |                                   |               |
| <a href="https://data.census.gov/all?q=housing+petaluma+ca">https://data.census.gov/all?q=housing+petaluma+ca</a>   |            |   |               |                                   |               |
| <a href="https://www.census.gov/quickfacts/petalumacitycalifornia">https://www.census.gov/quickfacts/petalumacitycalifornia</a>   |            |   |               |                                   |               |
| <a href="https://www.planpetaluma.org/the-city-of-petaluma-1">https://www.planpetaluma.org/the-city-of-petaluma-1</a>   |            |   |               |                                   |               |
| <a href="https://calmatters.org/housing/2021/07/california-eviction-moratorium-tenants/">https://calmatters.org/housing/2021/07/california-eviction-moratorium-tenants/</a>           |            |   |               |                                   |               |
| <a href="https://advisorsmith.com/data/states-where-renters-are-at-highest-risk-of-eviction/">https://advisorsmith.com/data/states-where-renters-are-at-highest-risk-of-eviction/</a> |            |   |               |                                   |               |

## Petaluma Evictions 2013-2022

| Month/year     | # UD's | # rental units | UD's as % of units | Month/year     | # UD's | # rental units | UD's as % of units |
|----------------|--------|----------------|--------------------|----------------|--------|----------------|--------------------|
| January 2013   | 3      | 6750           | 0.04%              | January 2016   | 7      | 7530           | 0.09%              |
| February 2013  | 6      | 6772           | 0.09%              | February 2016  | 4      | 7552           | 0.05%              |
| March 2013     | 1      | 6793           | 0.01%              | March 2016     | 3      | 7573           | 0.04%              |
| April 2013     | 9      | 6815           | 0.13%              | April 2016     | 5      | 7595           | 0.07%              |
| May 2013       | 4      | 6837           | 0.06%              | May 2016       | 5      | 7617           | 0.07%              |
| June 2013      | 8      | 6858           | 0.12%              | June 2016      | 4      | 7638           | 0.05%              |
| July 2013      | 4      | 6880           | 0.06%              | July 2016      | 4      | 7660           | 0.05%              |
| August 2013    | 5      | 6902           | 0.07%              | August 2016    | 4      | 7682           | 0.05%              |
| September 2013 | 2      | 6923           | 0.03%              | September 2016 | 6      | 7703           | 0.08%              |
| October 2013   | 3      | 6945           | 0.04%              | October 2016   | 3      | 7725           | 0.04%              |
| November 2013  | 6      | 6967           | 0.09%              | November 2016  | 4      | 7747           | 0.05%              |
| December 2013  | 6      | 6988           | 0.09%              | December 2016  | 2      | 7768           | 0.03%              |
| January 2014   | 4      | 7010           | 0.06%              | January 2017   | 8      | 7790           | 0.10%              |
| February 2014  | 6      | 7031           | 0.09%              | February 2017  | 7      | 7811           | 0.09%              |
| March 2014     | 3      | 7053           | 0.04%              | March 2017     | 3      | 7833           | 0.04%              |
| April 2014     | 3      | 7075           | 0.04%              | April 2017     | 10     | 7855           | 0.13%              |
| May 2014       | 3      | 7096           | 0.04%              | May 2017       | 6      | 7876           | 0.08%              |
| June 2014      | 2      | 7118           | 0.03%              | June 2017      | 4      | 7898           | 0.05%              |
| July 2014      | 2      | 7140           | 0.03%              | July 2017      | 4      | 7920           | 0.05%              |
| August 2014    | 5      | 7161           | 0.07%              | August 2017    | 11     | 7941           | 0.14%              |
| September 2014 | 3      | 7183           | 0.04%              | September 2017 | 2      | 7963           | 0.03%              |
| October 2014   | 8      | 7205           | 0.11%              | October 2017   | 4      | 7985           | 0.05%              |
| November 2014  | 4      | 7226           | 0.06%              | November 2017  | 1      | 8006           | 0.01%              |
| December 2014  | 3      | 7248           | 0.04%              | December 2017  | 3      | 8028           | 0.04%              |
| January 2015   | 7      | 7270           | 0.10%              | January 2018   | 5      | 8050           | 0.06%              |
| February 2015  | 1      | 7291           | 0.01%              | February 2018  | 5      | 8071           | 0.06%              |
| March 2015     | 10     | 7313           | 0.14%              | March 2018     | 6      | 8093           | 0.07%              |
| April 2015     | 3      | 7335           | 0.04%              | April 2018     | 0      | 8115           | 0.00%              |
| May 2015       | 0      | 7356           | 0.00%              | May 2018       | 7      | 8136           | 0.09%              |
| June 2015      | 3      | 7378           | 0.04%              | June 2018      | 2      | 8158           | 0.02%              |
| July 2015      | 4      | 7400           | 0.05%              | July 2018      | 2      | 8180           | 0.02%              |
| August 2015    | 7      | 7421           | 0.09%              | August 2018    | 4      | 8201           | 0.05%              |
| September 2015 | 6      | 7443           | 0.08%              | September 2018 | 2      | 8223           | 0.02%              |
| October 2015   | 6      | 7465           | 0.08%              | October 2018   | 2      | 8245           | 0.02%              |
| November 2015  | 4      | 7486           | 0.05%              | November 2018  | 1      | 8266           | 0.01%              |
| December 2015  | 1      | 7508           | 0.01%              | December 2018  | 0      | 8288           | 0.00%              |





**Average Cost of Turning a 3 Bed, 2 Bath Single Family Home in Sonoma County**

|                             |                 |
|-----------------------------|-----------------|
| DeDe's Rentals- PM 1        | \$9,697.00      |
| Alliance PM- PM 1           | \$8,300         |
| DeDe's Rentals- PM 2        | \$12,000        |
| W Property Management- PM 1 | \$9,000         |
| Baker & Associates- PM 1    | \$6,500         |
| Hills & Homes               | \$7,500         |
| Independent Operator        | \$20,000        |
| Baker & Associates- PM 2    | \$12,350        |
| Alliance PM- PM 2           | \$15,100        |
| W Property Management- PM 2 | \$13,114        |
| Mahoney Davison             | \$12,032        |
| Timely Properties           | \$14,700        |
| <b>Average</b>              | <b>\$11,691</b> |

- Re-renting the property for \$300 p/m above the previous rent would take approximately **3.25 years** just to break even for the average cost of a turn.
- The average length of tenancy for DeDe's Rentals is 4 years.
- Based on the above figures, a property owner would only have 9 months of profit during an average tenancy.
- These figures show a ROI of 23%, which sounds good, but consider that the owner only starts seeing a ROI after 3.25 years. And if you divide that across the average length of tenancy, it's only a 5.7% ROI annually.
- 5.7% is less than the Consumer Price Index (inflation rate) for our area which is currently at 8.8%.

**Conclusion:**

The average mom and pop property owner fear having a vacancy because there's so much expense with very little return. It is more advantageous to an owner to keep a long-term tenant at market or even slightly below market rates.

We need to exempt non corporate owned single family-owned properties. My data shows that this ordinance only buys time for the inevitable of owners needing to sell their properties and will displace educators and families all in the month of July in a month when rentals are in most high demand.

From calls I received from prospective clients, during past several months, many owner occupied homes that would have become rentals sold because owners were discouraged from putting them on the rental market due to restrictions on being able to move back in whenever the time was right. Many of our owners relocate a few years at a time in hopes of moving back to their home. They do not want to be able to miss the opportunity to buy affordably in Petaluma again.

3,724 Total non-owner occupied homes in Petaluma

Mahoney Davison manages 10 %

2022 Sales of tenant occupied properties- 22 Total

February-1

March-1

April-7

May-1

June-4

July-3

September-1

October-2

November-2



# Racial and Gender Disparities among Evicted Americans

Peter Hepburn,<sup>a</sup> Renee Louis,<sup>b</sup> Matthew Desmond<sup>b</sup>

a) Rutgers University-Newark; b) Princeton University

**Abstract:** Drawing on millions of court records of eviction cases filed between 2012 and 2016 in 39 states, this study documents the racial and gender demographics of America's evicted population. Black renters received a disproportionate share of eviction filings and experienced the highest rates of eviction filing and eviction judgment. Black and Latinx female renters faced higher eviction rates than their male counterparts. Black and Latinx renters were also more likely to be serially filed against for eviction at the same address. These findings represent the most comprehensive investigation to date of racial and gender disparities among evicted renters in the United States.

**Keywords:** eviction; race/ethnicity; gender; Bayesian imputation; disparate impact; Fair Housing Act

**F**ORCED dislocation from housing is implicated in the reproduction of poverty and disadvantage. Residential eviction has been linked to a wide array of negative consequences, from homelessness and increased material hardship to depression and suicide (Desmond and Kimbro 2015; Osypuk et al. 2012). Documenting populations disproportionately at risk of eviction informs researchers, advocates, and policymakers striving to better understand and address disparities in access to stable housing. Such evidence may be critical in establishing the statistical basis for a *prima facie* case of a disparate impact claim under the Fair Housing Act (Schwemm and Bradford 2016).

Local studies have documented the demographic characteristics of evicted renters. The Milwaukee Area Renters Study found that eviction risk was higher for black and Latinx and lower-income renters, as well as those with children (Desmond and Gershenson 2017; Desmond, Gershenson, and Kiviat 2015; Desmond and Shollenberger 2015). Systematic review of names listed in eviction court records from Milwaukee County suggested that female renters—particularly in predominantly black and Latinx neighborhoods—were disproportionately evicted (Desmond 2012).

However informative, studies confined to a single city lack generalizability. Eviction is widespread—an estimated 1.6 million households nationwide are displaced annually (Desmond et al. 2018a)—yet no study has documented the demographics of America's evicted renters in national perspective. Are black and Latinx renters evicted at higher rates than their white counterparts? Are female renters evicted at higher rates than men, and is this true for all racial/ethnic groups? To address these questions, we drew on court records of eviction cases filed between 2012 and 2016 against roughly 4.1 million individuals in 39 states. We used these data to calculate a set of counts and rates that offer the most comprehensive examination to date of racial and gender disparities among evicted renters in the United States.

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## Data and Methods

We estimated eviction rates for men and women as well as multiple racial and ethnic groups. We drew on eviction records from 2012 to 2016, compiled by the Eviction Lab at Princeton University (Desmond et al. 2018a). These records were collected, either manually or via bulk extracts from court administrative data systems, by LexisNexis Risk Solutions. They were cleaned, stripped of duplicate and commercial eviction cases, geocoded, and validated against publicly available data sources published by county and state court systems (Desmond et al. 2018b).<sup>1</sup> We included in our sample any county for which the Eviction Lab could provide validated eviction records for at least one year between 2012 and 2016. In total, we observed 3,663 county-years from 1,195 unique counties, containing 37.5 percent of American renter households. Based on American Community Survey (ACS) five-year estimates for 2012 to 2016, these counties were close to representative of all counties along a number of key variables.<sup>2</sup>

Court records provide a unique opportunity to examine the prevalence of eviction across time and space. Studies based on court-ordered eviction records produce more accurate estimates than those reliant on self-reports in surveys (Desmond 2012; Schwartz 1994). However, although administrative data from court systems contain millions of records, they provide limited information about each case. Records included case numbers, names of plaintiffs (e.g., landlords, property managers) and defendants (tenants), defendant addresses, and filing dates. Defendant gender and race/ethnicity were not recorded in eviction records.

Accordingly, we imputed demographic characteristics on the basis of defendants' names and addresses. We observed more than 4.1 million defendants listed in court records. We produced three predictions of defendant gender using the R packages *gender* (Mullen 2018) and *genderizeR* (Wais 2016), as well as the web service Gender API (Gender-API.com n.d.).<sup>3</sup> Drawing on defendants' first names, each method produced a prediction (0 to 1) that the defendant was female and the inverse probability that they were male.<sup>4</sup> We took the mean across all available predictions. Roughly 94.3 percent of names yielded more than one prediction, but the average variance between multiple predictions was extremely small (0.007).

To impute defendants' race/ethnicity, we used a Bayesian predictor algorithm—the *wru* package in R (Khanna, Imai, and Jin 2017)—that calculated race/ethnicity probabilities on the basis of two Census Bureau data sets: the Surname List and the 2010 Decennial Census. These data sets provide, respectively, the frequencies with which common surnames are associated with racial/ethnic groups and the racial/ethnic composition of each tract in the United States. Jointly, they allowed us to estimate the conditional probability of a defendant's race/ethnicity, given their surname and geolocation. Early attempts at racial imputation were prone to high error rates (Fiscella and Fremont 2006). However, Imai and Khanna's (2016) validation of predictions using the *wru* algorithm found that the combination of name and geolocation data resulted in much higher rates of correct classifications, compared with relying on names alone.

These imputation procedures allowed us to assign to each defendant a probability of being female or male and of being white, black, Latinx, Asian, or of another

race/ethnicity. For each individual, the probabilities of belonging to each of the racial/ethnic groups summed to one, as did the probability of being female and male.<sup>5</sup> We multiplied gender probabilities by race/ethnicity probabilities, allowing us to categorize defendants by race/ethnicity and gender. Individuals were not assigned to a single race/ethnicity-by-gender category but given probabilities of falling into each. Assuming that cross-classified probabilities followed a multinomial distribution, we calculated the variance of each estimate. This approach allowed us to maintain and assess uncertainty inherent to the imputation process and to avoid misclassifications at the individual level.

We aggregated these probabilities within county-years to produce annual estimates of the number of individuals filed against and evicted in each cross-classified group (e.g., black women, white men). We summed variances, which allowed us to provide confidence intervals for these estimates. We also produced estimates that adjusted for serial eviction filings, cases in which property owners repeatedly file eviction cases against tenants at the same address, often to facilitate rent collection (Immergluck et al. 2020; Leung, Hepburn, and Desmond 2020). We linked cases that shared the same defendants and addresses within the same county-year and removed repeated filings to produce estimates of unique individuals filed against and evicted in each group. We then averaged these estimates across available county-years.<sup>6</sup> The resulting averages constituted the numerators in the rates we describe below. These counts reflected only those individuals who were listed as defendants in these cases, typically leaseholders (Desmond 2012). They omitted any additional adults who may have been living in the household but who were not formally contracted with the unit.

The denominators for many of these rates were counts of adult residents living in rental housing, also cross-classified by gender and race/ethnicity. The Census Bureau does not make such cross-classified counts directly available in a standard table form. Instead, we estimated the number of adult residents living in rental housing in each county using ACS five-year data for 2012 to 2016 from the Integrated Public Use Microdata Series (IPUMS) (Ruggles et al. 2019). IPUMS data allowed us to determine the race/ethnicity and gender of individuals older than 18 years who lived in rental housing and to weight these observations.<sup>7</sup>

The drawback of the IPUMS data is that the smallest identifiable geographic unit is the Public Use Microdata Area (PUMA), whereas we sought to report eviction rates at the county level. In some cases, a PUMA corresponds to a single county; in other cases, a PUMA consists of several whole counties, contains a mixture of whole and partial counties, or is made up of several partial counties. To deal with the latter cases, we divided and aggregated the data according to the PUMA-county geographic relationship. First, we downloaded tract-level counts of renting households by race/ethnicity of the household head, taken from ACS five-year estimates for 2012 to 2016. Second, using a tract-to-PUMA crosswalk, we aggregated these tract-level ACS data to the county-PUMA level, identifying Census tracts residing in the same county and PUMA. This allowed us to observe the fraction of renter household heads in each PUMA that belonged to a given county. We aggregated ACS-provided margins of error for tract-level estimates to calculate uncertainty around each of these fractions. Third, we split IPUMS PUMA-level



data into constituent county-PUMAs based on the share and racial composition of renters observed in the previous step. Because ACS data did not allow us to observe gender ratios of renters within racial/ethnic categories at the county-PUMA level, we assumed that these ratios were the same between county-PUMAs in the same PUMA. We calculated uncertainty around cross-classified counts of renters under the assumption that the distribution in any given PUMA followed a multinomial distribution with  $n$  as the total number of renters. Once we obtained cross-classified counts of renting households at the county-PUMA level, we aggregated counts up to the county level to produce the necessary denominators.

Using these data, we calculated three statistics for every gender-by-race/ethnicity category. First, we report the *eviction filing rate*: the number of eviction filings divided by the renter population. An eviction filing is typically the first step in the eviction process recorded by the civil court system. Many tenants vacate their homes upon receipt of an eviction filing (Hartman and Robinson 2003). Even when they do so, having been filed against for eviction is marked in tenants' credit and rental history, limiting their future housing options and potentially damaging their credit. The eviction filing rates reported here are adjusted for serial eviction filings, counting only one instance of each serially filed case within each county-year. This adjustment allowed us to avoid double-counting individuals in the numerator.<sup>8</sup>

Second, we report the *eviction rate*: the number of eviction judgments divided by the renter population. An eviction judgment is rendered by the courts when a case is decided in favor of the plaintiff (property owner or manager). The eviction rate is our best measure of the percentage of renters forcibly removed from their homes by court order. Eviction rate estimates are also adjusted for serial eviction filings, treating the outcome of the most recently observed case as final.

Third, we report the *serial eviction filing rate*: the number of individuals who are serially filed against divided by the total number of unique filing recipients. This rate allows us to assess whether certain demographic groups are at increased risk of being filed against repeatedly at the same address, a process that entails considerable financial costs because of late charges and legal fees that are shifted to tenants (Leung et al. 2020).

Rather than report statistics at the county level, which would give equal weight to small and large counties, we primarily provide estimates at the renter level. To do so, we sampled estimates from the county-level distribution specific to the race and gender of the renter. For example, Harris County, TX, was predicted to have 40,356 Asian male renters (standard error of 195.9) and 421 Asian male evictees, with a variance of 68.8. In the renter-level file we sampled 40,356 times from each of these distributions, calculating an eviction rate each time and thereby maintaining at the renter level the uncertainty inherent our county-level estimates. All figures and estimates reflect this uncertainty, and we include 95 percent confidence intervals when reporting count estimates. All estimates presented here are unconditional. Statistical analyses are limited to one- or two-tailed  $t$ -tests, which assess the differences in mean rates between groups. We have made our data and code publicly available at [www.evictionlab.org/demographics-of-eviction-data](http://www.evictionlab.org/demographics-of-eviction-data). We hope researchers will use these data to conduct further analyses of the covariations between these rates and the sociodemographic, economic, and legal characteristics of counties.

The descriptive accounting of these rates and disparities between them—which we provide below—offers a precursor for such analyses.

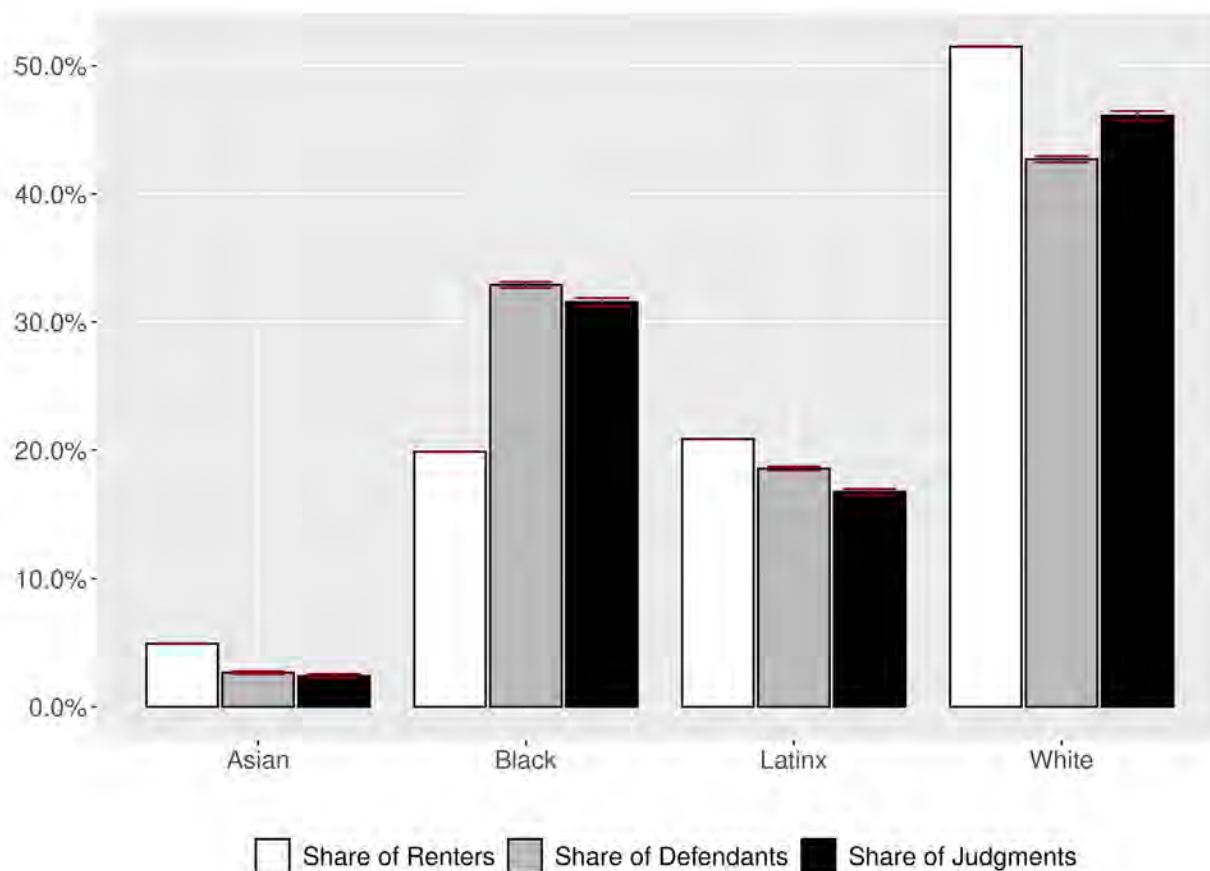
## Results

Across the 1,195 counties in our data, 1.44 million eviction cases were filed in an average year (including serial eviction filings), resulting in approximately 660,000 eviction judgments. As Figure 1 demonstrates, the shares of eviction filings and eviction judgments accruing to members of each racial/ethnic group were not proportional to their representation in the renter population across these counties. Black individuals were overrepresented in the evicted defendant population. They made up 19.9 percent of all adult renters but 32.7 percent of all eviction filing defendants. Four out of every five black renters in our sample (81.0 percent) lived in a county in which the share of eviction filings against black renters was higher than the share of the renting population that was black. All other racial/ethnic groups were underrepresented, with the largest absolute difference among white renters. White renters made up 51.5 percent of all adult renters but only 42.7 percent of all eviction filing defendants.

The overrepresentation of black renters within the population of renters against whom an eviction was filed is particularly apparent in highly populated counties. In Table 1 we list the 10 largest counties in our sample by total renter population.<sup>9</sup> For each, we record the share of the renter population and the share of filing recipients who were black, Latinx, and white.<sup>10</sup> In each of these counties, the share of filings against black renters was greater—often far greater—than their share of the renter population. In the most extreme case (King County, WA), blacks received 28.2 percent of all eviction filings, more than three times their share of the renter population (9.0 percent). White and Latinx renters were overrepresented among filing recipients in less than half of these counties, and the disparities were much smaller. On average across these 10 counties, the share of filing recipients who were black was 12.4 percentage points higher than the share of renters who were black. By contrast, the maximum overrepresentation in these counties for Latinx and white renters was 6.8 percentage points (Middlesex County, MA) and 4.8 percentage points (Tarrant County, TX), respectively.

After adjusting for serial eviction filings, the average renter faced a 4.1 percent eviction filing rate (median 3.6 percent) and an eviction rate of 2.3 percent (median 2.2 percent). Put another way, approximately one in 25 renters was threatened with eviction every year, and one in 40 was evicted.

Eviction filing and eviction rates varied considerably by race/ethnicity. Black renters experienced the highest average rates of eviction filing (6.2 percent) and eviction judgment (3.4 percent). By contrast, the average eviction filing rate among white renters was 3.4 percent, and the average eviction rate was 2.0 percent. Nearly one in four black renters (23.7 percent) lived in a county in which the black eviction rate was more than *double* the white eviction rate. Asian renters experienced the lowest rates, with an average eviction filing rate of 2.4 percent and an average eviction rate of 1.2 percent. The average Latinx eviction filing rate was 3.6 percent, significantly higher than the observed rate for white renters (one-tailed *t*-test;  $p <$



**Figure 1:** Share of all renters, eviction filings, and eviction judgments, by race/ethnicity. Error bars indicate 95 percent confidence intervals.

0.001). The average eviction rate for Latinx renters (1.8 percent) was, however, significantly lower than the equivalent rate for white renters (one-tailed *t*-test;  $p < 0.001$ ). These differences, although significant, were substantively minor compared with the black–white disparities.

Figure 2 displays the distributions of filing rates (top panels) and eviction rates (bottom panels) for female and male renters by race/ethnicity. The average black female renter experienced an eviction filing rate of 6.4 percent, nearly twice that experienced by the average white female renter (3.4 percent). This disparity held for male renters as well, although the black–white gap among men was smaller (5.9 percent vs. 3.3 percent).<sup>11</sup> Average eviction rates for black renters were 3.5 percent for women and 3.3 percent for men. For white renters the equivalent rates were 2.0 percent for both women and men. The average female Latinx renter faced a 3.8 percent eviction filing rate and a 1.9 percent eviction rate; rates for their male counterparts were 3.4 percent and 1.7 percent, respectively.

We assessed the extent to which female renters were at disproportionate risk of eviction. Across all renters, the median ratio of female eviction rates to male eviction rates was 1.02, indicating that the risk of eviction was two percent higher for women



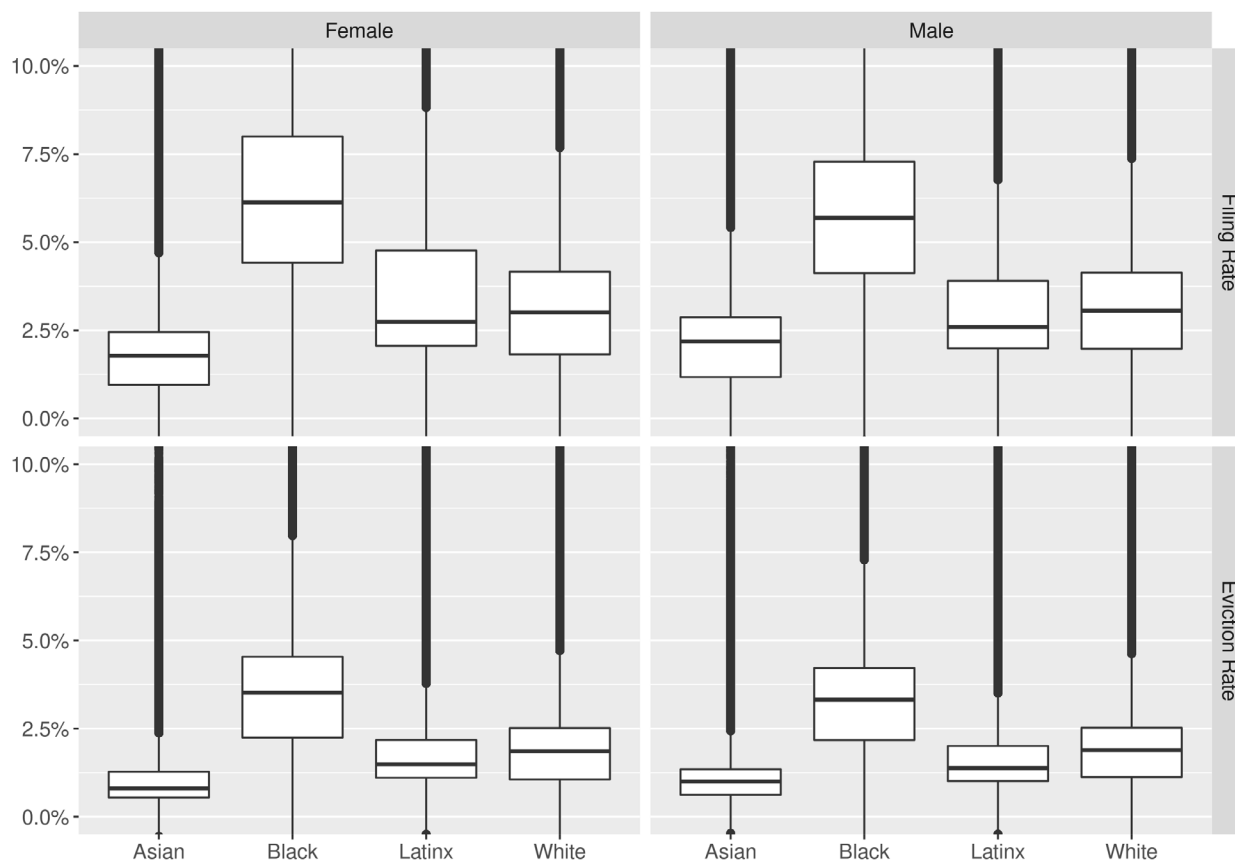
**Table 1:** Ten largest in-sample counties, by total renter population.

| County           | Renter<br>Population | Black           |                 | Latinx          |                 | White           |                 |
|------------------|----------------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
|                  |                      | Renters         | Filings         | Renters         | Filings         | Renters         | Filings         |
| Harris, TX       | 1,295,243            | 25.5%<br>(0.03) | 42.1%<br>(0.08) | 42.8%<br>(0.04) | 24.6%<br>(0.05) | 24.0%<br>(0.03) | 27.6%<br>(0.07) |
| Queens, NY       | 943,600              | 14.1%<br>(0.03) | 27.4%<br>(0.10) | 35.8%<br>(0.04) | 34.4%<br>(0.10) | 23.6%<br>(0.04) | 19.1%<br>(0.10) |
| Dade, FL         | 881,078              | 16.8%<br>(0.04) | 31.9%<br>(0.20) | 71.1%<br>(0.04) | 53.7%<br>(0.20) | 10.1%<br>(0.04) | 11.0%<br>(0.10) |
| Bronx, NY        | 801,045              | 28.2%<br>(0.05) | 29.6%<br>(0.10) | 60.4%<br>(0.04) | 62.4%<br>(0.10) | 6.9%<br>(0.03)  | 4.4%<br>(0.10)  |
| Clark, NV        | 701,655              | 14.7%<br>(0.04) | 28.6%<br>(0.10) | 31.5%<br>(0.05) | 24.1%<br>(0.10) | 41.0%<br>(0.05) | 41.8%<br>(0.10) |
| King, WA         | 629,330              | 9.0%<br>(0.04)  | 28.2%<br>(0.30) | 12.2%<br>(0.04) | 14.0%<br>(0.20) | 56.4%<br>(0.05) | 46.2%<br>(0.30) |
| Broward, FL      | 508,009              | 33.7%<br>(0.06) | 42.7%<br>(0.20) | 30.7%<br>(0.06) | 20.1%<br>(0.20) | 30.9%<br>(0.06) | 30.9%<br>(0.20) |
| Philadelphia, PA | 504,797              | 42.5%<br>(0.06) | 61.3%<br>(0.20) | 14.9%<br>(0.05) | 12.4%<br>(0.10) | 33.2%<br>(0.06) | 19.8%<br>(0.20) |
| Tarrant, TX      | 488,471              | 23.4%<br>(0.06) | 31.9%<br>(0.10) | 28.6%<br>(0.06) | 16.5%<br>(0.10) | 41.2%<br>(0.06) | 46.0%<br>(0.10) |
| Middlesex, MA    | 403,846              | 8.1%<br>(0.06)  | 16.6%<br>(0.20) | 12.1%<br>(0.09) | 18.9%<br>(0.20) | 63.2%<br>(0.20) | 52.8%<br>(0.30) |

*Note:* The columns labeled “Renters” refer to the share of the renter population that belonged to the given racial/ethnic group. The “Filings” columns provide the share of eviction filings in the county that were against members of that group. Standard errors are provided in parentheses.

than for men. Figure 3 plots the distributions of this ratio within each race/ethnicity category; the horizontal line at 1.0 represents gender equality in eviction rates. The median ratio was 1.04 among black renters and 1.09 among Latinx renters, meaning that eviction rates were four percent higher for black women than among black men and nine percent higher for Latinx women relative to Latinx men. By contrast, the gender disparity was below 1.0 among white renters (median of 0.97). Asian women were much less likely to be evicted than their male counterparts: the median ratio of rates was 0.82, indicating that Asian women were 18 percent less likely to be evicted than Asian men.

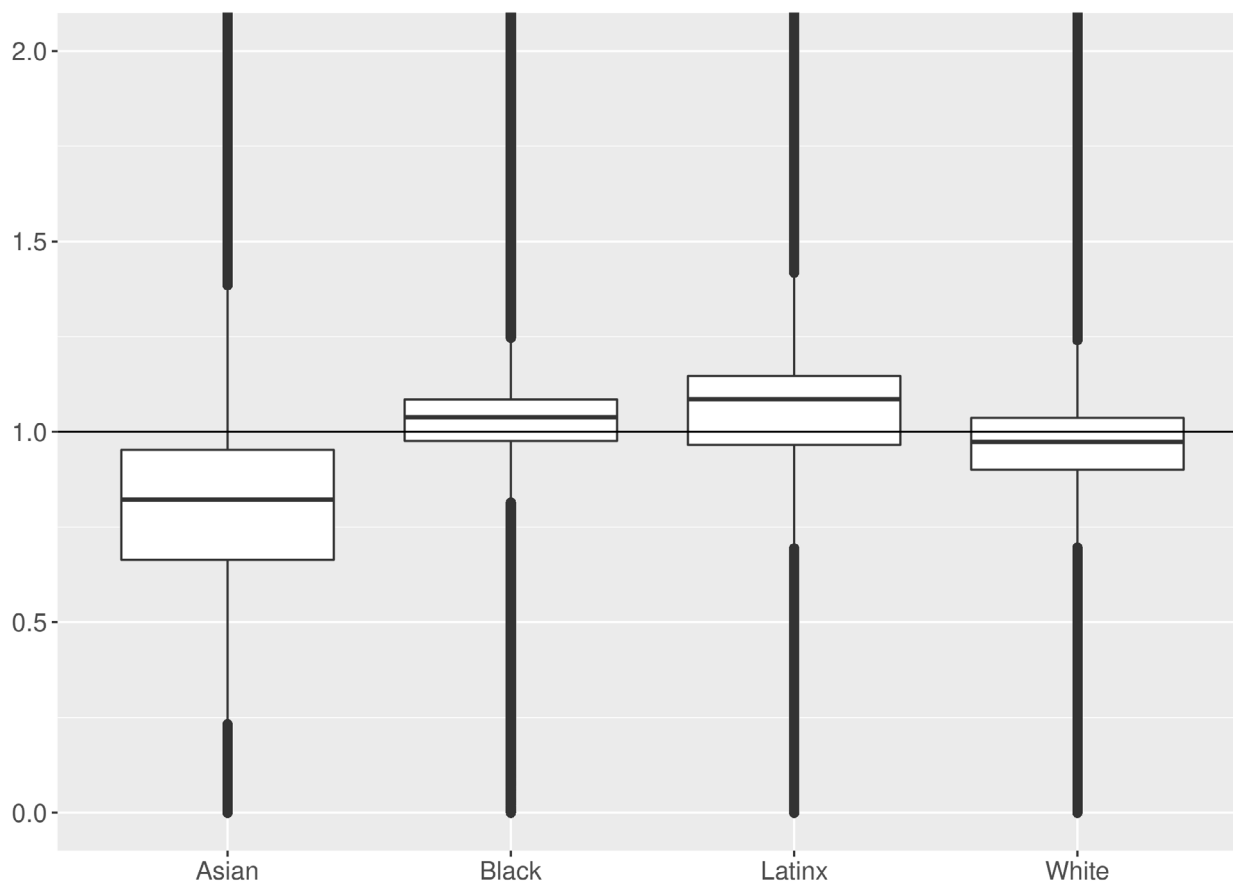
These disparities amount to thousands of more evictions for women each year. Across 1,195 counties, we predicted that 341,756 female renters were evicted annually (95 percent confidence interval [CI]  $\pm 485$ ), approximately 15.9 percent more than the 294,908 evicted male renters (95 percent CI  $\pm 458$ ). The absolute and relative disparities in total evictions were greatest for black renters: 113,415 women evicted (95 percent CI  $\pm 281$ ) compared with 83,182 men (95 percent CI  $\pm 259$ ), or 36.3 percent more black women than black men evicted. For Latinx renters, we



**Figure 2:** Distributions of eviction filing rates and eviction rates, by gender and race/ethnicity. *Note:* Data are presented as box and whisker plots, displaying distributions through five statistics: the median (the horizontal line within the white box for each state), the 25th and 75th percentiles (which form, respectively, the lower and upper bounds of each box), and two whiskers. Whiskers extend no more than 1.5 times the interquartile range (the distance between the first and third quartiles). Rates beyond the range of the whiskers are considered outliers and are plotted as individual points.

predicted 56,400 female evictees (95 percent CI  $\pm$  189) and 51,456 male evictees (95 percent CI  $\pm$  183): 9.6 percent more Latinx women than Latinx men evicted. Among white renters there was a smaller gap in evictions by gender: 153,954 women (95 percent CI  $\pm$  301) relative to 142,934 men (95 percent CI  $\pm$  286), or 7.7 percent more white women than white men evicted.

Black and Latinx renters who were filed against for eviction were most likely to be repeatedly filed against at the same address. Figure 4 displays the distributions of serial eviction filing rates by race/ethnicity. The average black renter experienced a serial eviction filing rate of 14.9 percent. On average, one in every seven black renters who was filed against for eviction was repeatedly filed against at the same address. The equivalent average rates were 13.2 percent for Latinx renters, 11.8 percent for Asian renters, and 9.8 percent for white renters.



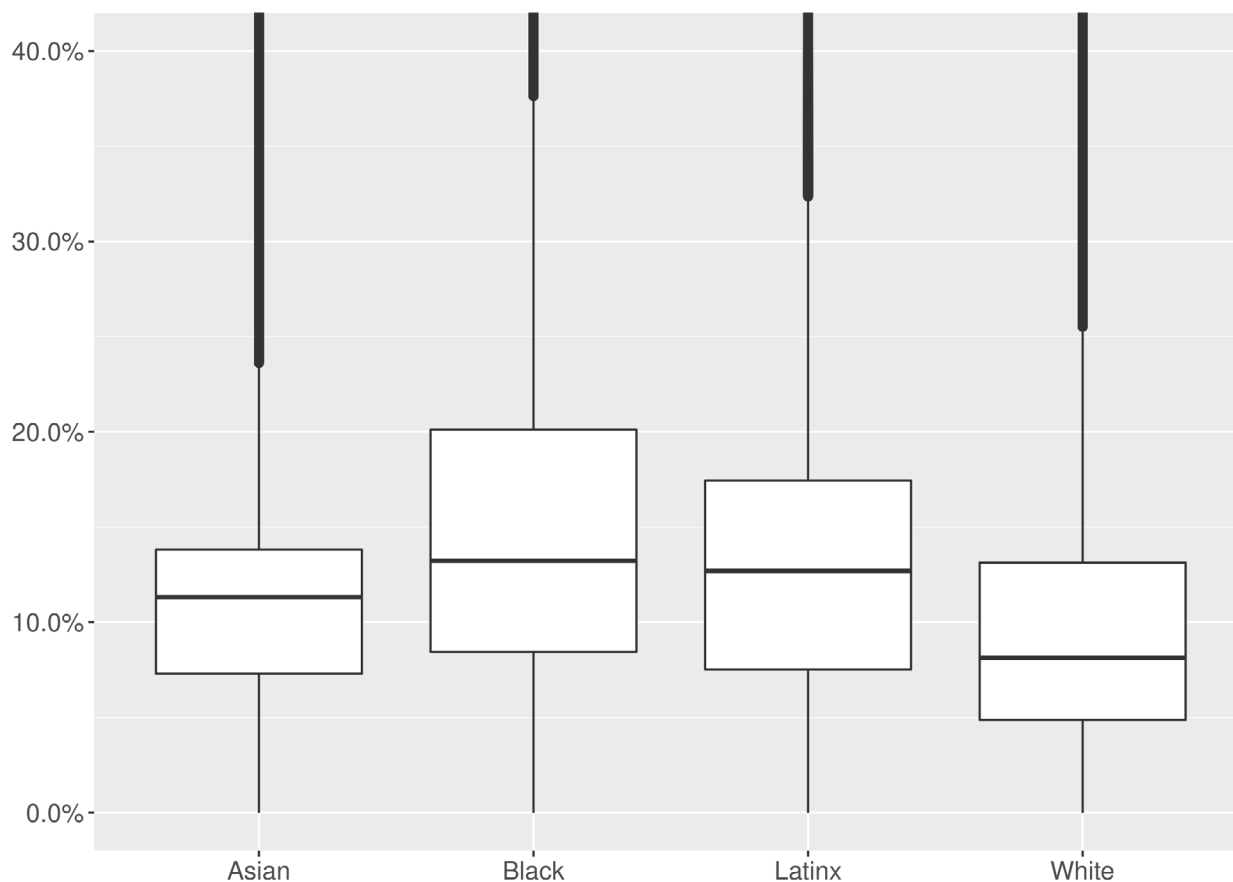
**Figure 3:** Distributions of female–male ratios of eviction rates by race/ethnicity. *Note:* Data are presented as box and whisker plots, displaying distributions through five statistics: the median (the horizontal line within the white box for each state), the 25th and 75th percentiles (which form, respectively, the lower and upper bounds of each box), and two whiskers. Whiskers extend no more than 1.5 times the interquartile range (the distance between the first and third quartiles). Rates beyond the range of the whiskers are considered outliers and are plotted as individual points.

## Discussion

Drawing on data from 1,195 counties—covering more than one-third of all U.S. renter households—this study calculates eviction statistics by gender and race/ethnicity. Our analysis yielded three major findings. First, filing and eviction rates were, on average, significantly higher for black renters than for white renters. The share of eviction filings and eviction judgments against black renters was considerably higher than their share of the renter population. Second, black and Latinx female renters faced higher eviction rates than their male counterparts. Third, black and Latinx renters were most likely to be filed against serially for eviction. We discuss each of these findings in turn.

One in every five adult renters in our sample was black, yet one in every three eviction filings were served to a black renter. By contrast, whites made up more than





**Figure 4:** Distributions of serial eviction filing rates by race/ethnicity. *Note:* Data are presented as box and whisker plots, displaying distributions through five statistics: the median (the horizontal line within the white box for each state), the 25th and 75th percentiles (which form, respectively, the lower and upper bounds of each box), and two whiskers. Whiskers extend no more than 1.5 times the interquartile range (the distance between the first and third quartiles). Rates beyond the range of the whiskers are considered outliers and are plotted as individual points.

half the population of adult renters (51.5 percent) but received only 42.7 percent of eviction filings. This resulted in a striking racial disparity. There were slightly fewer than 40 black renters for every 100 white renters in these counties. Yet for every 100 eviction filings to white renters, we estimated that there were nearly 80 eviction filings to black renters.

Because our results are unconditional, they may be explained in part by economic factors. Black households are more rent burdened and have higher levels of income volatility, compared with white households (Colburn and Allen 2018; Hardy and Ziliak 2014). They are also less likely to have access to resources that would help them weather unexpected events (Heflin and Pattillo 2006). It may also be the case that landlords and property owners employ differential treatment in the eviction process. If black tenants are not allowed as much leeway as their white peers when they fall behind on rent, they may be filed against more quickly and

regularly. That explanation would be consistent with previous research indicating that the threshold for filing against white renters is higher than the threshold for filing against black and Latinx renters (Desmond and Gershenson 2017).

That black and Latinx female renters faced higher filing and eviction rates than their male counterparts confirms a finding identified by local studies (Desmond 2012; Desmond and Gershenson 2017; Desmond and Shollenberger 2015). Desmond's ethnographic work suggests two mechanisms that could explain these patterns. First, nonwhite women are more likely to be listed as leaseholders (and thus more likely to appear in the eviction records), owing to the fact that rates of unemployment and past incarceration are higher among their male counterparts. Second, children are a risk factor for eviction (Desmond et al. 2013), a dynamic that disproportionately affects single mothers.

Last, we found that black and Latinx renters were at greater risk of serial eviction filings than their white counterparts. To remain in place, tenants threatened with eviction must pay late fees and court costs in addition to settling rental debt. Leung and colleagues (2020) estimate that each eviction filing that does not result in housing loss costs renting households \$180 in fines and fees on average, raising tenants' monthly housing cost by 20 percent. Racial disparities in serial eviction rates, then, have a real cash value and indicate that black and Latinx renters are disproportionately subjected to fines and fees through the eviction process.<sup>12</sup>

Drawing on millions of court records, this study has produced evidence that black and Latinx renters in general, and women in particular, are disproportionately threatened with eviction and disproportionately evicted from their homes—and thus disproportionately exposed to the many documented negative consequences of eviction, from homelessness and material hardship to job loss and depression (Desmond and Kimbro 2015; Osypuk et al. 2012). Accordingly, sizable racial disparities in eviction rates documented here likely contribute to racial inequalities with respect to economic, social, and health outcomes.

The descriptive analyses presented here should motivate further research into racial/ethnic and gender disparities in eviction. State- and county-level eviction procedures shape how landlords and property managers use the courts (Leung et al. 2020). These policies may play a key role in producing the disparities documented for the first time here and may themselves be products of the demographic makeup of renter populations.

The Civil Rights Act of 1968, widely known as the Fair Housing Act, forbids practices that have a disparate impact on protected groups, including racial minorities and women, resulting in their denial of housing. The first step in making a disparate impact claim—the *prima facie* case—requires that a plaintiff identify a policy or practice to challenge, show a disparity in how this policy or practice affects a protected class, and establish a causal link between the policy/practice and the observed disparity (Schwemm and Bradford 2016:693). The data presented here may be especially helpful in demonstrating disparities (i.e., the second element of the *prima facie* case). They may also provide a roadmap for researchers and legal advocates attempting to identify legal practices and policies that are associated with particularly large disparities.

## Notes

- 1 County-year data were considered reliable if the total number of LexisNexis filings in a county fell between 87 and 114 percent of the county courts' publicly reported total. For years when county court-level aggregates were not available, we extrapolated the most recently reported total a maximum of two years and applied the same validation range. We excluded county-years for which more than 60 percent of LexisNexis cases resulted in dismissals or had missing outcomes, suggestive of data quality problems. We excluded all county-years for which external validation was not possible. Averaging across county-years, the mean county in our sample had a coverage percentage of 97 percent (standard deviation of 5.03 percent) relative to court-reported statistics. Eviction rates may be slightly under- or overestimated in any specific county, but the population-level effect is likely to be a very slight underestimate of rates. Notably, under- or overreporting of evictions in a county-year is likely random and does not disproportionately affect members of one gender or racial/ethnic group. This minimizes the risk of skewed cross-race or cross-gender comparisons.
- 2 Employing two-tailed *t*-tests, we found no statistically significant differences between counties in our sample and all U.S. counties in terms of total residents, number of renter-occupied housing units, median rent, and the share of total population that was black or Latinx. Compared with all counties, in-sample counties had a slightly higher mean percentage of white residents (79.3 percent vs. 77.1 percent) and a lower average eviction filing rate (4.44 percent vs. 5.23 percent).
- 3 We refer to "gender" throughout while acknowledging necessarily limitations of the imputation process and its inability to capture important subtleties in individuals' gender identification.
- 4 The gender package relies on year-specific Social Security Administration name data. We listed all defendants as being born between 1940 and 1996. Given that records were drawn from 2012 to 2016, the provided range entails an assumption that tenants fall in the 18 to 74 age range. Previous surveys of tenants in eviction court have recorded an age range of 19 to 64 (Desmond 2012:Table 3).
- 5 Those individuals for whom no gender imputation was possible were scored as having 0 probability of being male or female (4.2 percent of defendants). They are assigned to an "unknown" gender category.
- 6 The median county had three county-years observed across the five-year window.
- 7 We restrict the denominators to individuals aged more than 18 years because eviction filings typically only target adults.
- 8 The data do not allow us to observe individuals who are evicted from multiple addresses within the same county-year.
- 9 An equivalent table listing all counties in the sample is available in the online supplement.
- 10 Estimates in Table 1 are based on all eviction filings; they are not adjusted for serial eviction filings.
- 11 Rates calculated by race/ethnicity are systematically higher than rates cross-classified by both race/ethnicity and gender. This is because cases for which no gender prediction was made were included in calculation of the former but not the latter.
- 12 Leung et al. (2020) also present conditional results showing that serial eviction filing rates were significantly lower in majority-Latinx neighborhoods—relative to neighborhoods with no racial majority—and no higher in majority-black neighborhoods. The differences



in findings across studies is likely due to the unconditional nature of estimates presented here, as well as the different units of analysis (individual vs. Census tract). Interactions between individual and neighborhood factors in predicting serial eviction filing merit further analysis.

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| Zip Code Areas             | Calendar 2017 | Calendar 2018 | Calendar 2019-Legal Aid Intake | Calendar 2019 | Calendar 2020-Legal Aid Intake | Calendar 2020 | Calendar 2021-Legal Aid Intake | Calendar 2021 | Calendar 2022 to 12-10-Legal Aid Intake | Calendar 2022 to 12-22 | UD Totals - Legal Aid Intake | Totals          | Population | % of Population that Rents | Notes   |        |        |
|----------------------------|---------------|---------------|--------------------------------|---------------|--------------------------------|---------------|--------------------------------|---------------|---|------------------------|------------------------------|-----------------|------------|----------------------------|---|--------|--------|
| Petaluma UDs               | 128           | 116           | 46                             | 105           | 51                             | 42            | 55                             | 42            | 85                                      | 83                     | 237                          | 516             | 59,776     | 36.00%                     |   |        |        |
| 94952                      | 53            | 38            | ?                              | 51            | ?                              | 22            | ?                              | 21            | ?                                       | 37                     |                              | 222             |            |                            | Owner Occupied  | 14,588 | -2.30% |
| 94954                      | 75            | 78            | ?                              | 54            | ?                              | 20            | ?                              | 21            | ?                                       | 46                     | 0                            | 294             |            |                            | Renter Occupied   | 8,178  | 5.90%  |
| Sheriff lock outs-total    | 63            | 36            |                                | 54            |                                | 12            |                                | 23            |   | 31                     |                              | 219             |            |                            | <a href="#">Petaluma, CA Household Income, Population &amp; Demographics   Point2 (point2homes.com)</a> |        |        |
| Legal Aid Client Intake #s |               |               |                                | 46            |                                | 51            |                                | 55            |   | 85                     |                              | Not enough data |            |                            |   |        |        |
|                            |               |               |                                |               |                                |               |                                |               |   |                        |                              |                 |            |                            | <a href="#">See https://www.towncharts.com/California/Housing/Petaluma-city-CA-Housing-data.html</a>    |        |        |
|                            |               |               |                                |               |                                |               |                                |               |   |                        |                              |                 |            |                            |   |        |        |
|                            |               |               |                                |               |                                |               |                                |               |   |                        |                              |                 |            |                            |   |        |        |
|                            |               |               |                                |               |                                |               |                                |               |   |                        |                              |                 |            |                            |   |        |        |



# 3Di Insights

## Using Analytics to Address Disparities in Housing Displacement

Rajiv Desai | December 8, 2022

4 Minute Read



Data is the most powerful tool local leaders have for battling disparities in housing displacement. With good data, it's possible to map the risk of displacement in a community and direct resources to the people who need them most.

Data analytics can help local leaders spot trends in eviction rates, and assess any racial disparities in those rates. Analytics can reveal where rents are increasing, so local leaders can take steps to mitigate the impacts of gentrification. They can even show where affordable housing units are in shortest supply, so cities can put policies in place to preserve existing affordable units, and to build more.

Without this data and the tools to analyze it, it's impossible to make sound policy decisions, and manage local housing programs efficiently and effectively. But many local governments don't yet have the tools to gather good data on housing in their communities, or put it to use to prevent housing displacement.

Fortunately, collecting and analyzing this data is fairly straightforward with the right software platforms for managing housing programs.

Here are a few ways local governments across the country can use analytics to address disparities in housing displacement.

# How Analytics Can Help Gentrifying Communities

Gentrification is the driver of a tremendous amount of housing displacement. As wealthier residents begin moving into neighborhoods that have historically been home to middle and lower-income people, [median rents and property taxes increase](#), making it difficult for longtime residents to afford to stay in the neighborhood.

Often, the people who lose their homes due to gentrification have deep roots in the community. When they're forced to move, they may be pushed far away from their work, family members, and friends, extending their commute times and cutting them off from social support.

If local leaders want to prevent this kind of displacement, a good system to analyze gentrification patterns is essential. It's easier to mitigate the worst impacts of gentrification when you can catch the trend early; once the change is visible on the street, it may be too late.

A [centralized rental registry](#) provides a database of rental prices in a neighborhood, and using the right software platform, city and county leaders can quickly translate this data into easy-to-read charts and graphs. Then the early warning signs of rising rents and gentrification are easy to visualize and take action on.

When a neighborhood begins to show the signs of gentrification, local leaders can act to increase the supply of affordable housing, preserve the affordable housing that already exists, and put tenant protections in place that protect residents from unfairly being pushed out of their homes.

Taking steps like these proactively is essential; once the pattern of gentrification and displacement is deeply ingrained, it's much harder to shift.

The right municipal software solution also creates a lifeline between residents facing displacement and their local government. More cities are rolling out "[virtual city halls](#)" for taking care of municipal needs, like paying a parking fine or making a report to 311 —but these tools can be used to address housing issues as well.

Residents can also turn to their city's virtual city hall for information about [tenant protection programs](#), housing assistance, and community groups that can help them remain in their homes through tenant organizing, legal support, and other resources.

With this type of digital solution in place, it's much easier to use analytics to uncover insights such as which services are most searched for or used, and by who.

Even for citizens who are impacted by the "digital divide" and have limited access to these online resources, making more city services available online can help free up in-person support for the residents who need it most.

Learn more about how new [digital tools are narrowing the digital divide](#) in many cities.

## How Analytics Can Address Racial Disparities in Evictions

Evictions are an area where stark racial disparities in housing displacement are evident.

For example, [Black renters are about twice as likely as white renters to be evicted](#). Some of this disparity can be explained by economic factors. The impacts of systemic racism have created a racial wealth gap that makes falling behind on rent more likely for Black renters, and harder to overcome.

Black households on average have lower incomes, less money in savings, and fewer resources to draw upon (such as family and friends) when they hit a financial rough patch. All of these factors can make eviction more likely.

But, some of the racial disparity in evictions cannot be explained by economic factors. Reporters have [documented](#) that some landlords are up to four times more likely to file eviction cases against Black renters who fall behind than against white renters in similar circumstances.

This pattern reveals housing discrimination, and is highly damaging to Black communities. It's also a pattern that's difficult to spot without a [good eviction management system](#) (EMP).



An effective EMP can help prevent unjust evictions by:

- Creating a centralized hub to track all eviction filings in a community and the affected residents, then analyzing the data so program managers can easily spot suspicious patterns, like a disproportionate number of eviction cases against non-white tenants.
- Gathering and preserving all of the documentation required for each eviction, including communication between renters and landlords. This can help tenants who choose to fight their eviction in court defend their right to remain in their homes.
- In cities and states with a [Just Cause Eviction](#) law, EMPs also document the landlord's stated reason for evicting the tenant, so program managers can verify that it is a legal reason.
- Deters illegal or “self-serve” evictions and tenant harassment that disproportionately targets non-white renters, especially in gentrifying communities.

## Using Analytics to Preserve Affordable Housing

Widespread housing displacement happens when the number of affordable housing units in a community is lower than the number of people who need an affordable place to live. Unfortunately, that is the case in many cities and counties throughout the country.

The problem affects non-white residents disproportionately, as they [spend a greater share of their income](#) on housing than white residents and are more likely to be housing cost burdened.

Local officials can take steps to build new affordable housing and to preserve existing affordable units in their communities — but only if they have good data about where affordable units are and where they're at risk.

Collecting information about a neighborhood's rental prices is the first step in preserving affordable housing there. A preservation database allows city workers to gather data about where affordable units are located, what program they were created under, if any, when their affordability requirements expire, and even when affordable buildings are listed for sale.

The right platform will make it easy to visualize this data and spot units that are at risk, so local leaders can target their interventions where they're needed most.

# Analytics for Strong Communities

Housing stability has enormous benefits, from helping children perform well in school, to reducing financial stress on families, to keeping people close to their work and their social support.

It's important that everyone in the community gets to experience these benefits, especially residents who are already facing economic hardship. That's why many local leaders are interested in using analytics to address disparities in housing displacement.

To learn more about the digital tools that can help cities ensure stable housing for every resident, [check out this guide](#).

## Why You Need a Centralized Rental Registry System

Rajiv Desai | August 11, 2022

4 Minute Read



Whether you're managing evictions, inspections, or affordable [housing programs](#), you have a lot of moving parts to deal with — and plenty of stakeholders involved. Couple that with missing information, disparate systems, and poorly organized databases, and things get complicated quickly

Rather than managing housing programs with a chaotic system, you may want to consider adopting a centralized rental registry system. These systems provide a solid foundation of accurate, up-to-date, and complete information that any relevant party can access.

But what does that mean exactly? Rental registries provide a convenient, safe, and secure system for property owners to register their rental properties with the city, making housing program management simpler than ever.

A centralized rental registry offers property owners the ability to update important data (such as property manager and owner contact information), access their government-issued notices and forms, report vacancy rates, and pay fees online — all in a single platform.

With a centralized rental database like this, you can store and manage all your rental property data with ease.

The most effective [rental registry systems](#) will also provide you with useful insights to get the most out of the data in front of you, with simple and intuitive reports and visualizations.



Let's take a closer look at how you might benefit from using a centralized rental registry system.

Plug into the power of a platform: Your step-by-step guide to finding the right software to support your tenant protection programs.

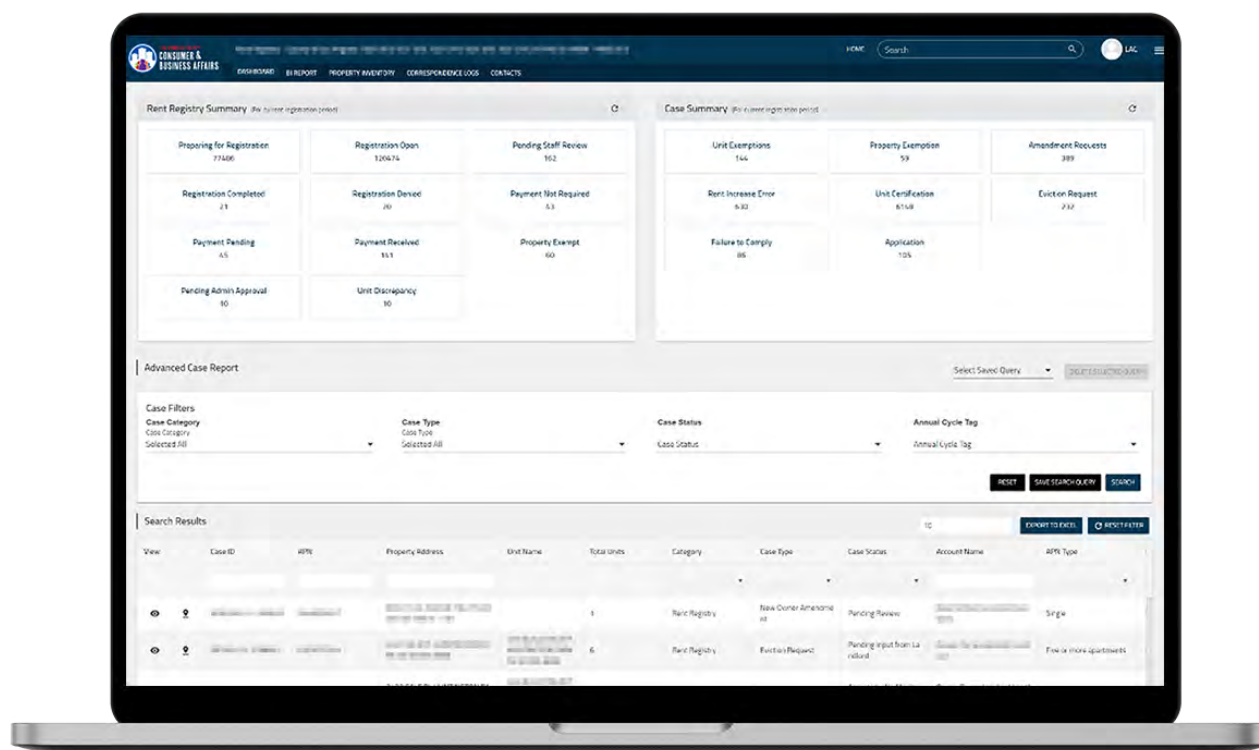
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# The benefits of a centralized rental registry system

## 1. Increased efficiency

A centralized rental registry system can help increase the efficiency of your rental operation by allowing you to monitor all rental housing inventory from one central place. This can save you time and money by reducing the need to duplicate data entry, or check accuracy of those entries.

- **No more elusive data:** with a centralized rental registry system all of your rental data is in one place. This eliminates the need to search for data across multiple systems or worry about data being lost, siloed, or downright inaccessible.
- **Faster workflows:** you can streamline a lot of cumbersome tasks with automation. You can also automate notifications for completed tasks or new information, so you don't need to regularly dig around to check progress on tasks.
- **Fewer errors:** since you have a single source of truth for data (that gets regularly updated by property owners), you don't have to worry about inconsistent or outdated data



## 2. Improved service and satisfaction for both tenants and landlords

What if you could make sure landlords always gets accurate, relevant information to help them do their jobs, while making sure tenants get the transparency they deserve?

- **Consistent information:** a centralized rental registry system can help improve your customer service by providing a unified source of information for everyone. Clarity like this can help reduce confusion and frustration, and make it easier for all parties to find the information they need. This means you can easily get in touch with citizens when needed, inspectors can quickly pull the information they need while on-site, and you can easily access the history of interactions in the event of a dispute.
- **Faster and clearer alerts:** with a centralized cloud system, you have the ability to automatically alert property owners to any relevant updates or issues, as quickly as you need to. Since you'll have data such as their neighborhood and the number of units in each landlord's building, you can set up custom notifications based on useful criteria. That means property owners can learn about any

changes to housing codes and other local laws that might affect them, without messages being lost in the noise.

- **Clearer expectations:** with all this in place, landlords no longer have to feel overwhelmed or lost trying to navigate the complex (and sometimes inconsistent) maze of information and expectations from the city. Plus, they can view invoices, receipts, lease information, and forms, without having to remember where everything is.

### 3. A fairer market for both tenants and property owners

Having better communication and a single source of truth for important information makes life easier for everyone involved. That goes for tenants, landlords, and housing managers, too.

- **Fairer rental practices for tenants:** The monthly median asking rate for unfurnished apartments in the US has increased [by nearly 50 percent](#) since 2008. But are all these increases deserved? With a central rental registry, you can easily oversee any rental increases to ensure they're in line with any rental stabilization ordinances your community may have and keep tabs on the state of housing affordability and availability in the area.
- **Fairer market for landlords:** centralized registry systems [benefit landlords too](#). For one, it makes the market more fair for good landlords, so they don't need to drive their prices down to unreasonably low rates simply to compete with other landlords who take unethical shortcuts.
- **More transparent case management:** For housing managers, transparency like this makes case management much easier. You can improve visibility of evictions to ensure just cause, and implement proactive policies to protect tenants and landlords alike. A central hub simplifies the processing and tracking of exemptions, ownership updates, and more.

### 3. Reduced costs

A centralized rental registry system can also help to reduce the costs of your housing programs by eliminating the need to purchase or maintain multiple applications. This can save you money in the long run by reducing the need for duplicate software or excess maintenance.



And, with built-in online payment systems, it becomes simple to charge standard fees where appropriate to recover program costs.

Further, the efficiency improvements mentioned above mean you're wasting less time on mundane tasks (such as finding and communicating information to the people who need it), and you're able to direct your efforts towards making a greater impact in the community.

#### 4. Improved compliance with housing ordinances

Making updates to workflows or case management can be a pain in the face of new ordinances, regulatory updates, or related changes. With a centralized system, you can easily make the updates you need.

To avoid causing extra hassle and friction for property owners, any decent registry should provide an intuitive customer portal. This makes it simpler for them to stay in compliance and gives you the data you need to uncover compliance issues in real time.

As a housing manager, you can more effectively administer your [rent regulation and stabilization](#) programs, simplify inspections and code compliance, and manage financing for affordable housing projects.

## Is a centralized rental registry system right for you?

A centralized rental registry system can mean a huge reduction in your workload, while still improving the accuracy and visibility of your data. With all the data you need at your fingertips, you can streamline everything from inspections to affordable housing standards, and you can help keep everyone on the same page about rentals, ordinances, and other relevant knowledge.

More transparency and consistently accurate information means you can increase fairness for everyone who's using the system, from better market pricing for landlords to tenant rights protection.

## YOUR RIGHT AS A TENANT

**Do you rent a residential unit in the City of Petaluma? If so, then you should know about new rules that may protect you from some evictions, provide proper notice for evictions, and/or pay you money to cover relocation costs when you are evicted.**

The City's Residential Tenancy Protections (Tenant Protections) were adopted on September 12, 2022 and took effect on October 12, 2022. To learn more about the Tenant Protections in Petaluma, [click here](#).

**The Tenant Protections require Landlords to provide tenants with this Notice of Tenant Rights:**

[English](#) / [Español](#)

**Notice of Tenant Rights must be provided to tenants:**

- Within 30 days of Chapter 6.60 taking effect, or by November 17, 2022
- When renewing a rental agreement,
- When entering into a new rental agreement,
- When providing notice of a rental increase,
- Within 30 days after the City has amended this notice and provided a landlord the new notice,
- Before terminating a rental agreement
- Before selling a rental property, and
- Within 30 days after buying a property.

Landlords CANNOT raise rents or terminate a tenancy until this notice has been provided to a tenant. The Tenant Protections also provide the option for tenants to defend against a rent increase or tenancy termination. If a tenant is successful, they may recover their attorneys' fees and other costs from the court.

If you are providing additional protection for tenants, where is the information that justifies this act, and the costs associated with it? Where is the additional protection for landlords? This ordinance implies that all landlords are predatory, evil business operators. Rather than penalize the few, you appear to, instead, build an entire infrastructure around implementing ordinances to punish people for providing rental homes to the community. Where is the information of cost associated with this proposal? Where is the information projecting how many rentals will be lost (or gained) as a result of this ordinance.

## PROPERTIES COVERED BY THE CITY'S RESIDENTIAL TENANCY PROTECTIONS

The City's Residential Tenancy Protections apply to all residential rental properties in Petaluma where a tenant has lawfully resided for a continuous period of **six months or more**, except:

I am now holding a property that I was preparing for rental, and will not release until I know what the City will do. If the ordinance is to go through, I will sell that property for whatever the market bears, or seek any other option at my disposal. I will be 62 in about a year- where is my protection to retain my property and rent it out, in compliance with California law, to provide for our retirement? It is wrong to do this to mom & pop rental providers, and all such properties should be exempt... this whole ordinance should be scrapped, in favor of the California TPA.

- Dwelling units that are owned by a government agency; or that receive rent subsidies from a government agency so that the tenant's portion of the rent does not exceed thirty percent of household income;
- Dwelling units in developments in which at least forty-nine percent of the dwelling units are subject to affordable rent deed restrictions in accordance with state law;
- Dwelling units with tenant managers; and
- Dwelling unit that is the owner's primary residence that they share with the tenant.

The City's Tenant Protections take effect after a tenant has lawfully and continuously resided in the unit for **at least a year** for:

- Accessory Dwelling Units and Junior Accessory Dwelling Units as defined in the City's Zoning Ordinance; and
- Units on the same property where the owner resides

## PERMITTED REASONS FOR TERMINATING A TENANCY

In some cases, landlords choose to terminate residential tenancies for reasons related to actions taken by the tenants. Qualifying reasons (called "For Cause.") are:

1. The tenant fails to pay rent within three days of receiving written notice from the landlord demanding payment.
2. The tenant continues to violate material terms of the rental agreement after the landlord's written notice to cure.
3. Tenant conducts illegal activity that during the tenancy at or within a thousand feet of the rental property.
4. Threat of violent crime made by a tenant or at their direction to any person who is on the rental property or to the landlord, or to the landlord's agent.
5. The tenant or tenant household creates or permits a nuisance at or within one thousand feet of the rental property after the landlord's written notice to cease, and a reasonable period to cure the nuisance.
6. The tenant fails to give the landlord reasonable landlord access to the rental property after the landlord's written notice to provide access.



Under the City's Tenant Protections, landlords can terminate residential tenancies for reasons that are not the fault of the tenant (called "no-fault,"). The reasons that qualify under the "no fault" terminations are:

1. Termination of a residential tenancy to permanently withdraw a residential rental property from the rental market in accordance with the Ellis Act.
2. Termination of a residential tenancy to permit the landlord or one of the landlord's relatives to reside in the property as their primary residence.
3. Termination of a residential tenancy for substantial repairs to the rental property that cannot be completed while the unit is occupied to comply with health and safety codes after the landlord has obtained all necessary permits for the repair work. Or...

**The contract has been satisfied, and one party opts not to renew.** If you are going to do something like the above, then you should also have a provision for landlords who want to retain their current tenant. If I am forced to keep the tenant, they should be forced to stay- otherwise, there is no equity for fair practices between the parties

If a tenancy is terminated for any of the reasons above, the tenant is entitled to relocation benefits. This will incur rental increases, each year. Even 5% plus CPI will undo many tenants. Calculated on \$3000, that's \$150 a month increase, plus CPI (4.9% last year) and you're looking at nearly \$300 additional rent. People can't afford this; how is this helping tenants? This will actually upend favorable relationships, creating a divisive environment, between landlord and tenant.

Exceptions and Limitations for "no-fault" terminations:

1. A tenancy CANNOT be terminated during the school year if the tenant is employed as an educator in a Petaluma school or has a child in grades kindergarten through 12th grade. This will create what you would label as discrimination, but a landlord considers all aspects of an application, looking for their most suitable tenant. The definition for "educator" appears to be anyone who works on a school campus- I'm not sure if it also includes those in any kind of educational administration, but I have to assume that it probably does.
2. A landlord may not terminate a tenancy in retaliation for a tenant exercising their rights of the Tenant Protections.

## RELOCATION ASSISTANCE

If Landlord terminates a tenancy without cause (to permanently remove the unit from the market, owner to occupy the unit, or for substantial rehabilitation,) the tenant is entitled to relocation assistance. The assistance can be a direct payment or credit towards payments due.

This is counterproductive, and will cause the maximum annual allowance of rent increase, as landlords must prepare for a financial hit, should they want to exercise their rights, according to rental contracts, over their property. Now the landlord is forced into a business partnership with the city, who has more jurisdiction over the rental than the landlord

**Amount of relocation assistance:**

- 100% of one month of rent; or
- 150% of one month rent if the tenant household:
- Qualifies as low income; or
- Includes a member with a disability; or
- Includes a member over the age of 62; or
- Includes a child below the age of 18; or
- The tenancy commenced prior to January 1, 2010

**OTHER TENANT RIGHTS**

In some cases, an Owner must re-offer the dwelling unit to the displaced tenant at the same rent and subject to the same terms as when the tenancy was terminated. These cases are:

This is absurd and punitive, and wouldn't stand up to any other rental process, such as vehicles, entertainment venues, business rental locations, etc. How would it be, if the city adopted the same rental policies for downtown merchant spaces? People earning a living by way of renting a storefront, are in just as much need to conduct business, as they are to have a place to live. You wouldn't apply such laws to downtown, expecting commerce to flourish.

- The property is returned to the rental market within 10 years of the time the unit was withdrawn from the rental market for Ellis Act evictions.
- If the unit was returned to the market within 5 years of the withdrawal date for Ellis Act eviction. In this case the tenant has a right of first refusal to return to the unit at a rent that does not exceed the lawful rent at the time the unit was withdrawn, subject to adjustments for cost of living.
- The owner or owner's relative fails to occupy the dwelling unit within 90 days of the tenant household vacating the dwelling unit; or
- The owner or owner's relative fails to occupy the residential unit for at least three consecutive years following the move out date. Again, this is punitive, in advance. People realize all kinds of mitigating factors and changes that may offer an opportunity to better their lives. With this, you are punishing landlords for the free will of their tenant, because it's "family". Tenants ALL have free will to change their place of rental, but landlords will be tracked (?) and penalized for the free will choices, outside of their control. This seems like it could be successfully challenged in a court of law.

**Other concerns:**

This TPA creates an extraordinary burden of re-education and administration on landlords

This TPA will likely generate an augmentation of infrastructure to Housing Management to police landlords, and all of the attendant and confusing, not fully realized consequences that would be imposed. This will likely increase taxes on all citizens.

This TPA discourages investment in rental properties by the average citizen

This TPA encourages a surge of housing sales, which will benefit Real Estate sales, homeowners who don't want to live next to renters, additional taxes to support enforcement, relocation out of Petaluma by tenants who can't afford the increases, and landlords for losing their retirement income

This TPA doesn't create additional needed housing, and deflects that fact by going on a witch hunt for landlords who can't keep up with, or understand the confusing and inter-conflicting terms of the ordinance

This TPA stipulates that a landlord cannot evict a tenant for subletting, which creates a number of problems:

- The tenant can now usurp the landlord, and sublet- gaining revenue from property that is not theirs
- The landlord has no way of vetting the subletted tenant(s)
- The subletted tenant might be an "educator", disabled, 62 years or older, ill with a terminal diagnosis- all of which is "protected"
- What protection does the landlord have?

This TPA will make it more difficult for the "educator", disabled, 62 years or older, ill with a terminal diagnosis, to obtain housing in an already tight market.

This TPA assumes that all landlords are bad and need constant oversight and consequences to operate the rental properties that they have purchased through planning, savings, and self-discipline. It's insulting and over-reaching

This TPA assumes that all tenants are victims, or victims in the making. It will embolden, entitle, and protect the worst of them, causing more to care less for the maintenance of the structure, while protecting them under the subletting clause.

This TPA ignores the fact that judgements in favor of a landlord are often unenforceable, while the judgement against a landlord is a payday.

This TPA assumes that contractors have a fixed schedule, which will coordinate seamlessly with other contractors, and that planned work will be performed exactly as and when needed.

This TPA is, at the minimum, premature. There is no cost analysis; there is no data that supports its implementation

This TPA will discourage the addition of much needed Accessory Dwelling Units

**I am opposed to the entire amended ordinance. Our state TPA is more than adequate**

**From:** [Danial Dean](#)  
**To:** [Landlord Tenant Protections](#)  
**Subject:** Tenant"s rights?  
**Date:** Thursday, February 9, 2023 9:33:20 AM

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Renting a house or apartment is not a right..it's privilege. The city needs to keep their noses out of the rental business. This ordinance presumes that property owners have the money to relocate tenants and whatever. It has the feel like the property owner is guilty before being proven innocent. What's more, all of the expenses continue to go up for the property owner and it's expected that they absorb those costs. The tenant should have no more "rights" then they did prior to COVID. People are going to stop renting their property. Big corporations are buying up everything across the United States. There will be no rights at all because they have the power and the money to make the rules. Investors that I know have sold everything in California and invested in other states where the rules aren't so ridiculous. Rental rates are set by the market and property owners should have to right to collect market rents. I wonder...how many of the people on the City Council passing these laws have rentals of their own? Clearly this doesn't affect them in any way. I have thought about putting an ADU on my property many times. With the all of the anti-property owner regulations there is no way I will do that now.



**From:** [irene](#)  
**To:** [Landlord Tenant Protections](#)  
**Subject:** Petaluma doesn't need more than the California TPA  
**Date:** Wednesday, February 15, 2023 7:32:01 PM

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We would respectfully submit that after 40+ years of living in Petaluma, and 20 years of renting our former single family residence, we are very much opposed to additional restrictions. The California TPA serves tenants who rent single family homes, it is fair, and does not need augmenting.

At the age of 71 we are potentially looking at downsizing and selling our residence, and moving into our rental home. It's smaller and maintenance free, less expensive, with a homeowners association. Should we become ill, experience a change in our financial situation, need to be in a quieter neighborhood without steep hills, or be otherwise challenged as we age, we have retained ownership of our rented property in order to better accommodate those possibilities. Should any of those life changes be necessary we will not be in a position to navigate yet another set of regulations, experiencing potential delays and possible financial penalties above and beyond the TPA requirements.

We have been good landlords, we maintain our property in excellent condition, rent at a below market rate to a family who have been in the house for several years, and pay a management company to insure our tenants have everything they need. We kept this property in Petaluma because we had planned to live here for the balance of our years.

However, now we worry that we should maybe sell the property and make plans to get a smaller home outside Petaluma, where we don't have laws on top of laws.

Single family home renters are fully protected under the TPA. Please do not penalize taxpayers who have invested in Petaluma single family property. You will drive out people like us who have made long term plans based on having a single family home as an investment in Petaluma, and in our future.

Respectfully, Irene Fay and Gary Nelson

Sent from my Metro By T-Mobile 4G LTE Android Device  
Get [Outlook for Android](#)

**From:** [Tom Irvine](#)  
**To:** [Landlord Tenant Protections](#)  
**Subject:** TPA  
**Date:** Wednesday, February 15, 2023 5:10:31 PM

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California's statewide Tenant Protection Act is already in effect and provides significant protection to residents. No additional restrictions should be added!!

Sent from my iPhone

**Wolf, Sarah**

**From:** Alec Fuhrman <amfmusic@sbcglobal.net>  
**Sent:** Saturday, February 4, 2023 4:16 PM  
**To:** Landlord Tenant Protections  
**Subject:** TENANCY PROTECTIONS ORDINANCE

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---

City of Petaluma:

Re: Tenancy Protections Ordinance

We strongly urge you to keep the exemptions for owner occupied duplexes in the city of Petaluma.

We have worked hard to consistently maintain our rental unit & have rented it out at under market rates (our currently our tenants have living with us 5 years), because we have learned that the quality of life for our tenants and ourselves is best when the all of us living on the same property are able to live in harmony and with cooperation. We and our tenants work together to make the relationship on this shared property a win-win.

The current state guidelines include protections that do not need additional restrictions for owner occupied units.

When living in a Duplex, it is a close relationship, and as owners it causes us great concern for the specific protections of:

Subletting against Lease  
Criminal Activity  
Committing Waste  
Breach of Lease (some terms)

We love Petaluma, grew up and went to school here, raised a family here, work here, shared the last years of our parents lives here, and believe Petaluma is a cherished place. Having lived in Petaluma for a collective 90 years, my wife and I would like to continue to make our unit available. Without the protection and safety that this exemption allows, we as seniors feel at risk and exposed.

Please maintain the owner occupied duplex exemption to this ordinance so that we may continue to live in our house of 36 years and continue to offer a below market rental unit.

Thank you

Londa and Alec Fuhrman  
Amfmusic@sbcglobal.net  
Londaf@gmail.com

**Wolf, Sarah**

**From:** Yvonne <yweiler333@gmail.com>  
**Sent:** Friday, February 3, 2023 12:50 PM  
**To:** Landlord Tenant Protections  
**Subject:** Please read...

---Warning: Use caution before clicking any attachments. THIS EMAIL IS FROM OUTSIDE OUR EMAIL SYSTEM.---  
 To Petaluma City Staff,

I write to you today with sadness, frustration, and fear. These emotions are a result of sitting in on Wednesday evening's entire, "Tenant Protections" workshop. It's extremely obvious there are many experiencing those same emotions on both ends of the spectrum.

We know there are bad actors in all walks of life. It's very important not to stereotype. We also know that current events and conditions have taxed the system to extremes across the board. Many continue to tread just to keep their heads above water, both physically and emotionally. We as tenants, rental property owners, and people in general fight daily to keep this from becoming our new norm.

We're told that we have to stay informed, but in doing so we bring constant negativity to our lives. So much of what we're exposed to daily are stories of people doing bad things to each other. Good Samaritan stories come to light, but far too few in comparison. Because of this exposure, we're left with a constant weight of negativity.

All tenants are not bad actors. All rental property owners are not bad actors. This should mean that all tenants are not punished for the bad actors in the tenant group nor should all property owners be punished for the bad actors in the property owner group. Simply, we should not punish the entire class due to the poor choices of a percentage of the class. In doing this, we also fail to recognize all who are thriving.

I believe what needs to be presented as a solution needs to be *constructive*, not *destructive*. The approach being taken seems to represent cutting off a nose to spite a face. I would think that Petaluma is a city that can be an example of what to do, as opposed to what not to do. It takes a great deal of time and effort to provide accurate information to make important educated decisions. Yes, easier said than done but a successful outcome is key to all concerned.

I can only hope that "my side" and "your side" can come together to generate constructive tools and solutions to the very important issues at hand. Sadly, we have become a society that finds it difficult to listen to each other. Please lead wisely and avoid creating a means to an end. I encourage you to be proactive, not reactive, and open doors that can help the community thrive as a whole.

Californians have dealt with the effects of drought, wildfires, severe storms, and many other natural disasters, as well as the pandemic. I urge you to avoid implementing a disastrous solution that will ill affect the livelihood of many current and future people of Petaluma. Please don't paint the Petaluma community into a corner, as these decisions when finalized will have a tier-down effect on Petaluma as a whole and not just on current tenants and rental property owners.

In closing, I'll leave you with the following quote. "My mission in life is not merely to survive, but to thrive; and to do so with some passion, some compassion, some humor, and some style." — Maya Angelou.

Respectfully,

Yvonne Weiler



**Reasons people are leaving the market or no longer joining the rental market as an owner:**

I am here to discuss the continual non-incentive we have in place which deter people from entering the rental market and becoming housing providers. I believe this new ordinance will further perpetuate this issue which in turn accelerates vacancies due to lack of rentals. This ordinance undermines exactly what it is trying to protect.

The simple cost of housing and ownership has been increasing each year. Between 2019-2020 we saw a 6% property tax increase. With Sonoma County's property taxes already being in the top 20% out of all counties in California these increases added up substantially.

Home insurance is also a rising cost for homeowners. We have seen California home insurance rates increase nearly 10% between 21-22 and it is scheduled to continue to increase this year, 2023.

Add on the fact that, the cost to purchase in Petaluma has been steadily increasing. As of December 2022, the median price of a house sold in Petaluma was for \$912,400. Unless someone is doing a 1099 exchange the cost to get into the market as an investor would be almost \$183,000 (actual number \$182,400) as the 20% down payment. Even then, let's say an investor bought a house for \$901,500, the monthly estimated cost is \$5,289. This cost includes insurance, property taxes, mortgage ect. This monthly expense would have a home provider in the hole by a few thousand dollars if they were to put it on the rental market.

We saw an example very recently where a family is moving out of the area for work and wanted to keep their home to hopefully move back one day. Before meeting with them they were set on putting their home on the rental market however after speaking with us they knew this would not be an option and they would have to sell. Their mortgage is greater than the rental market and they would be in the negative each month.

Currently Single-Family homes make up about 78% of the rental market and Single family homes easiest to lose from the rental market. With further restriction on housing providers, we will see the homes removed from the rental market and sold to a single-family buyer. I say this confidently due to the previous stats I mentioned before. This will create a greater strain on the supply and demand for rentals in the area.

With further restraints on housing providers such as this proposed ordinance I fear we will push mom and pop landlords into a corner of either having to sell their property or have them go with a Property Management Company. If they go with a Property Management Company, a lot of the higher risk tenants who need someone to take a chance on them will find it difficult to find housing as they will not meet the requirements of property management companies.

## **Proposed changes to the PETALUMA TENANT PROTECTIONS ORDINANCE**

### **NOTICING REQUIREMENTS for “No Fault” rental terminations:**

60 days

90 days if termination constitutes a withdrawal from rental market

180 days if termination constitutes a withdrawal from rental market and at the request of the tenant who is over the age of 67 or is disabled.

### **RELOCATION ASSISTANCE for “No Fault” rental terminations:**

3 months rent, regardless of reason for termination

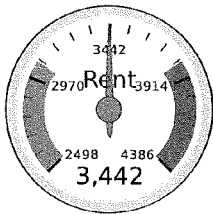
1 month rent additional assistance for elderly (over 67), disabled, child under 18

### **OTHER TENANT RIGHTS:**

If the property is returned to the rental market within 3 years, the displaced tenant, after repaying 50% of any relocation assistance, shall have a right of first refusal to return to the unit at a rent that does not exceed the lawful rent at the time the unit was withdrawn, plus legal cost of living adjustments. Or the displaced tenant may opt to return to the unit at the current market rent without repaying any of the relocation assistance. If the property is returned to the rental market after 3 years, the landlord has no further obligation to the displaced tenant. If the property is sold, the previous landlord and the new owner have no further obligation to the displaced tenant.



Rentometer, Inc.  
sales@rentometer.com  
www.rentometer.com



**Petaluma** California

Results based on 157, 3-bedroom, 1½ or more bath House rentals seen within 12 months

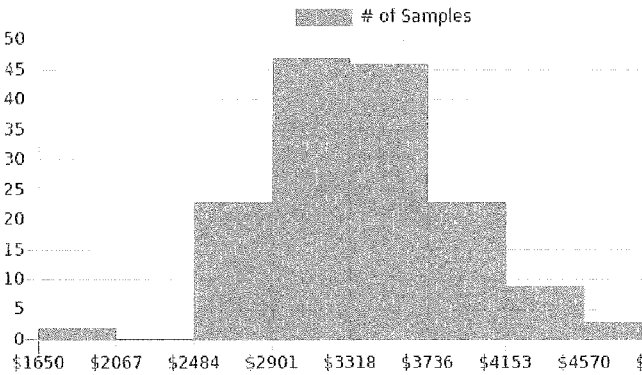
| AVERAGE     | MEDIAN  | 25TH PERCENTILE | 75TH PERCENTILE |
|-------------|---------|-----------------|-----------------|
| \$3,442 ±1% | \$3,400 | \$3,055         | \$3,829         |

Report generated: 26 Jan 2023

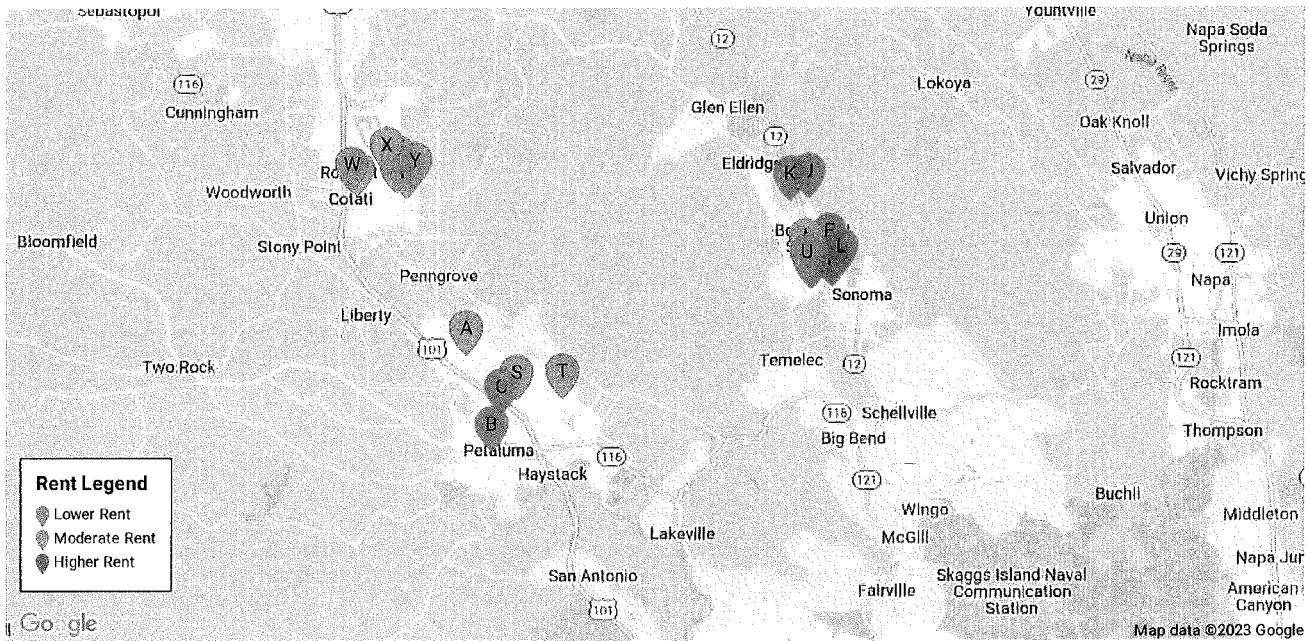
**Summary Statistics**

|                           |                 |
|---------------------------|-----------------|
| Sample Size               | 157             |
| Sample Min                | \$1,650         |
| Sample Max                | \$5,400         |
| Sample Median             | \$3,400         |
| Sample Mean               | \$3,442         |
| Sample Standard Deviation | \$574           |
| 25th – 75th Percentile    | \$3,055 – 3,829 |
| 10th – 90th Percentile    | \$2,707 – 4,177 |
| 5th – 95th Percentile     | \$2,498 – 4,385 |

**Rent Distribution**





## Sample of Listings Used



| Address   | Rent                  | Size      | \$/ft²     | Beds  | Baths | Bldg Type | Last Seen |
|---|-----------------------|-----------|------------|-------|-------|-----------|-----------|
| <b>A</b> 1520 Mauro Pietro Dr, Petaluma, CA 94954   | \$3,400               | 1,870 ft² | \$1.82/ft² | 3 bed | 2ba   | House     | Jan 2023  |
| <b>B</b> 26 5th St, Petaluma, CA 94952              | <del>\$6,900</del> *  | 2,335 ft² | \$2.96/ft² | 3 bed | 3ba   | House     | Jan 2023  |
| <b>C</b> 58 Twin Creeks Cir, Petaluma, CA 94952     | \$4,250               | 1,294 ft² | \$3.28/ft² | 3 bed | 2ba   | House     | Jan 2023  |
| <b>D</b> 865 Palou St, Sonoma, CA 95476             | \$3,102               | 1,457 ft² | \$2.13/ft² | 3 bed | 1.5ba | House     | Jan 2023  |
| <b>E</b> 18815 Lomita Ave, Sonoma, CA 95476         | <del>\$5,900</del> *  | 1,281 ft² | \$4.61/ft² | 3 bed | 1.5ba | House     | Jan 2023  |
| <b>F</b> 839 W Spain St, Sonoma, CA 95476           | \$3,950               | 1,300 ft² | \$3.04/ft² | 3 bed | 2.5ba | House     | Jan 2023  |
| <b>G</b> 19396 Sleepy Hollow, CT, Sonoma, CA 95476  | \$4,000               | 1,554 ft² | \$2.57/ft² | 3 bed | 2ba   | House     | Jan 2023  |
| <b>H</b> 511 Oak St, Sonoma, CA 95476               | \$2,850               | 1,098 ft² | \$2.60/ft² | 3 bed | 1.5ba | House     | Jan 2023  |
| <b>I</b> 18869 School St, Sonoma, CA 95476          | \$3,500               | 1,500 ft² | \$2.33/ft² | 3 bed | 2ba   | House     | Jan 2023  |
| <b>J</b> 297 Theodor Ln, Sonoma, CA 95476           | <del>\$5,900</del> *  | 2,050 ft² | \$2.88/ft² | 3 bed | 3ba   | House     | Jan 2023  |
| <b>K</b> 16783 Calle, DE, LA Luna, Sonoma, CA 95476 | <del>\$7,800</del> *  | 1,988 ft² | \$3.92/ft² | 3 bed | 2.5ba | House     | Jan 2023  |
| <b>L</b> 540 Fano Ln, Sonoma, CA 95476              | <del>\$10,000</del> * | 1,644 ft² | \$6.08/ft² | 3 bed | 2ba   | House     | Jan 2023  |
| <b>M</b> 7636 Mandolin Way, Rohnert Park, CA 94928  | \$3,350               | 1,800 ft² | \$1.86/ft² | 3 bed | 2.5ba | House     | Jan 2023  |
| <b>N</b> 1234 Cloister, CT, Rohnert Park, CA 94928  | \$3,800               | 1,402 ft² | \$2.71/ft² | 3 bed | 2ba   | House     | Jan 2023  |
| <b>O</b> 7636 Mandolin Way, Rohnert Park, CA 94928  | \$3,350               | 1,800 ft² | \$1.86/ft² | 3 bed | 3ba   | House     | Jan 2023  |
| <b>P</b> 1397 Marigold Pl, Rohnert Park, CA 94928   | \$2,975               | 1,262 ft² | \$2.36/ft² | 3 bed | 2ba   | House     | Jan 2023  |
| <b>Q</b> 802 Sutro Ave, Novato, CA 94947            | \$5,200               | 2,350 ft² | \$2.21/ft² | 3 bed | 3ba   | House     | Dec 2022  |
| <b>R</b> 206 Butterfield Dr, Novato, CA 94945       | \$4,750               | 1,885 ft² | \$2.52/ft² | 3 bed | 2ba   | House     | Dec 2022  |
| <b>S</b> 1417 E Madison St, Petaluma, CA 94954      | \$3,045               | 1,056 ft² | \$2.88/ft² | 3 bed | 2ba   | House     | Dec 2022  |
| <b>T</b> 3 Caulfield, CT, Petaluma, CA 94954        | \$2,800               | 1,074 ft² | \$2.61/ft² | 3 bed | 2ba   | House     | Dec 2022  |
| <b>U</b> 511 Oak St, Sonoma, CA 95476               | \$2,850               | 1,098 ft² | \$2.60/ft² | 3 bed | 2ba   | House     | Dec 2022  |
| <b>V</b> 657 Wilford Cir, Cotati, CA 94931          | \$3,200               | 1,995 ft² | \$1.60/ft² | 3 bed | 2ba   | House     | Dec 2022  |
| <b>W</b> 215 Wilford Ln, Cotati, CA 94931           | \$2,750               | 1,068 ft² | \$2.57/ft² | 3 bed | 2ba   | House     | Dec 2022  |



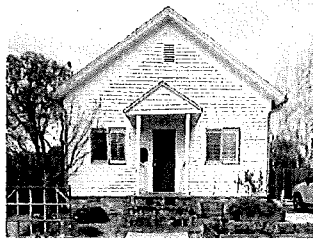
| Address   |   | Rent    | Size      | \$/ft²     | Beds  | Baths | Bldg Type | Last Seen |
|---|---|---------|-----------|------------|-------|-------|-----------|-----------|
|  | 7181 Circle Dr, Rohnert Park, CA 94928  | \$3,200 |           |            | 3 bed | 2ba   | House     | Dec 2022  |
|  | 7419 Maureen Ln, Rohnert Park, CA 94928 | \$2,850 | 1,200 ft² | \$2.38/ft² | 3 bed | 2ba   | House     | Dec 2022  |

*\*This price appears to be an outlier and was excluded*

*The research and data included in this report is aggregated from a variety of sources and many are third parties that are not affiliated with Rentometer, Inc. The information is believed to be accurate, but Rentometer, Inc. does not provide a warranty of any kind, either expressed or implied.*

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216 W Baker St, Petaluma, CA 94952



Additional Pictures |

**MLS #** 321114947  
**Beds:** 2  
**Baths (F/P):** 2(2/0)  
**Number of Rooms:** 0  
**Approximate SqFt:** 700/Owner  
**Lot Size SqFt/Acres:** 3910/0.0898/(Against Co. Policy)  
**Year Built:** 1890  
**APN:** 008-094-003-000  
**Unit/Block/Lot:**  
**Special Listing Conditions:** Offer As Is  
**Subtype / Description:** Single Family Reside/ Detached

Closed

\$850,000

**List Price:** \$789,000  
**Original Price:** \$789,000  
**Sold Price:** \$850,000  
**Price per SqFt:** \$1,214.29  
**DOM/CDOM:** 28/28  
**List Date:** 12/29/21  
**On-Market:** 01/10/22  
**Closed:** 02/18/22  
**Contingent:** 01/21/22  
**Pending:** 02/07/22

**Private Remarks:** Disclosures here: <https://app.disclosures.io/link/216-Baker-Street-usehujnm> The leak disclosed in the inspections at the site of the dishwasher has been fixed. Book with Showings or text and go. Vacant. Offers, if any, are due on 1/20 at 5pm. Please, no preemptive offers. The cottage is a permitted Studio with Full bath, kitchenette and loft. Sellers currently use it as a 3rd bedroom. Escrow is pre-opened with Stacy Palombino at Fidelity.

**Public Remarks:** Charming well-maintained home featuring an additional newly built permitted studio cottage in Petaluma's highly desired Westside neighborhood. This home is conveniently located on a quiet mature tree-lined street and is only a 2 block distance to the heart of Historic Downtown with its shops, world-class restaurants, antique faires and hometown parades. Enjoy a well-built classic, vintage 2 bedroom single-level home, easily accessible and featuring high ceilings consistent with its late 19th-century architecture. Entertain in your private level backyard with its architecturally matching guest house cottage. Room for off-street RV parking.

**Showing:**

**Directions to Property:** West on E. Washington St, L. on Petaluma Blvd., R. on Western, L. on Howard, R. on Bassett, L. on Baker

**Cross Street:** Bassett

**Showing Instructions:** Appointment Only, See Remarks

**Lockbox Location:** front door

**Showing Contact:** Amy Stuart (707) 484-7520

**Occupancy:** Tenant

**Agent Information:**

**List Agent/ID/License:** Amy Jane Stuart/B325338/01481842

**Listing Office/ID:** Compass / 7B2441

**Listing Type:** Exclusive Right To Sell

**Tenancy in Common:**

**Contact:** 707-484-7520 amy.stuart@compass.com

**Phone:** 707-774-8600

**Commission:** 2.25

**Percent for Sale:** 0%

**Buying Information:**

**Buyer's Agent:** Alan W Maciel / B336944

**Buyer's Office:** Compass / 7B2441

**Concessions:** 0

**Phone:** 415-309-9775

**Phone:** 707-774-8600

**Concession**

**Notes:**

**Multiple Offers:** Yes 0

**Concessions:** No

**Property Features:**

**County:** Sonoma

**Property Condition:**

**Total Parking Spaces:** 2 **Carport Space(s):** 0

**Parking Features:** Uncovered Parking Spaces 2+

**Roofing:** Composition

**Window Features:** Dual Pane Full

**Heating:** Central, Fireplace(s), Natural Gas

**Construction:** Frame, Wall Insulation, Wood Siding

**Pool Type(s):** No

**Views:**

**Appliances:** Free Standing Gas Range, Free Standing Refrigerator, Gas Cook Top, Gas Water Heater, Microwave, Self/Cont Clean Oven

**Senior:** No

**Remodeled:**

**Garage Space(s):** 0

**Fireplace Type:**

**Flooring:** Carpet, Tile, Wood

**Security Features:** Carbon Mon Detector, Smoke Detector

**Cooling:** Ceiling Fan(s)

**Foundation:** Concrete Perimeter

**Spa/HotTub:**

**Laundry:** In Kitchen, Washer/Dryer Stacked Included

**Dining Room:**

**Stories:** 1

**Style:** Cottage, Victorian, Vintag

**Fireplace(s):** 0

**Master Bath Features:**

**Upper Level Rooms:**

**Main Level Rooms:** Bedroom(s), Full Bath(s), Kitchen, Living Room, Loft, Primary Bedroom, Retreat, Street Entrance

**Bathroom:**

**Basement:**

**Patio & Porch Features:** Covered Deck

**Lot Features:** Auto Sprinkler F&R, Landscape Back, Landscape Front

**Sewer:** Public Sewer

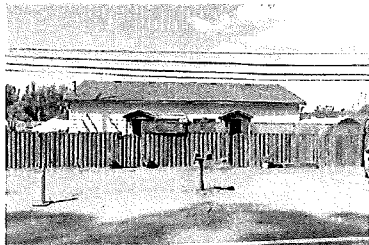
**Water Source:** Public, Water District

**Exterior:**

**Utilities:** Cable Connected, DSL Available, Internet Available, Natural Gas Connected

**Other Structures:**

**Unit/Block/Lot:**

**2745 Stony Point Rd, Petaluma, CA 94952**
[Additional Pictures](#) |

**MLS #** 322034490  
**Beds:** 4  
**Baths (F/P):** 2(2/0)  
**Number of Rooms:** 0  
**Approximate SqFt:** 1500/Assessor Auto-Fill  
**Lot Size SqFt/Acres:** 84942/1.9500/(Assessor Auto-Fill)  
**Year Built:**  
**APN:** 024-070-014-000  
**Unit/Block/Lot:**  
**Special Listing Conditions:** None  
**Subtype / Description:** Single Family Reside/ Detached

**Sold Off MLS****\$620,000**

**List Price:** \$620,000  
**Original Price:** \$620,000  
**Sold Price:** \$620,000  
**Price per SqFt:** \$413.33  
**DOM/CDOM:** 0/0  
**List Date:** 02/24/22  
**On-Market:** 02/24/22  
**Closed:** 03/24/22  
**Contingent:**  
**Pending:** 02/24/22

Private Remarks: Sold off MLS for comp purposes only.

**Showing:****Directions to Property:** Stony Point Rd Between Roblar Rd and Meecham**Cross Street:** Roblar Road**Showing Instructions:** Other**Lockbox Location:** none**Showing Contact:** Cynthia Holmes

(707) 953-4156

**Occupancy:** Tenant**Agent Information:****List Agent/ID/License:** Tim McKee/B408788/02128357**Listing Office/ID:** Corcoran Icon Properties / 7B2103**Listing Type:** Seller Reserved**Tenancy in Common:****Contact:** 707-953-4156 tim.mckee@corcoranicon.com**Phone:** 800-681-1361**Commission:** 2.5**Percent for Sale:** 0%**Buying Information:****Buyer's Agent:** Tim McKee / B408788**Buyer's Office:** Corcoran Icon Properties / 7B2103**Concessions:** 0**Phone:** 707-953-4156**Phone:** 800-681-1361**Concession****Notes:****Multiple Offers:** No 1**Concessions:** No**Property Features:****County:** Sonoma**Property Condition:****Total Parking Spaces:** 0 **Carport Space(s):** 0**Parking Features:** Uncovered Parking Spaces 2+**Roofing:****Window Features:****Heating:** Central**Construction:****Pool Type(s):** No**Views:****Appliances:****Master Bath Features:****Upper Level Rooms:****Main Level Rooms:** Bedroom(s), Full Bath(s), Kitchen, Living Room**Senior:** No**Stories:** 1**Remodeled:****Style:****Garage Space(s):** 0**Fireplace(s):** 0**Fireplace Type:****Flooring:****Security Features:****Cooling:** None**Foundation:****Spa/HotTub:****Laundry:** Dryer Included, Washer Included**Dining Room:****Bathroom:****Basement:****Patio & Porch Features:****Lot Features:** Low Maintenance**Sewer:** Septic System**Water Source:** Well**Exterior:****Utilities:** Public**Other****Structures:****Unit/Block/Lot:**

600 B St, Petaluma, CA 94952-2656

Sold Off MLS

\$3,400,000

*No Photo Available*[Additional Pictures](#) | .

**MLS #** 322032095  
**Beds:** 5  
**Baths (F/P):** 3(3/0)  
**Number of Rooms:** 0  
**Approximate SqFt:** 3703/Assessor Auto-Fill  
**Lot Size SqFt/Acres:** 7301/0.1676/(Assessor Auto-Fill)  
**Year Built:** 1890  
**APN:** 008-045-028-000  
**Unit/Block/Lot:**  
**Special Listing Conditions:** None  
**Subtype / Description:** Single Family Reside/ Attached

**List Price:** \$3,400,000  
**Original Price:** \$3,400,000  
**Sold Price:** \$3,400,000  
**Price per SqFt:** \$918.17  
**DOM/CDOM:** 0/0  
**List Date:** 04/01/22  
**On-Market:** 04/01/22  
**Closed:** 04/01/22  
**Contingent:**  
**Pending:** 04/01/22

**Showing:**

**Directions to Property:** 6th Street to B street  
**Cross Street:** 6th Street  
**Showing Instructions:** Appointment Only  
**Lockbox Location:** none

**Showing Contact:** Bonnie Spindler (415) 706-6660  
**Occupancy:** Tenant

**Agent Information:**

**List Agent/ID/License:** Bonnie Spindler/389338/01175723  
**Listing Office/ID:** Corcoran Global Living / CGL  
**Listing Type:** Exclusive Right To Sell  
**Tenancy in Common:**

**Contact:** 415-706-6660 properties@bonniespindler.com  
**Phone:** 415-552-9500  
**Commission:** 2.5  
**Percent for Sale:** 0%

**Buying Information:**

**Buyer's Agent:** Amy Da Virro / A406436  
**Buyer's Office:** Compass / 7B1791  
**Concessions:** 0  
**Concessions:** No  
**Co-Buyer Agent:** Bernard Link Group / A318357  
**Co-Buyer Office:** /

**Phone:** 415-302-3162  
**Phone:** 707-219-6276  
**Concession Notes:**  
**Multiple Offers:** No 0  
**Phone:** 415-336-8676  
**Phone:**

**Property Features:**

**County:** Sonoma  
**Property Condition:**  
**Total Parking Spaces:** 4 **Carport Space(s):** 0  
**Parking Features:** Enclosed, Uncovered Parking Spaces 2+  
**Roofing:**  
**Window Features:**  
**Heating:** Central  
**Construction:**  
**Pool Type(s):** No  
**Views:**  
**Appliances:**  
**Master Bath Features:**  
**Upper Level Rooms:**  
**Main Level Rooms:** Family Room, Kitchen, Living Room, Partial Bath(s)

**Senior:** No **Stories:** 2  
**Remodeled:** **Style:**  
**Garage Space(s):** 1 **Fireplace(s):** 3  
**Fireplace Type:** Gas Log  
**Flooring:**  
**Security Features:**  
**Cooling:** Central  
**Foundation:**  
**Spa/HotTub:**  
**Laundry:** Dryer Included, Washer Included  
**Dining Room:**  
**Bathroom:**  
**Basement:**

**Patio & Porch Features:**

**Lot Features:** Street Lights  
**Sewer:** Public Sewer  
**Water Source:** Public

**Exterior:**  
**Utilities:** Public  
**Other Structures:**

**Unit/Block/Lot:**



1266 Mcgregor Ave, Petaluma, CA 94954-3458


[Additional Pictures](#) |

Private Remarks: For Comp Purposes Only tenants purchased home.

**Sold Off MLS****\$640,000**

|                                    |                                  |                        |           |
|------------------------------------|----------------------------------|------------------------|-----------|
| <b>MLS #</b>                       | 322064906                        | <b>List Price:</b>     | \$640,000 |
| <b>Beds:</b>                       | 3                                | <b>Original Price:</b> | \$640,000 |
| <b>Baths (F/P):</b>                | 2(2/0)                           | <b>Sold Price:</b>     | \$640,000 |
| <b>Number of Rooms:</b>            | 0                                | <b>Price per SqFt:</b> | \$624.39  |
| <b>Approximate SqFt:</b>           | 1025/Assessor Auto-Fill          | <b>DOM/CDOM:</b>       | 25/25     |
| <b>Lot Size SqFt/Acres:</b>        | 5001/0.1148/(Assessor Auto-Fill) | <b>List Date:</b>      | 03/09/22  |
| <b>Year Built:</b>                 | 1955                             | <b>On-Market:</b>      | 03/09/22  |
| <b>APN:</b>                        | 007-233-002-000                  | <b>Closed:</b>         | 04/05/22  |
| <b>Unit/Block/Lot:</b>             |                                  | <b>Contingent:</b>     |           |
| <b>Special Listing Conditions:</b> | None                             | <b>Pending:</b>        | 04/03/22  |
| <b>Subtype / Description:</b>      | Single Family Reside/ Detached   |                        |           |

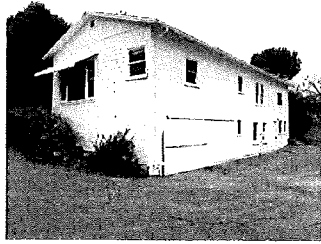
**Showing:****Directions to Property:** Comp Purposes Only**Cross Street:** Kresky Way**Showing Instructions:** Do Not Disturb**Lockbox Location:** None - Comp Purposes Only**Showing Contact:** NA

(000) 000-000

**Occupancy:** Tenant**Agent Information:****List Agent/ID/License:** James Lanatti/B324712/01460297**Listing Office/ID:** CENTURY 21 Bundesen / BC2121**Listing Type:** Exclusive Right To Sell**Tenancy in Common:****Contact:** 707-769-7115 jim@lanatti.com**Phone:** 707-769-9000**Commission:** 2**Percent for Sale:**0%**Buying Information:****Buyer's Agent:** Steve Thielsen / B332875**Buyer's Office:** CENTURY 21 Bundesen / BC2121**Concessions:** 0**Phone:** 707-769-7130**Phone:** 707-769-9000**Concession****Notes:****Multiple Offers:** No 1**Concessions:** No**Property Features:****County:** Sonoma**Property Condition:** Updated/Remodeled**Total Parking Spaces:** 3 **Carport Space(s):**0**Parking Features:** Attached**Roofing:** Composition**Window Features:****Heating:** Central**Construction:** Stucco,Wood**Pool Type(s):** No**Views:****Appliances:****Master Bath Features:****Upper Level Rooms:****Main Level Rooms:** Bedroom(s),Family Room,Full Bath(s),Garage,Kitchen,Primary Bedroom,Street Entrance**Senior:** No **Stories:** 1**Remodeled:****Garage Space(s):** 1 **Style:****Fireplace Type:** Family Room**Flooring:** Laminate**Security Features:****Cooling:** Ceiling Fan(s)**Foundation:** Concrete Perimeter**Spa/HotTub:****Laundry:** In Garage**Dining Room:****Bathroom:****Basement:****Patio & Porch Features:****Lot Features:** Low Maintenance,Shape Regular**Sewer:** Public Sewer**Water Source:** Public**Exterior:****Utilities:** Cable Available,Electric,Natural Gas  
Connected,Public**Other****Structures:****Unit/Block/Lot:**

340 Paula Ln, Petaluma, CA 94952-1808

Closed

**\$1,100,000**

Additional Pictures |

**MLS #** 322025977  
**Beds:** 2  
**Baths (F/P):** 1(1/0)  
**Number of Rooms:** 0  
**Approximate SqFt:** 1286/Assessor Auto-Fill  
**Lot Size SqFt/Acres:** 87120/2.0000/  
**Year Built:** 1920  
**APN:** 019-070-002-000

**List Price:** \$850,000  
**Original Price:** \$850,000  
**Sold Price:** \$1,100,000  
**Price per SqFt:** \$855.37  
**DOM/CDOM:** 3/3  
**List Date:** 03/26/22  
**On-Market:** 03/29/22  
**Closed:** 04/21/22  
**Contingent:**  
**Pending:** 04/01/22

**Unit/Block/Lot:****Special Listing Conditions:** None**Subtype / Description:** Single Family Reside/ Detached,Ranchette/Country

Private Remarks: Property is tenant occupied month to month. Please provide 24 hour notice. Call Bob Walker @ 415-819-1291 to schedule a showing. Disclosure.io link -<https://app.disclosures.io/link/340-Paula-Lane-mdua2wao>  
 Public Remarks: Country living with so much potential! Home is an updated 1920's farmhouse with full basement and a newer detached oversized garage. Create your own estate on this 2 acre agricultural zoned parcel allowing a multitude of uses just 1.3 miles from downtown Petaluma. Neighboring 2 acre parcel at 440 Lane is also available (MLS #322025978)

**Showing:****Directions to Property:** Bodega Avenue, right on Paula Lane**Cross Street:** Bodega Avenue**Showing Instructions:** 24 Hour Notice, Appointment Only**Lockbox Location:** No lockbox, appointment required**Showing Contact:** Bob Walker

(415) 819-1291

**Occupancy:** Tenant**Agent Information:****List Agent/ID/License:** Bob Walker/805915/01209683**Listing Office/ID:** GM Green Real Estate, Inc. / GMGA**Listing Type:** Exclusive Right To Sell**Tenancy in Common:****Co-Listing Agent/ID:** George M Green / 038605**Co-Listing Office/ID:** GM Green Real Estate, Inc./GMGA**Contact:** 415-819-1291 [rwalker@gmgreen.com](mailto:rwalker@gmgreen.com)**Phone:** 415-923-6999**Commission:** 2.5**Percent for Sale:** 0%**Phone:** 415-923-6999 x203**Phone:** 415-923-6999**Buying Information:****Buyer's Agent:** Aaron P Loewenthal / B337653**Buyer's Office:** Westgate Realty / BWEST**Concessions:** 0**Phone:** 707-477-6427**Phone:** 707-769-9590**Concession****Notes:****Multiple Offers:** Yes 0**Concessions:** No**Property Features:****County:** Sonoma**Property Condition:** Fixer, Updated/Remodeled**Total Parking Spaces:** 6 **Carport Space(s):** 0**Parking Features:** Attached, Detached, Garage Door Opener, RV Access**Roofing:** Composition**Window Features:****Heating:** Gas**Construction:** Wood Siding**Pool Type(s):** No**Views:** Pasture, Ridge**Appliances:** Free Standing Electric Oven, Free Standing Gas Oven, Free Standing Refrigerator**Senior:** No**Stories:** 1**Remodeled:****Style:** Farmhouse**Garage Space(s):** 2**Fireplace(s):** 0**Fireplace Type:****Flooring:** Carpet, Laminate, Vinyl**Security Features:****Cooling:** None**Foundation:** Concrete Perimeter, Pillar/Post/Pier**Spa/HotTub:****Laundry:** Dryer Included, In Basement, Inside Area, Washer In**Dining Room:****Bathroom:** Tub w/Shower Over**Basement:** Full**Master Bath Features:****Upper Level Rooms:****Main Level Rooms:** Bedroom(s), Full Bath(s), Kitchen, Living Room**Patio & Porch Features:** Uncovered Patio**Lot Features:** Shape Regular**Sewer:** Septic System**Water Source:** Public**Exterior:****Utilities:** Electric, Natural Gas Connected**Other****Structures:** Barn(s)**Unit/Block/Lot:**

440 Paula Ln, Petaluma, CA 94952-1851

Closed

\$1,100,000



**MLS #** 322025978  
**Beds:** 2  
**Baths (F/P):** 1(1/0)  
**Number of Rooms:** 0  
**Approximate SqFt:** 763/Assessor Auto-Fill  
**Lot Size SqFt/Acres:** 87120/2.0000/  
**Year Built:** 1954  
**APN:** 019-070-001-000  
**Unit/Block/Lot:**  
**Special Listing Conditions:** Offer As Is  
**Subtype / Description:** Single Family Reside/ Detached,Ranchette/Country

**List Price:** \$950,000  
**Original Price:** \$950,000  
**Sold Price:** \$1,100,000  
**Price per SqFt:** \$1,441.68  
**DOM/CDOM:** 1/1  
**List Date:** 03/26/22  
**On-Market:** 03/29/22  
**Closed:** 04/22/22  
**Contingent:**  
**Pending:** 03/30/22

[Additional Pictures](#) |

**Private Remarks:** Property is tenant occupied month to month. Please give 24 hour notice and call Bob Walker @ 415-819-1291 for showing appointment. Pest inspection report will be available by Friday 4/1. Disclosure.io link -<https://app.disclosures.io/link/440-Paula-Lane-4jru1kzj>  
**Public Remarks:** 440 Paula Create your own heaven! Exceptional estate opportunity in West Petaluma on this rare 2 acre parcel. There is an existing remodeled 2 bedroom / 1 bath home perfectly sited on the parcel for future use as an ADU if you build a new home . Great build site for a new home which would have sweeping views to the South and also West over the Paula Lane Nature Preserve. Agricultural zoning allows a multitude of uses and just 1.3 miles to downtown Petaluma. The perfect combination of amenities and location to make your dreams come true! Neighboring 2 acre parcel and home at 340 Paula Lane is also available (MLS #322025977)

**Showing:**

**Directions to Property:** Bodega Avenue to Paula Lane  
**Cross Street:** West Street  
**Showing Instructions:** 24 Hour Notice,Appointment Only  
**Lockbox Location:** No lockbox, appt. only

**Showing Contact:** Bob Walker (415) 819-1291  
**Occupancy:** Tenant

**Agent Information:**

**List Agent/ID/License:** Bob Walker/805915/01209683  
**Listing Office/ID:** GM Green Real Estate, Inc. / GMGA  
**Listing Type:** Exclusive Right To Sell  
**Tenancy in Common:**  
**Co-Listing Agent/ID:** George M Green / 038605  
**Co-Listing Office/ID:** GM Green Real Estate, Inc./GMGA

**Contact:** 415-819-1291 [rwalker@gmgreen.com](mailto:rwalker@gmgreen.com)  
**Phone:** 415-923-6999  
**Commission:** 2.5  
**Percent for Sale:** 0%  
**Phone:** 415-923-6999 x203  
**Phone:** 415-923-6999

**Buying Information:**

**Buyer's Agent:** Raymond Bakowski / A328560  
**Buyer's Office:** Coldwell Banker Realty / ACLBA01  
**Concessions:** 0

**Phone:** 415-608-7806  
**Phone:** 415-461-3000  
**Concession Notes:**  
**Multiple Offers:** Yes 0

**Concessions:** No

**Property Features:**

**County:** Sonoma  
**Property Condition:** Updated/Remodeled  
**Total Parking Spaces:** 4 **Carport Space(s):** 0  
**Parking Features:** Attached,RV Possible  
**Roofing:** Composition  
**Window Features:**  
**Heating:** Gas  
**Construction:** Wood Siding  
**Pool Type(s):** No  
**Views:** Panoramic,Pasture,Ridge  
**Appliances:** Free Standing Electric Oven,Free Standing Refrigerator  
**Master Bath Features:**  
**Upper Level Rooms:**  
**Main Level Rooms:** Bedroom(s),Full Bath(s),Kitchen

**Senior:** No **Stories:** 1  
**Remodeled:** **Style:** Farmhouse  
**Garage Space(s):** 1 **Fireplace(s):** 0  
**Fireplace Type:**  
**Flooring:** Laminate  
**Security Features:**  
**Cooling:** None  
**Foundation:** Concrete Perimeter  
**Spa/HotTub:**  
**Laundry:** Dryer Included,Inside Area,Washer Included  
**Dining Room:**  
**Bathroom:** Tub w/Shower Over  
**Basement:**

**Patio & Porch Features:** Uncovered Patio  
**Lot Features:** Shape Regular  
**Sewer:** Septic System  
**Water Source:** Public

**Exterior:**  
**Utilities:** Electric,Natural Gas Connected  
**Other Structures:** Barn(s)

**Unit/Block/Lot:**

427 4th St, Petaluma, CA 94952-4204

Closed

\$954,000



Additional Pictures |

**MLS #** 322009620  
**Beds:** 3  
**Baths (F/P):** 3(3/0)  
**Number of Rooms:** 0  
**Approximate SqFt:** 1249/Owner  
**Lot Size SqFt/Acres:** 4600/0.1056/(Owner)  
**Year Built:** 1907  
**APN:** 008-115-013-000  
**Unit/Block/Lot:**  
**Special Listing Conditions:** Offer As Is  
**Subtype / Description:** Single Family Reside/ Detached,Studio

**List Price:** \$930,000  
**Original Price:** \$930,000  
**Sold Price:** \$954,000  
**Price per SqFt:** \$763.81  
**DOM/CDOM:** 16/16  
**List Date:** 02/03/22  
**On-Market:** 02/28/22  
**Closed:** 04/14/22  
**Contingent:** 03/16/22  
**Pending:** 03/16/22

Private Remarks: Looking for back up offer.2 separate homes . 2Bd,2Ba.Call 1st. go direct LB (on pipe left of front steps.)Both keys,Replace in LBox Escrow 1st American Title #4909-673642 Deanna Majcherek 523-3902 Separate permitted Studio Cottage unit w Ba.rents for \$1100 per mo.or use for 3rd bedroomw/ba. shown by appt. Rachel 870-5747 <https://app.disclosures.io/link/427-4th-Street-rulet367>  
 Public Remarks: Wonderful Vintage home 1/2 block to Wickersham Park.2bedroom 2 bath formal dinning room ,office . Ideal West Petaluma location short walking distance to town. Permitted Separate Studio Cottage with Bath rents for\$1100 per mo.or use for 3rd bed w/b

**Showing:****Directions to Property:** Petaluma Blvd South to G St. West on G to 4th St.**Cross Street:** G Street**Showing Instructions:** Appointment Only,Call 1st Lockbox**Lockbox Location:** on pipe left of front stairs.Vacant.Studio by Appt**Showing Contact:** Jane Duggan

(707) 280-1711

**Occupancy:** Tenant**Agent Information:****List Agent/ID/License:** Jane Duggan/B3353/00424647**Listing Office/ID:** Vanguard Properties / 7B905**Listing Type:** Exclusive Right To Sell**Tenancy in Common:****Contact:** 707-280-1711 janedugganre@gmail.com**Phone:** 707-545-2000**Commission:** 2.5**Percent for Sale:**0%**Buying Information:****Buyer's Agent:** Richard J Tremante / A011927**Buyer's Office:** Commercial Real Estate Investor Inc / 7DCREI**Concessions:** 0**Phone:** 415-302-8681**Phone:** 209-845-3861**Concession** N/A**Notes:****Multiple Offers:** Yes 3**Concessions:** Call Listing Agent**Property Features:****County:** Sonoma**Property Condition:** Original**Total Parking Spaces:** 0**Carport Space(s):**0**Parking Features:** No Garage,Private,Uncovered Parking Space,Uncovered**Roofing:** Composition**Window Features:** Dual Pane Full,Window Screens**Heating:** Central,Gas,Natural Gas**Construction:** Frame,Lap Siding,Plaster,Wood**Pool Type(s):** No**Views:** Other**Appliances:** Free Standing Gas Range,Free Standing Refrigerator,Tankless Water Heater**Master Bath Features:** Tub**Upper Level Rooms:****Main Level Rooms:** Bedroom(s),Dining Room,Full Bath(s),Kitchen,Living Room,Primary Bedroom,Street Entrance**Kitchen Features:** Breakfast Area,Other Counter**Patio & Porch Features:****Lot Features:** Curb(s),Curb(s)/Gutter(s),Garden,Landscape Front,Street Lights**Sewer:** Public Sewer**Water Source:** Meter on Site,Public**Unit/Block/Lot:****Senior:** No**Stories:** 1**Remodeled:****Style:** Traditional,Vintage**Garage Space(s):** 0**Fireplace(s):** 0**Fireplace Type:****Flooring:** Linoleum,Tile,Vinyl,Wood**Security Features:** Carbon Mon Detector,Smoke Detector**Cooling:** Central**Foundation:** Concrete Perimeter,Pillar/Post/Pier**Spa/HotTub:****Laundry:** Cabinets,Inside Room,Sink,Washer/Dryer Stacked I**Dining Room:** Formal Room**Bathroom:** Shower Stall(s),Tile,Window**Basement:****Exterior:****Utilities:** Cable Available,Internet Available,Natural Gas Connected,Public**Other Structures:** Storage,Other



**927 Hogwarts Cir, Petaluma, CA 94954-7497****Closed****\$1,100,000**

Additional Pictures |

|                                    |                                  |                        |             |
|------------------------------------|----------------------------------|------------------------|-------------|
| <b>MLS #</b>                       | 322029290                        | <b>List Price:</b>     | \$989,000   |
| <b>Beds:</b>                       | 4                                | <b>Original Price:</b> | \$989,000   |
| <b>Baths (F/P):</b>                | 3(2/1)                           | <b>Sold Price:</b>     | \$1,100,000 |
| <b>Number of Rooms:</b>            | 0                                | <b>Price per SqFt:</b> | \$494.16    |
| <b>Approximate SqFt:</b>           | 2226/Assessor Auto-Fill          | <b>DOM/CDOM:</b>       | 9/9         |
| <b>Lot Size SqFt/Acres:</b>        | 3376/0.0775/(Assessor Auto-Fill) | <b>List Date:</b>      | 03/24/22    |
| <b>Year Built:</b>                 | 2003                             | <b>On-Market:</b>      | 04/04/22    |
| <b>APN:</b>                        | 137-440-032-000                  | <b>Closed:</b>         | 04/27/22    |
| <b>Unit/Block/Lot:</b>             |                                  | <b>Contingent:</b>     | 04/09/22    |
| <b>Special Listing Conditions:</b> | Offer As Is                      | <b>Pending:</b>        | 04/13/22    |
| <b>Subtype / Description:</b>      | Single Family Reside/ Detached   |                        |             |

Private Remarks: First public showings during Broker Tour 4/6. Following broker tour call agent for showing appointments. Pre-Escrow opened with Lisa Warner @ Fidelity in Petaluma. Disclosures available at <https://app.disclosures.io/link/927-Hogwarts-Circle-htoxxo8u> Clear Section 1 Pest Report! Please note the open house on Sunday has been Cancelled. Saturday remains open 1-4 pm.

Public Remarks: Pride of ownership shines in this light, bright, and turn-key Petaluma home. Boasting 2,226 sqft of living space, 927 Hogwarts is a four bedrooms, two and one-half bath beauty. On the lower level, you will find the living room, dining room, family room, and open concept updated kitchen with granite countertops, stainless steel appliances, and large center island all flow together seamlessly. Up the freshly carpeted stairs are four generously sized bedrooms, 2 full bathrooms, a built-in workspace, and upstairs laundry room. The primary bedroom is complete with an oversized ensuite bathroom with soaking tub, double vanities, and a large walk-in closet. The backyard is ripe for entertaining with bistro lights, concrete patio, and a brand new artificial grass lawn. Located in the sought-after Meadow School District and moments to McDowell Meadows and Turnbridge Park. Other features include 9-foot ceilings, A/C, security system, and drought resistant landscaping.

**Showing:**

**Directions to Property:** East on Corona Rd, 1st exit traffic circle onto Sonoma Mountain PWKY. Right on Wellington Pl. Continue straight onto Hogwarts Cir. 927 Hogwarts Cir

**Cross Street:** Liverpool Way

**Showing Instructions:** Supra iBox, See Remarks

**Lockbox Location:** Gas bib left of front door

**Showing Contact:** Forest (415) 300-6116

**Occupancy:** Tenant

**Agent Information:**

**List Agent/ID/License:** Forest DeSante/A403326/02051547

**Listing Office/ID:** Corcoran Icon Properties / 7B2103

**Listing Type:** Exclusive Right To Sell

**Tenancy in Common:**

**Co-Listing Agent/ID:** Keith White / B338270

**Co-Listing Office/ID:** Corcoran Icon Properties/7B2103

**Contact:** 415-300-6116 forest.desante@corcorangl.com

**Phone:** 800-681-1361

**Commission:** 2.5

**Percent for Sale:** 0%

**Phone:** 707-559-8579

**Phone:** 800-681-1361

**Buying Information:**

**Buyer's Agent:** Patricia D Moore / B4972

**Buyer's Office:** RE/MAX Marketplace / 7B1371

**Concessions:** 0

**Phone:** 707-326-1007

**Phone:** 707-200-4727

**Concession Notes:**

**Multiple Offers:** Yes 2

**Property Features:**

**County:** Sonoma

**Property Condition:**

**Total Parking Spaces:** 4 **Carport Space(s):** 0

**Parking Features:** Attached, Garage Facing Front

**Roofing:**

**Window Features:**

**Heating:** Central

**Construction:**

**Pool Type(s):** No

**Views:**

**Appliances:**

**Master Bath Features:**

**Upper Level Rooms:** Bedroom(s), Full Bath(s), Primary Bedroom

**Main Level Rooms:** Dining Room, Family Room, Garage, Kitchen, Living Room, Partial Bath(s), Street Entrance

**Kitchen Features:** Granite Counter, Island w/Sink, Pantry Cabinet

**Patio & Porch Features:**

**Lot Features:** Grass Artificial, Landscape Back, Landscape Front, Low Maintenance

**Sewer:** Public Sewer

**Water Source:** Public

**Senior:** No

**Remodeled:**

**Garage Space(s):** 2

**Fireplace Type:** Family Room

**Flooring:** Carpet, Laminate, Tile

**Security Features:** Security System Owned, Video System

**Cooling:** Central

**Foundation:** Slab

**Spa/HotTub:**

**Laundry:** Upper Floor

**Dining Room:**

**Bathroom:**

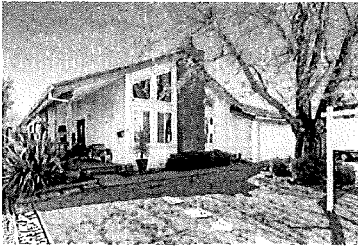
**Basement:**

**Exterior:**

**Utilities:** Public

**Other Structures:**

**Unit/Block/Lot:**

**1316 Ponderosa Dr, Petaluma, CA 94954-4392****Closed****\$842,533**[Additional Pictures](#) |

|                                    |                                  |                        |           |
|------------------------------------|----------------------------------|------------------------|-----------|
| <b>MLS #</b>                       | 322021102                        | <b>List Price:</b>     | \$865,000 |
| <b>Beds:</b>                       | 4                                | <b>Original Price:</b> | \$794,999 |
| <b>Baths (F/P):</b>                | 2(2/0)                           | <b>Sold Price:</b>     | \$842,533 |
| <b>Number of Rooms:</b>            | 0                                | <b>Price per SqFt:</b> | \$472.01  |
| <b>Approximate SqFt:</b>           | 1785/Assessor Auto-Fill          | <b>DOM/CDOM:</b>       | 4/4       |
| <b>Lot Size SqFt/Acres:</b>        | 5998/0.1377/(Assessor Auto-Fill) | <b>List Date:</b>      | 03/17/22  |
| <b>Year Built:</b>                 | 1968                             | <b>On-Market:</b>      | 03/18/22  |
| <b>APN:</b>                        | 005-112-016-000                  | <b>Closed:</b>         | 04/20/22  |
| <b>Unit/Block/Lot:</b>             |                                  | <b>Contingent:</b>     |           |
| <b>Special Listing Conditions:</b> | None                             | <b>Pending:</b>        | 03/22/22  |
| <b>Subtype / Description:</b>      | Single Family Reside/ Detached   |                        |           |

**Private Remarks:** Per tenant request, no showings on Sunday. Monday through Saturday is fine. / Please text Marie, tenant at 707-755-1405 for notification of showings. GO SHOW! Don't wait for response. / Please don't use ShowingTime. / Lockbox location: to the right side of the garage door on the PG&E pipes. / All disclosures, inspections, etc, are currently on Disclosures.IO. Please click on the link: / Agents, please submit buyers proof of funds with your offer as well as lender pre-qualification letter from lender. / Owner to review offers on Monday, March 28th at 6 PM or sooner if a motivated offer. Yes, owner will review offers sooner. Thank you.

**Public Remarks:** Four bedroom, two bath home in super quiet are of Petaluma. Pride of ownership shines throughout the neighborhood. Living room has dramatic extended cathedral ceilings and cozy fireplace. Separate family room and Kitchen has electric stove and microwave. Bedroom has dual pane windows. Guest bathroom. Master bedroom suite.

**Showing:**

**Directions to Property:** Southwest on E Washington St, left onto S McDowell Blvd, right onto Berrydale Dr, left at the 1st cross street onto Glenwood Dr, Glenwood Dr turns right and becomes Ponderosa Dr, destination on the left

**Cross Street:** Glenwood Dr **Showing Contact:** Marie / tenant (707) 755-1405

**Showing Instructions:** Leave Card, Supra IBox, See Remarks **Occupancy:** Tenant

**Lockbox Location:** To the right side of the garage door on the PG&E pipes.

**Agent Information:**

**List Agent/ID/License:** Randy Nichols/D0916/01208441 **Contact:** 415-279-8174 randynicholsrealtor@mac.com

**Listing Office/ID:** RE/MAX Accord / DREACC2 **Phone:** 510-339-4100

**Listing Type:** Exclusive Right To Sell **Commission:** 2.5

**Tenancy in Common:** **Percent for Sale:** 0%

**Buying Information:**

**Buyer's Agent:** Regina Jenkins / A406010 **Phone:** 415-225-1785

**Buyer's Office:** Vanguard Properties / 7B714 **Phone:** 707-869-9800

**Concessions:** 0 **Concession Notes:**

**Concessions:** No **Multiple Offers:** No 1

**Property Features:**

**County:** Sonoma **Senior:** No **Stories:** 1

**Property Condition:** **Remodeled:** **Style:**

**Total Parking Spaces:** 4 **Garage Space(s):** 2 **Fireplace(s):** 1

**Parking Features:** Attached **Fireplace Type:** See Remarks

**Roofing:** **Flooring:**

**Window Features:** **Security Features:**

**Heating:** Central **Cooling:** See Remarks

**Construction:** **Foundation:**

**Pool Type(s):** No **Spa/HotTub:**

**Views:** **Laundry:** See Remarks

**Appliances:** **Dining Room:**

**Master Bath Features:** **Bathroom:**

**Upper Level Rooms:** **Basement:**

**Main Level Rooms:** Bedroom(s), Family Room, Garage, Primary Bedroom

**Patio & Porch Features:**

**Lot Features:** Other **Exterior:**

**Sewer:** Public Sewer **Utilities:** Public

**Water Source:** Public **Other Structures:**

**Unit/Block/Lot:**

724 Elm Dr, Petaluma, CA 94952-1811



Additional Pictures |

**MLS #** 322051959  
**Beds:** 3  
**Baths (F/P):** 2(2/0)  
**Number of Rooms:** 0  
**Approximate SqFt:** 1558/Assessor Auto-Fill  
**Lot Size SqFt/Acres:** 6416/0.1473/(Assessor Auto-Fill)  
**Year Built:** 1965  
**APN:** 006-530-007-000  
**Unit/Block/Lot:**  
**Special Listing Conditions:** None  
**Subtype / Description:** Single Family Reside/ Detached

Sold Off MLS

\$650,000

**List Price:** \$650,000  
**Original Price:** \$650,000  
**Sold Price:** \$650,000  
**Price per SqFt:** \$417.20  
**DOM/CDOM:** 16/16  
**List Date:** 05/04/22  
**On-Market:** 05/04/22  
**Closed:** 05/31/22  
**Contingent:**  
**Pending:** 05/20/22

Private Remarks: For Comp purposes. Long term tenants purchased home from close family friend. The home has deferred maintenance. Kitchen updated 10 years ago but bathrooms, flooring, and deck are original. Downstairs bonus space has 7-foot ceilings.

Public Remarks: Three bedroom 2 bath home on quiet, flat street near Cherry Valley Elementary.

**Showing:**

**Directions to Property:** Petaluma Blvd North, left on Magnolia, left on Elm.

**Cross Street:** Schuman Lane

**Showing Instructions:** See Remarks

**Lockbox Location:** NONE

**Showing Contact:** Jaime Pera

(415) 505-7197

**Occupancy:** Tenant

**Agent Information:**

**List Agent/ID/License:** Jaime Pera/A335705/01442699

**Listing Office/ID:** Corcoran Icon Properties / 7A895

**Listing Type:** Exclusive Right To Sell

**Tenancy in Common:**

**Contact:** 415-505-7197 jpera@corcoranl.com

**Phone:** 415-496-2600

**Commission:** 2.125

**Percent for Sale:** 0%

**Buying Information:**

**Buyer's Agent:** Jaime Pera / A335705

**Buyer's Office:** Corcoran Icon Properties / 7A895

**Concessions:** 0

**Phone:** 415-505-7197

**Phone:** 415-496-2600

**Concession**

**Notes:**

**Multiple Offers:** No 1

**Concessions:** No

**Property Features:**

**County:** Sonoma

**Property Condition:** Fixer

**Total Parking Spaces:** 4

**Carport Space(s):** 0

**Parking Features:** Attached

**Roofing:**

**Window Features:**

**Heating:** Central

**Construction:**

**Pool Type(s):** No

**Views:** Hills

**Appliances:**

**Master Bath Features:**

**Upper Level Rooms:**

**Main Level Rooms:** Bedroom(s), Kitchen, Living Room

**Senior:** No

**Stories:** 1

**Remodeled:** No

**Style:**

**Garage Space(s):** 2

**Fireplace(s):** 1

**Fireplace Type:** Brick

**Flooring:**

**Security Features:**

**Cooling:** None

**Foundation:**

**Spa/HotTub:**

**Laundry:** In Garage

**Dining Room:**

**Bathroom:**

**Basement:**

**Patio & Porch Features:**

**Lot Features:** Landscape Front, Low Maintenance

**Sewer:** Public Sewer

**Water Source:** Water District

**Exterior:**

**Utilities:** Cable Connected, Internet Available

**Other**

**Structures:**

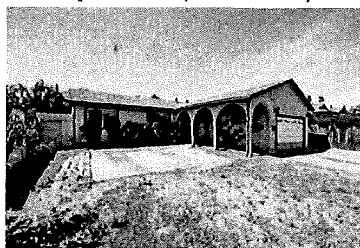
**Unit/Block/Lot:**

## Residential Agent One-Page Report

1505 Baywood Dr, Petaluma, CA 94954-4458

Closed

\$718,000



Additional Pictures |

|                                    |                                  |                        |           |
|------------------------------------|----------------------------------|------------------------|-----------|
| <b>MLS #</b>                       | 322048177                        | <b>List Price:</b>     | \$689,000 |
| <b>Beds:</b>                       | 4                                | <b>Original Price:</b> | \$689,000 |
| <b>Baths (F/P):</b>                | 2(2/0)                           | <b>Sold Price:</b>     | \$718,000 |
| <b>Number of Rooms:</b>            | 0                                | <b>Price per SqFt:</b> | \$543.94  |
| <b>Approximate SqFt:</b>           | 1320/Assessor Auto-Fill          | <b>DOM/CDOM:</b>       | 24/24     |
| <b>Lot Size SqFt/Acres:</b>        | 5998/0.1377/(Assessor Auto-Fill) | <b>List Date:</b>      | 05/27/22  |
| <b>Year Built:</b>                 | 1969                             | <b>On-Market:</b>      | 05/27/22  |
| <b>APN:</b>                        | 136-335-005-000                  | <b>Closed:</b>         | 06/24/22  |
| <b>Unit/Block/Lot:</b>             |                                  | <b>Contingent:</b>     | 06/03/22  |
| <b>Special Listing Conditions:</b> | Other                            | <b>Pending:</b>        | 06/20/22  |
| <b>Subtype / Description:</b>      | Single Family Reside/ Detached   |                        |           |

Private Remarks: Must contact agent with 1 hr notice. Tax roll reflects 3 bedroom. Home is a fixer. Offers, if any, due Friday, June 3, 2022 @ 10 am. Email to PattyLoucks@gmail.com. Probate has been completed.

Public Remarks: Fantastic entry-level home with tons of upside potential! Diamond in the rough, looking for a new owner. 4 bedrooms, 2 baths, large kitchen with refrigerator, fireplace in the living room. Level and cleared lot offers the opportunity to landscape from the ground up with storage. This great single level home is centrally located near shopping, transportation and parks. Live in it and fix as you go or rehab to your hearts desire. Opportunity knocks.

Showing:

**Directions to Property:** S. McDowell Blvd to Baywood.

**Cross Street:** Daniel

**Showing Instructions:** Call 1st Lockbox, Supra iBox, See Remarks

**Lockbox Location:** Hose bib to left of door between rose bushes.

**Showing Contact:** Agent Patty Loucks

(707) 321-9999

**Occupancy:** Tenant

Agent Information:

**List Agent/ID/License:** Patty Loucks/B314254/01256864

**Listing Office/ID:** Town & Country Properties / BTNCO

**Listing Type:** Exclusive Right To Sell

**Tenancy in Common:**

**Contact:** 707-321-9999 PattyLoucks@gmail.com

**Phone:** 707-566-3980

**Commission:** 2.5

**Percent for Sale:** 0%

Buying Information:

**Buyer's Agent:** Amanda Sandoval / B403133

**Buyer's Office:** Compass / 7B2441

**Concessions:** 0

**Phone:** 707-338-0796

**Phone:** 707-774-8600

**Concession Notes:**

**Multiple Offers:** Yes 3

**Phone:** 707-338-2178

**Phone:**

**Concessions:** No

**Co-Buyer Agent:** Margaret Kent / B9218

**Co-Buyer Office:** Compass / 7B2441

Property Features:

**County:** Sonoma

**Property Condition:** Original

**Total Parking Spaces:** 4 **Carport Space(s):** 0

**Parking Features:** Attached, Garage Facing Front, Interior Access

**Roofing:** Composition

**Window Features:**

**Senior:** No

**Stories:** 1

**Remodeled:** No

**Style:** Traditional

**Garage Space(s):** 2

**Fireplace(s):** 1

**Fireplace Type:** Living Room, Wood Burning

**Flooring:** Carpet, Linoleum, Tile

**Security Features:** Carbon Mon Detector, Double Strapped Water Heater, Smoke Detector

**Cooling:** Ceiling Fan(s)

**Foundation:** Concrete Perimeter

**Spa/HotTub:**

**Laundry:** Hookups Only, In Garage, Washer Included

**Dining Room:** Space in Kitchen

**Bathroom:** Tub, Tub w/ Shower Over

**Basement:**

**Heating:** Central, None, See Remarks

**Construction:** Stucco

**Pool Type(s):** No

**Views:**

**Appliances:** Free Standing Electric Range, Free Standing Refrigerator, Hood Over Range

**Master Bath Features:** Shower Stall(s)

**Upper Level Rooms:**

**Main Level Rooms:** Bedroom(s), Full Bath(s), Garage, Kitchen, Living Room, Primary Bedroom, Street Entrance

**Kitchen Features:** Breakfast Area, Laminate Counter, Pantry Closet

**Patio & Porch Features:**

**Lot Features:** Low Maintenance

**Sewer:** Public Sewer

**Water Source:** Public

**Exterior:**

**Utilities:** Cable Available, Public

**Other Structures:** Shed(s)

**Unit/Block/Lot:**

Presented by: Ross Liscum CA DRE License #00690324, 707-577-7777

Century 21 Epic CA DRE License #01523620, 707-577-7777

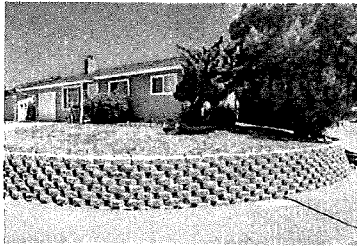
Featured properties may not be listed by the office/agent presenting this brochure. Information has not been verified, is not guaranteed, and is subject to change. Copyright © 2023 BAREIS, Inc. All rights Reserved. Copyright © 2023 Rapatoni Corporation. All rights reserved. (01/13/23 / 8:33AM) (U.S. Patent 6,910,045)



1608 Jeffrey Dr, Petaluma, CA 94954-3636

Closed

\$759,000



**MLS #** 322037664  
**Beds:** 3  
**Baths (F/P):** 2(2/0)  
**Number of Rooms:** 0  
**Approximate SqFt:** 1036/Not Verified  
**Lot Size SqFt/Acres:** 7000/0.1607/(Assessor Auto-Fill)  
**Year Built:** 1964  
**APN:** 007-453-004-000  
**Unit/Block/Lot:**  
**Special Listing Conditions:** Offer As Is  
**Subtype / Description:** Single Family Reside/ Detached

**List Price:** \$759,000  
**Original Price:** \$796,000  
**Sold Price:** \$759,000  
**Price per SqFt:** \$732.63  
**DOM/CDOM:** 55/55  
**List Date:** 04/09/22  
**On-Market:** 04/26/22  
**Closed:** 06/28/22  
**Contingent:** 06/01/22  
**Pending:** 06/20/22

[Additional Pictures](#) |

Private Remarks: \*\*Sq ftg noted per tax records does not include extra bonus/sun room. Showings by appt only with 24 hours notice. Call / Text/ email Listing agent for appt. Cooperative tenants on m/m lease. Fridge/Washer/Dryer belong to tenants. Seller in contract on replacement property out of state / 1031 Exchange. Photography are not all current - provided by seller and/or property manager and/or photographer. Wood stove in sun room shown in one photo has been removed. Bathroom vanity in hall bath has been replaced 5/2022.

Public Remarks: Wonderful home in eastside Petaluma. Convenient location! Corner lot with large yard perfect for green thumb or playtime! Updated/remodeled kitchen/bathrooms. Hardwood floors. Bonus Sun Room with tile flooring opens to the backyard. (\*\*Sq ftg noted per tax records does not include extra bonus/sun room.) Lots of storage.

**Showing:**

**Directions to Property:** Washington to Maria to Rene to Penrod to Jeffrey

**Cross Street:** Penrod

**Showing Contact:** Christina McNair

(415) 613-5563

**Showing Instructions:** 24 Hour Notice, Appointment Only, Call Showing Contact

**Occupancy:** Tenant

**Lockbox Location:** Gas meter left side by front left side gate

**Agent Information:**

**List Agent/ID/License:** Christina McNair/A012142/01183576

**Listing Office/ID:** Coldwell Banker Realty / ACLBA01

**Listing Type:** Exclusive Right To Sell

**Tenancy in Common:**

**Co-Listing Agent/ID:** Karla Farrell / A319388

**Co-Listing Office/ID:** Coldwell Banker Realty/ACLBA01

**Buying Information:**

**Buyer's Agent:** Hilary Thomas / B402997

**Buyer's Office:** Compass / 7B1791

**Concessions:** 0

**Contact:** 415-613-5563 christina@HomeInMarin.com

**Phone:** 415-461-3000

**Commission:** 2.5

**Percent for Sale:** 0%

**Phone:** 415-828-1584

**Phone:** 415-461-3000

**Phone:** 707-293-4493

**Phone:** 707-219-6276

**Concession**

**Notes:**

**Multiple Offers:** No 1

**Concessions:** No

**Property Features:**

**County:** Sonoma

**Property Condition:** Updated/Remodeled

**Total Parking Spaces:** 1 **Carport Space(s):** 0

**Parking Features:** Attached, Garage Facing Front, Interior Access

**Roofing:** Composition

**Window Features:**

**Heating:** Central

**Construction:**

**Pool Type(s):** No

**Views:**

**Appliances:** Dishwasher, Gas Cook Top, Hood Over Range

**Master Bath Features:**

**Upper Level Rooms:**

**Main Level Rooms:** Bedroom(s), Full Bath(s), Garage, Kitchen, Living Room, Primary Bedroom, Street Entrance

**Kitchen Features:** Breakfast Area, Stone Counter

**Patio & Porch Features:** Enclosed Patio

**Lot Features:** Landscape Misc

**Sewer:** Public Sewer

**Water Source:** Public

**Senior:** No

**Stories:** 1

**Remodeled:**

**Style:** Ranch, Traditional

**Garage Space(s):** 1

**Fireplace(s):** 1

**Fireplace Type:** Living Room, Wood Burning

**Flooring:** Tile, Wood

**Security Features:** Carbon Mon Detector, Smoke Detector

**Cooling:** None

**Foundation:** Concrete Perimeter

**Spa/HotTub:**

**Laundry:** Hookups Only, In Garage

**Dining Room:**

**Bathroom:**

**Basement:**

**Exterior:**

**Utilities:** Public

**Other**

**Structures:**

**Unit/Block/Lot:**

1312 Ponderosa Dr, Petaluma, CA 94954-4392

Closed

\$815,000



Additional Pictures |

|                                    |   |                        |           |
|------------------------------------|---|------------------------|-----------|
| <b>MLS #</b>                       | 322042402   | <b>List Price:</b>     | \$799,000 |
| <b>Beds:</b>                       | 3   | <b>Original Price:</b> | \$799,000 |
| <b>Baths (F/P):</b>                | 2(2/0)  | <b>Sold Price:</b>     | \$815,000 |
| <b>Number of Rooms:</b>            | 0   | <b>Price per SqFt:</b> | \$595.76  |
| <b>Approximate SqFt:</b>           | 1368/Assessor Auto-Fill                             | <b>DOM/CDOM:</b>       | 35/35     |
| <b>Lot Size SqFt/Acres:</b>        | 5998/0.1377/(Assessor Auto-Fill)                    | <b>List Date:</b>      | 05/06/22  |
| <b>Year Built:</b>                 | 1968  | <b>On-Market:</b>      | 05/09/22  |
| <b>APN:</b>                        | 005-112-015-000                                     | <b>Closed:</b>         | 06/15/22  |
| <b>Unit/Block/Lot:</b>             |   | <b>Contingent:</b>     | 05/25/22  |
| <b>Special Listing Conditions:</b> | None  | <b>Pending:</b>        | 06/13/22  |
| <b>Subtype / Description:</b>      | Single Family Reside/ Detached,Planned Unit Develop |                        |           |

Private Remarks: Extensive updates done throughout The owners daughter lives here and is moving out of the area This is a 1031 Exchange sale Oven is not working The burners work and broiler but not the oven The Oven is electric but there is a gas line there as well if new buyer wanted to change it Open house May 15th 1-4 No viewing till open house Hoping to get a 1 month rent back

Public Remarks: Extensive updates throughout this home. You must see to appreciate the love and care that has gone into this property. Bring your furniture and personal belongings and start your new adventure in a great home. Backyard has a covered patio which is great for outdoor entertainment and BBQ adventures.

Showing:

**Directions to Property:** Lakeville highway turn left on Baywood left on St Francis right on Ponderosa

**Cross Street:** St Francis

**Showing Contact:** Janine Zavosky

(415) 246-5332

**Showing Instructions:** 24 Hour Notice,Appointment Only,Call Showing Co

**Occupancy:** Tenant

**Lockbox Location:** No Lockbox Appointment only

Agent Information:

**List Agent/ID/License:** Janine Zavosky/A338771/01918517

**Contact:** 415-246-5332 jzavosky@Yahoo.com

**Listing Office/ID:** HomeSmart Advantage Realty / 7B287

**Phone:** 707-541-6120

**Listing Type:** Exclusive Right To Sell

**Commission:** 2.5

**Tenancy in Common:**

**Percent for Sale:**0%

Buying Information:

**Buyer's Agent:** Timo Rivetti / B313089

**Phone:** 707-477-8396

**Buyer's Office:** RE/MAX Gold / 7BMK

**Phone:** 707-762-6000

**Concessions:** 0

**Concession**

**Notes:**

**Concessions:** Call Listing Agent

**Multiple Offers:** Yes 2

Property Features:

**County:** Sonoma

**Senior:** No

**Stories:** 1

**Property Condition:** Updated/Remodeled

**Remodeled:**

**Style:** Ranch

**Total Parking Spaces:** 3 **Carport Space(s):**0

**Garage Space(s):** 2

**Fireplace(s):** 1

**Parking Features:** Other

**Fireplace Type:** Brick

**Roofing:** Shingle

**Flooring:** Lamine

**Window Features:**

**Security Features:**

**Heating:** Central,Fireplace(s)

**Cooling:** None

**Construction:**

**Foundation:**

**Pool Type(s):** No

**Spa/HotTub:**

**Views:**

**Laundry:** In Garage

**Appliances:** Dishwasher,Disposal,Free Standing Electric Range

**Dining Room:** Dining/Family Combo

**Master Bath Features:** Tub w/Shower Over

**Bathroom:** Tub w/Shower Over

**Upper Level Rooms:**

**Basement:**

**Main Level Rooms:** Bedroom(s),Family Room,Full Bath(s),Garage,Kitchen,Primary Bedroom

**Kitchen Features:** Kitchen/Family Combo,Stone Counter

**Patio & Porch Features:** Covered Patio

**Lot Features:** Other

**Exterior:** Entry Gate

**Sewer:** Public Sewer

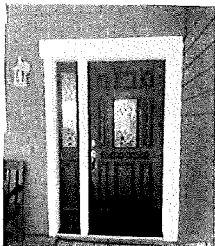
**Utilities:** Public

**Water Source:** Public

**Other Structures:**

**Unit/Block/Lot:**

1669 Andover Way, Petaluma, CA 94954-7453



Additional Pictures |

|                                    |                                     |                        |                    |
|------------------------------------|-------------------------------------|------------------------|--------------------|
| <b>MLS #</b>                       | 322039015                           | <b>Closed</b>          | <b>\$1,139,278</b> |
| <b>Beds:</b>                       | 6                                   | <b>List Price:</b>     | \$1,150,000        |
| <b>Baths (F/P):</b>                | 3(3/0)                              | <b>Original Price:</b> | \$1,150,000        |
| <b>Number of Rooms:</b>            | 0                                   | <b>Sold Price:</b>     | \$1,139,278        |
| <b>Approximate SqFt:</b>           | 3079/Assessor Auto-Fill             | <b>Price per SqFt:</b> | \$370.02           |
| <b>Lot Size SqFt/Acres:</b>        | 8120/0.1864/(Assessor Auto-Fill)    | <b>DOM/CDOM:</b>       | 27/27              |
| <b>Year Built:</b>                 | 1995                                | <b>List Date:</b>      | 04/28/22           |
| <b>APN:</b>                        | 137-340-030-000                     | <b>On-Market:</b>      | 05/14/22           |
| <b>Unit/Block/Lot:</b>             |                                     | <b>Closed:</b>         | 06/14/22           |
| <b>Special Listing Conditions:</b> | Offer As Is, Subject to Lender Conf | <b>Contingent:</b>     | 05/21/22           |
| <b>Subtype / Description:</b>      | Single Family Reside/ Detached      | <b>Pending:</b>        | 06/10/22           |

Private Remarks: Trust Sale please be courteous to Trustee and the adult children. Pre escrow is opened with Fidelity National Title-Stacy Palombino. #FSNX-6062200394-SFP

Public Remarks: Diamond in the rough! Desirable Liberty Farms neighborhood. Much sought after 6 bedroom home with a bedroom and full bath on the main level. Heated Italian Tumbled ceramic tile throughout the main level. Spacious formal living room with fireplace, large formal dining room. Kitchen features lots of cabinets and countertops, large eating area and family room with fireplace. Heated inground pool with lots of sunlight. Bring your crew to paint and make new again!

**Showing:**

**Directions to Property:** Sonoma Mtn Parkway to right on Maria to left on Stonehenge to Andover

**Cross Street:** Telford Lane

**Showing Instructions:** Appointment Only, Call Showing Contact

**Lockbox Location:** None

**Showing Contact:** Kathy Jensen

(707) 484-7521

**Occupancy:** Tenant

**Agent Information:**

**List Agent/ID/License:** Kathy Jensen/B5245/00979860

**Listing Office/ID:** Coldwell Banker Realty / ACLBA17

**Listing Type:** Exclusive Right To Sell

**Tenancy in Common:**

**Contact:** 707-484-7521 kathy.jensen@cbnocal.com

**Phone:** 707-762-6611

**Commission:** 2.5

**Percent for Sale:** 0%

**Buying Information:**

**Buyer's Agent:** Jeremy & Peg King / B5474

**Buyer's Office:** Coldwell Banker Realty / ACLBA17

**Concessions:** 17500

**Phone:** 707-338-8821

**Phone:** 707-762-6611

**Concession** Closing costs

**Notes:**

**Multiple Offers:** Yes 3

**Concessions:** Yes

**Property Features:**

**County:** Sonoma

**Property Condition:** Original

**Total Parking Spaces:** 3

**Carpport Space(s):** 0

**Parking Features:** Attached, Garage Door Opener, Garage Facing Side

**Roofing:** Cement, Tile

**Window Features:** Dual Pane Full

**Heating:** Central, Natural Gas

**Construction:** Wood Siding

**Pool Type(s):** Yes Gas Heat, Gunite Construction, Pool Cover

**Views:**

**Appliances:** Built-In Electric Oven, Dishwasher, Disposal, Gas Cook Top, Hood Over Range, Microwave

**Master Bath Features:** Shower Stall(s), Tile, Tub, Walk-In Closet, Window

**Upper Level Rooms:** Bedroom(s), Primary Bedroom

**Main Level Rooms:** Bedroom(s), Dining Room, Family Room, Full Bath(s), Garage, Kitchen, Living Room, Street Entrance

**Kitchen Features:** Breakfast Area, Pantry Closet, Tile Counter

**Patio & Porch Features:** Covered Deck, Front Porch

**Lot Features:** Garden

**Sewer:** Public Sewer

**Water Source:** Public

**Senior:** No

**Stories:** 2

**Remodeled:**

**Style:** Traditional

**Garage Space(s):** 3

**Fireplace(s):** 2

**Fireplace Type:** Family Room, Gas Starter, Living Room

**Flooring:** Carpet, Tile, Vinyl

**Security Features:**

**Cooling:** Ceiling Fan(s), Central

**Foundation:** Slab

**Spa/HotTub:**

**Laundry:** Cabinets, Hookups Only, Inside Room

**Dining Room:** Formal Room

**Bathroom:** Tile, Tub w/ Shower Over, Window

**Basement:**

**Exterior:**

**Utilities:** Public

**Other**

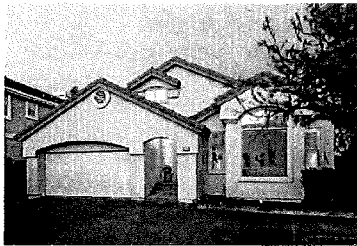
**Structures:**

**Unit/Block/Lot:**

182 Windsor Dr, Petaluma, CA 94952-7504

Closed

\$1,100,000



**MLS #** 322041797  
**Beds:** 3  
**Baths (F/P):** 2(2/0)  
**Number of Rooms:** 0  
**Approximate SqFt:** 2041/Assessor Auto-Fill  
**Lot Size SqFt/Acres:** 3855/0.0885/(Assessor Auto-Fill)  
**Year Built:** 1992  
**APN:** 008-600-001-000  
**Unit/Block/Lot:**  
**Special Listing Conditions:** None  
**Subtype / Description:** Single Family Reside/ Detached

**List Price:** \$1,100,000  
**Original Price:** \$1,100,000  
**Sold Price:** \$1,100,000  
**Price per SqFt:** \$538.95  
**DOM/CDOM:** 18/18  
**List Date:** 03/24/22  
**On-Market:** 05/20/22  
**Closed:** 07/14/22  
**Contingent:** 05/31/22  
**Pending:** 06/07/22

[Additional Pictures](#) | [Virtual Media](#)

Private Remarks: Text/call Nicole 707-326-5121 to schedule showings. Offers will be reviewed after 2pm on Tuesday 31st. Email nicole@rickwarnerrealestate.com for disclosures. Please include a disclosure packet acknowledgment page with your offer. Escrow opened with Beth White at First American Title.

Public Remarks: Check off every item on your wishlist with this picture-perfect West Petaluma home, located in the desirable Victoria subdivision which is surrounded by open space and situated right next to Helen Putnam Park. Here you'll find fabulous design details and stunning spaces indoors and out. Outdoor space includes a privacy fenced backyard with an open terrace and charming greenspace, a perfect spot for outdoor relaxation, recreation, and entertaining. Indoor design details include soaring vaulted ceilings, hardwood flooring throughout main level, and updated fixtures and finishes. Elegant gathering space features cozy fireplace while adjoining eat-in kitchen features Shaker-style cabinetry, stainless steel appliances, subway tile backsplash, marble countertops, and generous seated bar for casual dining. Owner's retreat features fireplace, walk-in closet and spa-like en suite bath with double-sink vanity, vessel tub and walk-in shower. Attached double-bay garage offers added convenience.

**Showing:****Directions to Property:** D Street to Windsor Drive**Cross Street:** D Street**Showing Contact:** Nicole Evans

(707) 326-5121

**Showing Instructions:** Appointment Only, Call Showing Contact, Text Show**Lockbox Location:** Front Porch**Occupancy:** Tenant**Agent Information:****List Agent/ID/License:** Rick Warner/A323168/01438566**Listing Office/ID:** Compass / 7B1791**Listing Type:** Exclusive Right To Sell**Tenancy in Common:****Contact:** 415-302-6348 rick@rickwarnerrealestate.com**Phone:** 707-219-6276**Commission:** 2.5**Percent for Sale:** 0%**Buying Information:****Buyer's Agent:** Sandrine Daligault / B401783**Buyer's Office:** Redfin / AAPPLIA**Concessions:** 0**Phone:** 707-326-6373**Phone:** 877-973-3346**Concession****Notes:****Multiple Offers:** No 1**Concessions:** No**Association Information:****Association Cost:** \$131 Monthly**Includes:** Common Areas, Management**Restrictions:****Features:** Greenbelt, Playground, Tennis Courts**Property Features:****County:** Sonoma**Property Condition:****Total Parking Spaces:** 4**Carport Space(s):** 0**Parking Features:** Attached**Roofing:****Window Features:****Heating:** Central, Electric**Construction:****Pool Type(s):** No**Views:****Appliances:****Master Bath Features:****Upper Level Rooms:****Main Level Rooms:** Bedroom(s), Dining Room, Family Room, Full Bath(s), Garage, Kitchen, Living Room, Street Entrance**Senior:** No**Stories:** 2**Remodeled:****Style:****Garage Space(s):** 2**Fireplace(s):** 2**Fireplace Type:** Gas Piped, Living Room, Primary Bedroom, Wood Bur**Flooring:****Security Features:****Cooling:** Ceiling Fan(s)**Foundation:****Spa/HotTub:****Laundry:** Hookups Only**Dining Room:****Bathroom:****Basement:****Patio & Porch Features:****Lot Features:** Low Maintenance**Sewer:** Public Sewer**Water Source:** Public**Exterior:****Utilities:** Electric, Internet Available**Other****Structures:****Unit/Block/Lot:**

Presented by: Ross Liscum CA DRE License #00690324, 707-577-7777  
 Century 21 Epic CA DRE License #01523620, 707-577-7777

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 Copyright © 2023 Rapattoni Corporation. All rights reserved. (01/13/23 / 8:33AM) (U.S. Patent 6,910,045)



5430 Roblar Rd, Petaluma, CA 94952-9789

Closed

\$2,400,000


[Additional Pictures](#) | [Virtual Media](#)

|                                    |                                     |                        |             |
|------------------------------------|-------------------------------------|------------------------|-------------|
| <b>MLS #</b>                       | 322019224                           | <b>List Price:</b>     | \$2,495,000 |
| <b>Beds:</b>                       | 3                                   | <b>Original Price:</b> | \$2,495,000 |
| <b>Baths (F/P):</b>                | 3(2/1)                              | <b>Sold Price:</b>     | \$2,400,000 |
| <b>Number of Rooms:</b>            | 0                                   | <b>Price per SqFt:</b> | \$734.84    |
| <b>Approximate SqFt:</b>           | 3266/Assessor Auto-Fill             | <b>DOM/CDOM:</b>       | 34/34       |
| <b>Lot Size SqFt/Acres:</b>        | 720918/16.5500/(Assessor Auto-Fill) | <b>List Date:</b>      | 03/06/22    |
| <b>Year Built:</b>                 | 1988                                | <b>On-Market:</b>      | 03/18/22    |
| <b>APN:</b>                        | 024-110-001-000                     | <b>Closed:</b>         | 07/08/22    |
| <b>Unit/Block/Lot:</b>             |                                     | <b>Contingent:</b>     | 04/07/22    |
| <b>Special Listing Conditions:</b> | None                                | <b>Pending:</b>        | 04/21/22    |
| <b>Subtype / Description:</b>      | Single Family Reside/ Detached      |                        |             |

**Private Remarks:** Tenant occupied with kids and pets so we for sure need minimum 24 hour notice. Agent would like to accompany but there will be a hidden lockbox so access will always happen. Only use the deadbolt- do not try the bottom lock. Pre escrow open with Michele Peterson @ Fidelity, esc#30322000106. DIO <https://app.disclosures.io/link/5430-Roblar-Road-y5j8847e> Also listed as MLS322019117 in Sebastopol

**Public Remarks:** Located in the desirable West Petaluma Valley just minutes from Sebastopol, this nearly 17 acre property provides a country setting yet near everything. 45 minutes north of the Golden Gate but it feels like a world away. Residence, two 40x48 two story barns, storage, turnouts & pastures, plus a riding arena. Situated perfectly for privacy while taking in sweeping views of rolling hills in the distance and wide open pastures. 3 bedroom/2.5 bath single level home with hardwood floors, vaulted ceilings, open floorplan, and picture windows to take in the beauty of nature. Bring your horses, plant vines, or simply enjoy the natural beauty. It's an easy step into country living with public gas, fire hydrants, and all situated in an exclusive neighborhood of just 8 residences. Rare to find a property of this size at this price point. Also listed as MLS322019117 in Sebastopol

**Showing:**

**Directions to Property:** Stony Point to Roblar to Carniglia (Roblar address but access is through Carniglia Lane).

**Cross Street:** Carniglia Lane

**Showing Contact:** Daniel Casabonne-Office

(707) 939-2222

**Showing Instructions:** 24 Hour Notice, Appointment Only

**Occupancy:** Tenant

**Lockbox Location:** Agent plans to attend otherwise hidden lockbox

**Agent Information:**

**List Agent/ID/License:** Daniel Casabonne/B5939/01221013

**Contact:** 707-939-2222 daniel@casabonnerealestate.com

**Listing Office/ID:** Sotheby's International Realty / AALLN27

**Phone:** 707-939-4460

**Listing Type:** Exclusive Right To Sell

**Commission:** 2.5

**Tenancy in Common:**

**Percent for Sale:** 0%

**Buying Information:**

**Buyer's Agent:** Kerry P Mullins / 808797

**Phone:** 415-265-1616

**Buyer's Office:** Berkshire Hathaway Drysdale Properties / BHDPI0

**Phone:** 415-329-6790

**Concessions:** 0

**Concession**

**Notes:**

**Multiple Offers:** No 1

**Concessions:** No

**Association Information:**

**Association Cost:** \$500 Annually

**Restrictions:**

**Includes:** Management, Road

**Features:** None

**Property Features:**

**County:** Sonoma

**Senior:** No

**Stories:** 1

**Property Condition:**

**Remodeled:**

**Style:** Ranch, Traditional

**Total Parking Spaces:** 10 **Carport Space(s):** 0

**Garage Space(s):** 3

**Fireplace(s):** 3

**Parking Features:** Attached, Interior Access

**Fireplace Type:** Raised Hearth

**Roofing:** Composition

**Flooring:** Tile, Vinyl, Wood

**Window Features:**

**Security Features:**

**Heating:** Central

**Cooling:** Central

**Construction:** Wood

**Foundation:** Concrete Perimeter

**Pool Type(s):** No

**Spa/HotTub:**

**Views:** Hills, Panoramic, Pasture, Ridge

**Laundry:** Hookups Only

**Appliances:** Built-In Gas Oven, Double Oven, Free Standing Refrigerator, Gas Cook Top, Gas Water Heater

**Dining Room:**

**Master Bath Features:** Tile

**Bathroom:** Tile

**Upper Level Rooms:**

**Basement:**

**Main Level Rooms:** Bedroom(s), Dining Room, Family Room, Garage, Kitchen, Living Room, Primary Bedroom

**Kitchen Features:** Breakfast Area, Granite Counter, Island, Pantry Closet

**Patio & Porch Features:** Uncovered Deck

**Lot Features:** Private

**Exterior:**

**Sewer:** Septic System

**Utilities:** Natural Gas Connected

**Water Source:** Well

**Other Structures:** Barn(s), Shed(s)

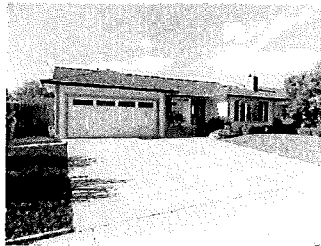
**Unit/Block/Lot:**

Presented by: Ross Liscum CA DRE License #00690324, 707-577-7777

Century 21 Epic CA DRE License #01523620, 707-577-7777

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1627 Oneel Dr, Petaluma, CA 94954-4537



Additional Pictures |

**MLS #** 322078972  
**Beds:** 4  
**Baths (F/P):** 2(2/0)  
**Number of Rooms:** 6  
**Approximate SqFt:** 1748/Assessor Auto-Fill  
**Lot Size SqFt/Acres:** 7100/0.1630/(Assessor Auto-Fill)  
**Year Built:** 1975  
**APN:** 136-461-007-000  
**Unit/Block/Lot:**  
**Special Listing Conditions:** None  
**Subtype / Description:** Single Family Reside/ Detached

Sold Off MLS

\$825,000

**List Price:** \$825,000  
**Original Price:** \$825,000  
**Sold Price:** \$825,000  
**Price per SqFt:** \$471.97  
**DOM/CDOM:** 12/12  
**List Date:** 06/21/22  
**On-Market:** 06/21/22  
**Closed:** 07/25/22  
**Contingent:**  
**Pending:** 07/03/22

Private Remarks: For Comp Purposes Only. One of owner's former tenants from another property purchased.

Public Remarks: Single Level 4BD/2BA home. Open floor plan with formal dining room, living room with fireplace, family room open to kitchen with slider to private backyard. Dual pane windows, hardwood floors, recessed lights, Corian seamless counters, tile floors, spacious primary with french doors to private yard & walk-in Closet, A/C, inground swimming pool, rock waterfall, Trex decks.

**Showing:**

**Directions to Property:** Caulfield to Louise Drive, Right on Oneel Drive.

**Cross Street:** Louise Drive

**Showing Instructions:** Do Not Show

**Lockbox Location:** N/A

**Showing Contact:** Lei Ann Werner

(415) 710-0117

**Occupancy:** Tenant

**Agent Information:**

**List Agent/ID/License:** Lei Ann Werner/A011752/00994572

**Listing Office/ID:** Golden Gate Sotheby's International Realty / ADBR

**Listing Type:** Exclusive Right To Sell

**Tenancy in Common:**

**Contact:** 415-461-7200 l.werner@ggsir.com

**Phone:** 415-461-7200

**Commission:** Buyer paid agent

**Percent for Sale:** 0%

**Buying Information:**

**Buyer's Agent:** Alexandra Costello / A403169

**Buyer's Office:** Hedge Realty / 7A2322

**Concessions:** 0

**Phone:** 310-386-6634

**Phone:** 707-849-9570

**Concession Notes:**

**Multiple Offers:** No 1

**Concessions:** No

**Property Features:**

**County:** Sonoma

**Property Condition:**

**Total Parking Spaces:** 4 **Carport Space(s):** 0

**Parking Features:** Attached, Garage Door Opener, Garage Facing Front

**Roofing:**

**Window Features:**

**Heating:** Central, Fireplace(s), Wood Stove

**Construction:**

**Pool Type(s):** Yes Built-In, Gunite Construction, Pool Sweep

**Views:**

**Appliances:**

**Master Bath Features:**

**Upper Level Rooms:**

**Main Level Rooms:** Bedroom(s), Dining Room, Family Room, Full Bath(s), Garage, Kitchen, Living Room, Street Entrance

**Senior:** No

**Stories:** 1

**Remodeled:**

**Style:**

**Garage Space(s):** 2

**Fireplace(s):** 1

**Fireplace Type:** Living Room, Raised Hearth, Wood Burning

**Flooring:**

**Security Features:**

**Cooling:** Central

**Foundation:**

**Spa/HotTub:**

**Laundry:** Hookups Only, In Garage

**Dining Room:**

**Bathroom:**

**Basement:**

**Patio & Porch Features:**

**Lot Features:** Auto Sprinkler F&R, Landscape Back, Landscape Front

**Exterior:**

**Sewer:** Public Sewer

**Utilities:** Cable Available, DSL Available, Electric, Internet Available, Natural Gas Connected, Public

**Water Source:** Public

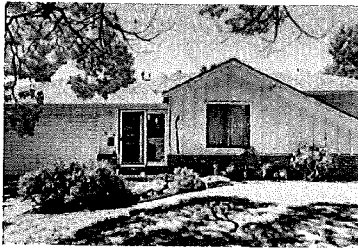
**Other Structures:**

**Unit/Block/Lot:**

997 Mcnear Ave, Petaluma, CA 94952-4881

Closed

\$854,000



**MLS #** 322075217  
**Beds:** 3  
**Baths (F/P):** 2(2/0)  
**Number of Rooms:** 0  
**Approximate SqFt:** 1465/Assessor Auto-Fill  
**Lot Size SqFt/Acres:** 7841/0.1800/(Assessor Auto-Fill)  
**Year Built:** 1960  
**APN:** 008-432-048-000  
**Unit/Block/Lot:**  
**Special Listing Conditions:** Offer As Is, Probate Listing  
**Subtype / Description:** Single Family Reside/ Detached

**List Price:** \$800,000  
**Original Price:** \$800,000  
**Sold Price:** \$854,000  
**Price per SqFt:** \$582.94  
**DOM/CDOM:** 9/9  
**List Date:** 08/04/22  
**On-Market:** 08/16/22  
**Closed:** 09/14/22  
**Contingent:**  
**Pending:** 08/25/22

[Additional Pictures](#) | [Virtual Media](#)

Private Remarks: If you have any questions, please contact Tim McKee 707-953-4156 or Mike Lagoyda 707-888-9921. <http://997McNear.com>  
 Public Remarks: Mid-Century fixer ready for your modernization. Great opportunity for you to call Westside Petaluma your home. 60's design and flow with 3 bedrooms, 2 bathrooms and central open living spaces. Create your Ideal zone in the bonus room. Build your garden sanctuary in the private and spacious back yard. Walk to historic and hip downtown Petaluma from this desirable neighborhood.

**Showing:****Directions to Property:** Petaluma Blvd So. to Mountain View Avenue to McNear Avenue**Cross Street:** Mountain View**Showing Contact:** Tim McKee

(707) 953-4156

**Showing Instructions:** Appointment Only, Do Not Disturb, Text Showing**Co-Occupancy:** Tenant**Lockbox Location:** No Lockbox.**Agent Information:****List Agent/ID/License:** Tim McKee/B408788/02128357**Listing Office/ID:** Corcoran Icon Properties / 7B2103**Listing Type:** Exclusive Right To Sell**Tenancy in Common:****Co-Listing Agent/ID:** Mike Lagoyda / B401255**Co-Listing Office/ID:** Corcoran Icon Properties/7B2105**Buying Information:****Buyer's Agent:** Michelle McCarthy / A323636**Buyer's Office:** Redfin / AAPPLIA**Concessions:** 0**Contact:** 707-953-4156 tim.mckee@corcoranicon.com**Phone:** 800-681-1361**Commission:** 3**Percent for Sale:** 0%**Phone:** 707-888-9921**Phone:** 800-681-1361**Phone:** 415-279-5329**Phone:** 877-973-3346**Concession****Notes:****Multiple Offers:** Yes 5**Concessions:** No**Property Features:****County:** Sonoma**Property Condition:** Fixer, Original**Total Parking Spaces:** 2 **Carport Space(s):** 0**Parking Features:** Garage Facing Front, Guest Parking Available**Roofing:** Composition**Window Features:****Heating:** Central**Construction:** Brick Veneer, Wood, Wood Siding**Pool Type(s):** No**Views:****Appliances:** Built-In Electric Oven, Built-In Gas Range**Master Bath Features:** Shower Stall(s)**Upper Level Rooms:****Main Level Rooms:** Bedroom(s), Dining Room, Garage, Kitchen, Living Room, Primary Bedroom**Kitchen Features:** Breakfast Area, Stone Counter**Patio & Porch Features:** Back Porch**Lot Features:** Low Maintenance**Sewer:** Public Sewer**Water Source:** Public**Senior:** No**Stories:** 1**Remodeled:** No**Style:** Ranch**Garage Space(s):** 2**Fireplace(s):** 1**Fireplace Type:** Brick, Gas Piped, Gas Starter, Wood Burning**Flooring:** Linoleum, Wood**Security Features:** Carbon Mon Detector, Smoke Detector**Cooling:** Wall Unit(s)**Foundation:** Concrete Perimeter, Pillar/Post/Pier**Spa/HotTub:****Laundry:** Hookups Only, In Garage**Dining Room:** Dining Bar, Dining/Living Combo**Bathroom:** Tub w/Shower Over**Basement:****Exterior:**

Public

**Other****Structures:****Unit/Block/Lot:**

337 Smith Dr, Petaluma, CA 94952


[Additional Pictures](#) |

|                                    |                                   |                        |                    |
|------------------------------------|-----------------------------------|------------------------|--------------------|
| <b>MLS #</b>                       | 322081170                         | <b>Closed</b>          | <b>\$1,250,000</b> |
| <b>Beds:</b>                       | 4                                 | <b>List Price:</b>     | \$1,200,000        |
| <b>Baths (F/P):</b>                | 2(2/0)                            | <b>Original Price:</b> | \$1,200,000        |
| <b>Number of Rooms:</b>            | 0                                 | <b>Sold Price:</b>     | \$1,250,000        |
| <b>Approximate SqFt:</b>           | 1960/Assessor Agent-Fill          | <b>Price per SqFt:</b> | \$637.76           |
| <b>Lot Size SqFt/Acres:</b>        | 8999/0.2066/(Assessor Agent-Fill) | <b>DOM/CDOM:</b>       | 13/13              |
| <b>Year Built:</b>                 | 1976                              | <b>List Date:</b>      | 08/30/22           |
| <b>APN:</b>                        | 019-430-044-000                   | <b>On-Market:</b>      | 09/14/22           |
| <b>Unit/Block/Lot:</b>             |                                   | <b>Closed:</b>         | 10/12/22           |
| <b>Special Listing Conditions:</b> | Offer As Is,None                  | <b>Contingent:</b>     | 09/17/22           |
| <b>Subtype / Description:</b>      | Single Family Reside/ Attached    | <b>Pending:</b>        | 09/27/22           |

Private Remarks: Accepted offer and back-up offer in place. Please contact listing agent Nicole Marzo at 707-217-1386 with any questions.

Public Remarks: Located in West Petaluma's highly sought-after Sunnyslope neighborhood, 337 Smith Drive presents a rare opportunity to purchase a one-level residence on a private, near 1/4 acre parcel. Meticulously maintained and thoughtfully improved over the years, this 4 bedroom, 2 full bath, nearly 2,000 sq. ft residence offers an appealing configuration anchored by two, total open-concept living spaces. Enjoy the beautiful resort-like backyard, complete with an in-ground pool, lush landscaping and large patio/newer deck, ideal for entertaining. Lengthy list of improvements incl. newer coated 50 year steel roof. Nestled in the coveted flats of Sunnyslope at Westridge, known for its close proximity to Petaluma's picturesque Historic District, great schools and easy access to the I Street and D Street backroads towards West Marin.

#### Showing:

**Directions to Property:** Sunnyslope Road to Smith Drive.

**Cross Street:** Sunnyslope Road

**Showing Contact:** Nicole Marzo

(707) 217-1386

**Showing Instructions:** Appointment Only, Call Showing Contact, Do Not Disturb

**Occupancy:** Tenant

**Lockbox Location:** Lockbox is attached to meter on the right side of the house

#### Agent Information:

**List Agent/ID/License:** Nicole Marzo/B339611/01996831

**Contact:** 707-217-1386 marzo1@comcast.net

**Listing Office/ID:** Coldwell Banker Realty / ACLBA17

**Phone:** 707-762-6611

**Listing Type:** Exclusive Right To Sell

**Commission:** 2.5

**Tenancy in Common:**

**Percent for Sale:** 0%

**Co-Listing Agent/ID:** Robert J Rapp / B338016

**Phone:** 707-695-9542

**Co-Listing Office/ID:** Compass/7B1791

**Phone:** 707-219-6276

#### Buying Information:

**Buyer's Agent:** Joseph P Noisat / B402302

**Phone:** 707-481-8736

**Buyer's Office:** Healdsburg Sotheby's Int'l Realty / 7BMID03

**Phone:** 707-433-4800

**Concessions:** 0

**Concession**

**Notes:**

**Multiple Offers:** Yes 2

**Concessions:** No

#### Property Features:

**County:** Sonoma

**Senior:** No

**Stories:** 1

**Property Condition:** Updated/Remodeled

**Remodeled:**

**Style:** Traditional

**Total Parking Spaces:** 4 **Carport Space(s):** 0

**Garage Space(s):** 2

**Fireplace(s):** 1

**Parking Features:** Attached, Garage Door Opener

**Fireplace Type:** Brick, Gas Starter

**Roofing:**

**Flooring:**

**Window Features:**

**Security Features:**

**Heating:** Central

**Cooling:** Central

**Construction:** Frame, Wood, Wood Siding

**Foundation:**

**Pool Type(s):** Yes Built-In, Gunite Construction

**Spa/HotTub:**

**Views:**

**Laundry:** Dryer Included, In Garage, Washer Included

**Appliances:**

**Dining Room:**

**Master Bath Features:**

**Bathroom:**

**Upper Level Rooms:**

**Basement:**

**Main Level Rooms:** Bedroom(s), Dining Room, Family Room, Full Bath(s), Garage, Kitchen, Living Room, Primary Bedroom

#### Patio & Porch Features:

**Lot Features:** Curb(s), Landscape Back, Landscape Front, Street Lights

**Exterior:**

**Sewer:** Public Sewer

**Utilities:** Cable Connected, Internet Available, Public

**Water Source:** Public

**Other**

**Structures:**

**Unit/Block/Lot:**



305 S Petaluma Blvd, Petaluma, CA 94952-4244

Closed

\$600,000


[Additional Pictures](#) |

|                                    |                                  |                        |           |
|------------------------------------|----------------------------------|------------------------|-----------|
| <b>MLS #</b>                       | 322074286                        | <b>List Price:</b>     | \$609,000 |
| <b>Beds:</b>                       | 3                                | <b>Original Price:</b> | \$609,000 |
| <b>Baths (F/P):</b>                | 2(1/1)                           | <b>Sold Price:</b>     | \$600,000 |
| <b>Number of Rooms:</b>            | 0                                | <b>Price per SqFt:</b> | \$705.05  |
| <b>Approximate SqFt:</b>           | 851/Assessor Auto-Fill           | <b>DOM/CDOM:</b>       | 59/59     |
| <b>Lot Size SqFt/Acres:</b>        | 1568/0.0360/(Assessor Auto-Fill) | <b>List Date:</b>      | 07/22/22  |
| <b>Year Built:</b>                 | 1958                             | <b>On-Market:</b>      | 08/07/22  |
| <b>APN:</b>                        | 008-125-013-000                  | <b>Closed:</b>         | 10/12/22  |
| <b>Unit/Block/Lot:</b>             |                                  | <b>Contingent:</b>     | 08/21/22  |
| <b>Special Listing Conditions:</b> | Offer As Is                      | <b>Pending:</b>        | 10/05/22  |
| <b>Subtype / Description:</b>      | Single Family Reside/ Detached   |                        |           |

**Private Remarks:** Do not contact tenant directly and please DO NOT DISTURB TENANT. Please call or text Mike Ward, 1-415-328-9129, at least 48 hours before showing so tenant can be notified who runs an active MedSpa. Firmly pull the lever string on the left gate to access walkway to back patio. Firmly pull second lever string on the second gate to access patio, lockbox is on shed handle. Escrow opened with Jorie Dirking at First American Title 707-763-4191. Bedrooms and baths do not match the tax records. Buyers agent to confirm zoning with city. Murphy bed in front room wood cabinet does not convey.

**Public Remarks:** The possibilities are endless with this beautifully updated centrally located West Petaluma building. Whether you are looking for a home, spa, or a tastefully updated space for your business this opportunity has you covered. Let this location be your billboard in an area that provides some of the best visibility in town. Walk through the walnut front door to have instant peace and privacy behind two motorized shades that completely block out the Boulevard. Once in the lobby you will be impressed by high end finishes like a Modern Vision fireplace, ceiling fan, and beautiful tile flooring with inlaid stone finishes. Walk down the hall to the full bath that boasts a Boffi modern sink and a gorgeous marble shower. You will also find two more rooms with high end finishes and recess lighting, a kitchenette with modern finishes, and a half bath. Other notable items include A/C, nest thermostat, and sconces that add a warm glow throughout. Don't miss the back patio with a storage shed.

**Showing:****Directions to Property:** Highway 101 to Petaluma Blvd S.**Cross Street:** Petaluma Blvd S**Showing Contact:** Mike Ward

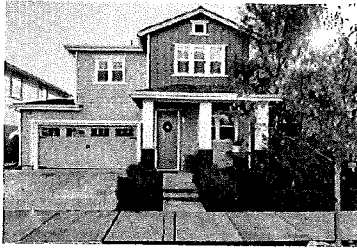
(415) 328-9129

**Showing Instructions:** Appointment Only, Do Not Disturb, Restricted Hours **Occupancy:** Tenant**Lockbox Location:** On handle to shed in Back Patio**Agent Information:****List Agent/ID/License:** Mike Ward/A334377/01863240**Contact:** 415-328-9129 mike.ward@compass.com**Listing Office/ID:** Compass / 7B2441**Phone:** 707-774-8600**Listing Type:** Exclusive Right To Sell**Commission:** 2.5**Tenancy in Common:****Percent for Sale:** 0%**Buying Information:****Buyer's Agent:** Tony Parrish / B6538**Phone:** 707-774-8600**Buyer's Office:** Compass / 7B2441**Phone:** 707-774-8600**Concessions:** 0**Concession Notes:****Concessions:** No**Multiple Offers:** Yes 2**Co-Buyer Agent:** Kristen Parrish Tamayo / B339440**Phone:** 707-290-5685**Co-Buyer Office:** Compass / 7B2441**Phone:****Property Features:****County:** Sonoma**Senior:** No**Stories:** 1**Property Condition:****Remodeled:****Style:** Contemporary**Total Parking Spaces:** 0 **Carport Space(s):** 0**Garage Space(s):** 0**Fireplace(s):** 1**Parking Features:** No Garage, Other**Fireplace Type:** Gas Starter, Insert, Living Room**Roofing:** Metal**Flooring:****Window Features:****Security Features:****Heating:** Central**Cooling:** Central**Construction:****Foundation:****Pool Type(s):** No**Spa/HotTub:****Views:****Laundry:** Hookups Only, In Kitchen**Appliances:****Dining Room:****Master Bath Features:****Bathroom:****Upper Level Rooms:****Basement:****Main Level Rooms:** Living Room, Retreat, Street Entrance**Patio & Porch Features:** Enclosed Patio**Lot Features:** Low Maintenance**Exterior:****Sewer:** Public Sewer**Utilities:** Public**Water Source:** Public**Other Structures:** Shed(s)**Unit/Block/Lot:**

Presented by: Ross Liscum CA DRE License #00690324, 707-577-7777  
Century 21 Epic CA DRE License #01523620, 707-577-7777

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1736 Devin Dr, Petaluma, CA 94954-3018


[Additional Pictures](#) | [Virtual Media](#)

**MLS #** 322082583  
**Beds:** 3  
**Baths (F/P):** 3(2/1)  
**Number of Rooms:** 0  
**Approximate SqFt:** 1754/Assessor Auto-Fill  
**Lot Size SqFt/Acres:** 3598/0.0826/(Assessor Auto-Fill)  
**Year Built:** 2012  
**APN:** 017-030-053-000  
**Unit/Block/Lot:**  
**Special Listing Conditions:** None  
**Subtype / Description:** Single Family Reside/ Detached

Closed

\$905,000

**List Price:** \$895,000  
**Original Price:** \$895,000  
**Sold Price:** \$905,000  
**Price per SqFt:** \$515.96  
**DOM/CDOM:** 33/33  
**List Date:** 09/06/22  
**On-Market:** 09/23/22  
**Closed:** 11/04/22  
**Contingent:** 10/14/22  
**Pending:** 10/26/22

**Private Remarks:** Showings by appointment only, with 24 hour notice, please use Showing Time to schedule. There is a tenant that currently lives in the home (tenant will be moving out prior to close of escrow). Pre-escrow opened with Jorie Dirking at First American Title. Refrigerator, washer, dryer, bedroom cabinets/shelving, and most of the potted plants in the yard do not convey. Small shed in the backyard and backyard shade curtain do convey. Please note that tax records state 3 bedrooms, but one of the bedrooms does not have a closet. Buyer to investigate. Please send signed disclosures cover sheet and proof of funds with offer. Seller cannot close escrow until 11/4. Please do not send letters from the buyer, they will not be read. Thank you!

**Public Remarks:** This is your chance to live in a sought after neighborhood in east Petaluma-- Southgate! With 3 bedrooms, 2.5 bathrooms, and a light and bright upstairs loft, this home is turn key and ready for you! The kitchen offers abundant cabinet storage, quartz countertops, and stainless steel appliances. The spacious backyard offers a Trex composite deck to enjoy on warm fall evenings, and you'll love the sweet porch in front for gathering with neighbors. Enjoy the open concept floorplan and high ceilings downstairs, as well as the natural light throughout the home, which is enhanced with shutters on each window. The primary bedroom features an en suite full bathroom, a walk in closet, and surround sound for your entertainment needs. Don't miss the two car garage, which is upgraded with G-Floor. Close to parks, schools and commuting options throughout Wine Country and the Bay Area, you won't want to miss this beautiful Southgate home!

**Showing:**

**Directions to Property:** From Frates, right on Calle Ranchero, right on Southridge, right on Devin Drive.

**Cross Street:** Southridge

**Showing Instructions:** 24 Hour Notice, Appointment Only, Supra iBox

**Lockbox Location:** Hose bib on side of the house.

**Showing Contact:** Amy Ahlers

(707) 290-6301

**Occupancy:** Tenant

**Agent Information:**

**List Agent/ID/License:** Amy Ahlers/B404866/02083078

**Listing Office/ID:** Compass / 7B2441

**Listing Type:** Exclusive Right To Sell

**Tenancy in Common:**

**Contact:** 707-290-6301 amy.bridges@compass.com

**Phone:** 707-774-8600

**Commission:** 2.5

**Percent for Sale:** 0%

**Buying Information:**

**Buyer's Agent:** Lisa Reinheimer / B307568

**Buyer's Office:** Vanguard Properties / 7B1432

**Concessions:** 0

**Phone:** 510-409-9638

**Phone:** 707-789-0400

**Concession**

**Notes:**

**Multiple Offers:** No 1

**Property Features:**

**County:** Sonoma

**Property Condition:** Original

**Total Parking Spaces:** 4 **Carport Space(s):** 0

**Parking Features:** Garage Facing Front

**Roofing:**

**Window Features:** Window Coverings, Window Screens

**Senior:** No

**Stories:** 2

**Remodeled:** No

**Style:**

**Garage Space(s):** 2

**Fireplace(s):** 0

**Fireplace Type:**

**Flooring:** Carpet, Tile, Wood

**Security Features:** Carbon Mon Detector, Double Strapped Water Heater, Fire Alarm, Security System Prewired, Smoke Detector

**Cooling:** Ceiling Fan(s), Central, MultiZone

**Foundation:** Slab

**Spa/HotTub:**

**Laundry:** Cabinets, Hookups Only, Inside Area

**Dining Room:**

**Bathroom:** Tile, Tub w/Shower Over

**Basement:**

**Heating:** Central, MultiZone

**Construction:** Lap Siding

**Pool Type(s):** No

**Views:**

**Appliances:** Dishwasher, Disposal, Free Standing Gas Range, Microwave, Tankless Water Heater

**Master Bath Features:** Double Sinks, Soaking Tub, Tile

**Upper Level Rooms:** Bedroom(s), Full Bath(s), Loft, Primary Bedroom, Partial Bath(s)

**Main Level Rooms:** Garage, Kitchen, Living Room, Partial Bath(s)

**Kitchen Features:** Quartz Counter

**Patio & Porch Features:** Covered Patio, Uncovered Deck

**Lot Features:** Auto Sprinkler Rear, Curb(s), Landscape Back, Landscape Front, Street Lights

**Sewer:** Public Sewer

**Exterior:**

**Utilities:** Cable Available, Internet Available, Public

Presented by: Ross Liscum CA DRE License #00690324, 707-577-7777

Century 21 Epic CA DRE License #01523620, 707-577-7777

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**FOR PUBLICATION**

**UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT**

LYNDSEY BALLINGER; SHARON  
BALLINGER,

*Plaintiffs-Appellants,*

v.

CITY OF OAKLAND,

*Defendant-Appellee.*

No. 19-16550

D.C. No.  
4:18-cv-07186-  
HSG

OPINION

Appeal from the United States District Court  
for the Northern District of California  
Haywood S. Gilliam, Jr., District Judge, Presiding

Argued and Submitted October 22, 2020  
Submission Withdrawn July 16, 2021  
Resubmitted January 25, 2022  
San Francisco, California

Filed February 1, 2022

Before: Richard R. Clifton, N. Randy Smith, and  
Ryan D. Nelson, Circuit Judges.

Opinion by Judge R. Nelson

**SUMMARY\***

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**Civil Rights**

The panel affirmed the district court's dismissal of an action brought pursuant to 42 U.S.C. § 1983 challenging the City of Oakland's Uniform Residential Tenant Relocation Ordinance, which requires landlords re-taking occupancy of their homes upon the expiration of a lease to pay tenants a relocation payment.

Plaintiffs alleged that the relocation fee is an unconstitutional physical taking of their money for a private rather than public purpose and without just compensation. Alternatively, they claimed that the fee constitutes an unconstitutional exaction of their Oakland home, and an unconstitutional seizure of their money under the Fourth and Fourteenth Amendments.

The panel held that although in certain circumstances money can be the subject of a physical, also called a per se taking, the relocation fee required by the Ordinance was a regulation of the landlord-tenant relationship, not an unconstitutional taking of a specific and identifiable property interest. The panel further stated that because there was no taking, it did not need to address whether the relocation fee was required for a public purpose or what just compensation would be.

The panel rejected plaintiffs' assertion that the City placed an unconstitutional condition, called an exaction, on

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\* This summary constitutes no part of the opinion of the court. It has been prepared by court staff for the convenience of the reader.



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BALLINGER V. CITY OF OAKLAND

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3

their preferred use of their Oakland home. The panel held that because the relocation fee here was not a compensable taking, it did not constitute an exaction.

The panel affirmed the dismissal of plaintiffs' seizure claim. The panel held that plaintiffs had not established a cognizable theory of state action; the City did not participate in the monetary exchange between plaintiffs and their tenants.

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**COUNSEL**

J. David Breemer (argued), Meriem Lee Hubbard, and Daniel M. Ortner, Pacific Legal Foundation, Sacramento, California, for Plaintiffs-Appellants.

Kevin P. McLaughlin (argued), Deputy City Attorney; David A. Pereda, Special Counsel; Maria Bee, Chief Assistant City Attorney; Barbara J. Parker, City Attorney; Office of the City Attorney, Oakland, California; for Defendant-Appellee.

Brendan Darrow and Matthew Siegel, Berkeley, California, for Amici Curiae League of California Cities and California State Association of Counties.

Nathaniel P. Bualat, Pilar Stillwater, and Rebecca Suarez, Crowell & Moring LLP, San Francisco, California, for Amicus Curiae Western Center on Law and Poverty.

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**OPINION**

R. NELSON, Circuit Judge:

The City of Oakland required the Ballingers to pay their tenants over \$6,000 before the Ballingers could move back into their own home upon the expiration of the lease. The Ballingers challenge the payment as an unconstitutional physical taking under the Takings Clause. Instead, the requirement to pay tenants a relocation fee before an owner may move back into their home is more properly classified as a wealth-transfer provision but not an unconstitutional taking. We therefore affirm the dismissal of the Ballingers' physical takings, exaction, and seizure claims.

**I**

In September 2016, Lyndsey and Sharon Ballinger leased their Oakland home for one year while fulfilling military assignments on the east coast. After one year, the lease converted to a month-to-month tenancy.

Under the City of Oakland (“the City”) Municipal Code, even after a lease has ended and converted to a month-to-month tenancy, the tenancy may only end if the landlord has good cause. Oakland, Cal. Mun. Code § 8.22.360(A). Ending the tenancy, or “evicting,” for good cause, includes when a landlord chooses to move back into her home at the end of the month. *Id.* § 8.22.360(A)(8)–(9). In January 2018, the City adopted the Uniform Residential Tenant Relocation Ordinance (“the Ordinance”), which requires landlords re-taking occupancy of their homes upon the expiration of a lease to pay tenants a relocation payment based on rental size, average moving costs, the duration of the tenants’ occupancy, and whether the tenants earn a low income, are elderly or disabled, or have minor children. *See* Page 149

*id.* § 8.22.820. Half the payment is due upon the tenant’s receipt of the notice to vacate and the other half upon actual vacation. *Id.* § 8.22.850(D)(1). And the payment need not be spent on relocation costs. Failing in bad faith to make the payments allows a tenant to bring an action against the landlord for injunctive relief, the relocation payment, attorneys’ fees, and treble damages. *Id.* § 8.22.870(A).

When the Ballingers were reassigned to the Bay area, they decided to move back into their Oakland home. The Ballingers gave their tenants sixty days’ notice to vacate the property, paying half the relocation payment up front and the remainder after the tenants vacated. In total, the Ballingers paid their tenants \$6,582.40 in relocation fees.

The Ballingers sued the City, bringing facial and as-applied constitutional challenges under the Declaratory Judgment Act and 42 U.S.C. § 1983. Characterizing the relocation payment as a “ransom” of their home, they claimed that the relocation fee is an unconstitutional physical taking of their money for a private purpose and without just compensation. Alternatively, they claimed that the fee constitutes an unconstitutional exaction of their Oakland home, and an unconstitutional seizure of their money under the Fourth and Fourteenth Amendments.

The district court dismissed each claim under Federal Rule of Civil Procedure 12(b)(6). It held that “no precedent supports the Ballingers’ argument that legislation requiring the payment of money constitutes a physical taking.” Because “[t]he Ordinance . . . was generally applicable legislation,” the district court concluded that it did not give rise to an actionable exaction claim, and the Ballingers had

not shown the requisite state action for their seizure claim. The Ballingers appealed.<sup>1</sup>

## II

We review a dismissal under Federal Rule of Civil Procedure 12(b)(6) de novo, accepting as true all allegations of material facts. *Mendiondo v. Centinela Hosp. Med. Ctr.*, 521 F.3d 1097, 1100 n.1, 1102 (9th Cir. 2008). “Dismissal under Rule 12(b)(6) is appropriate only where the complaint lacks a cognizable legal theory or sufficient facts to support a cognizable legal theory.” *Id.* at 1104.

## III

We affirm the district court’s dismissal of the Ballingers’ taking claim. The Ballingers assert that the Ordinance effected an unconstitutional physical taking of their money for a private rather than public purpose and without just compensation. But we disagree—even though money can be the subject of a physical, also called a per se, taking, the relocation fee required by the Ordinance was a regulation of the landlord-tenant relationship, not an unconstitutional taking of a specific and identifiable property interest. Because there was no taking, we need not address whether the relocation fee is required for a public purpose or what just compensation would be. *See Rancho de Calistoga v.*

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<sup>1</sup> The City argues that because the Ballingers neglected to include a statement of the issues presented in their opening brief on appeal, we should dismiss their appeal for failure to comply with Federal Rule of Appellate Procedure 28(a)(5). *See Christian Legal Soc’y Chapter of Univ. of Cal. v. Wu*, 626 F.3d 483, 485 (9th Cir. 2010). The Ballingers should have done so, but we see no reason to dismiss this appeal when the Ballingers’ opening brief otherwise makes the issues presented very clear.



*City of Calistoga*, 800 F.3d 1083, 1093 (9th Cir. 2015) (private takings claim is not an independent cognizable claim).

### A

The Takings Clause of the Fifth Amendment provides that “private property” shall not “be taken for public use, without just compensation.” U.S. Const., amend. V; *see also Chi., Burlington & Quincy R.R. Co. v. City of Chicago*, 166 U.S. 226, 238–39 (1897) (incorporating the Takings Clause through the Fourteenth Amendment). “Whenever a regulation results in a physical appropriation of property, a *per se* taking has occurred.” *Cedar Point Nursery v. Hassid*, 141 S. Ct. 2063, 2072 (2021). “[A]ppropriation means *taking* as one’s own.” *Id.* at 2077 (citation and quotation marks omitted). “Government action that physically appropriates property is no less a physical taking because it arises from . . . a regulation (or statute, or ordinance, or miscellaneous decree).” *Id.* at 2072. The “essential question . . . is whether the government has physically taken property for itself or someone else—by whatever means—or has instead restricted a property owner’s ability to use his own property.” *Id.* We assess physical appropriations “using a simple, *per se* rule: The government must pay for what it takes.” *Id.* at 2071.

The Supreme Court “has consistently affirmed that States have broad power to regulate housing conditions in general and the landlord-tenant relationship in particular without paying compensation for all economic injuries that such regulation entails.” *Loretto v. Teleprompter Manhattan*

*CATV Corp.*, 458 U.S. 419, 440 (1982).<sup>2</sup> For example, “the government may place ceilings on the rents the landowner can charge, or require the landowner to accept tenants he does not like, without automatically having to pay compensation.” *Yee v. City of Escondido*, 503 U.S. 519, 529 (1992) (citations omitted). “Ordinary rent control often transfers wealth from landlords to tenants by reducing the landlords’ income and the tenants’ monthly payments,” and “[t]raditional zoning regulations can transfer wealth from those whose activities are prohibited to their neighbors.” *Id.* The “transfer [of wealth] in itself does not convert regulation into physical invasion.” *Id.* at 530 (challenge to mobile home rent control should be analyzed as regulatory taking); *see also Com. Builders of N. Cal. v. City of Sacramento*, 941 F.2d 872, 875 (9th Cir. 1991) (every fee provision cannot be a compensable taking). So legislative enactments “regulating the economic relations of landlord and tenants are not *per se* takings.” *FCC v. Fla. Power Corp.*, 480 U.S. 245, 252 (1987).

Here, the Ordinance imposes a transaction cost to terminate a lease agreement. We see little difference between lawful regulations, like rent control, and the

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<sup>2</sup> In the past, this court has analyzed regulations of the landlord-tenant relationship as a regulatory taking rather than a physical taking. *See, e.g., Rancho de Calistoga*, 800 F.3d at 1089 n.1 (“The Supreme Court laid to rest any argument that a mobile home rent control ordinance constitutes a physical taking . . . .”); *MHC Fin. LP v. City of San Rafael*, 714 F.3d 1118, 1126–27 (9th Cir. 2013); *Guggenheim v. City of Goleta*, 638 F.3d 1111, 1120 (9th Cir. 2010) (en banc). Those challenges failed. But here, the Ballingers “rely solely on physical takings law,” and expressly forego a regulatory takings claim. We therefore do not address the principles of regulatory takings. *See Tahoe-Sierra Pres. Council, Inc. v. Tahoe Reg’l Plan. Agency*, 535 U.S. 302, 323–24 (2002) (courts may not apply principles of physical takings claims to regulatory takings claims).

Ordinance’s regulation of the landlord-tenant relationship here. Thus, the relocation fee is not an unconstitutional physical taking—it “merely regulate[s] [the Ballingers’] *use* of their land by regulating the relationship between landlord and tenant.” *Yee*, 503 U.S. at 528.<sup>3</sup>

The Ballingers argue that a taking “does not become a lesser intrusion simply because it is related to a commercial transaction” and the “decision to leave the rental market.” *See Horne v. Dep’t of Agric.*, 576 U.S. 350, 365 (2015) (raisin growers’ decision to be raisin farmers made federal government’s confiscation of raisins no less a taking); *Loretto*, 458 U.S. at 439 n.17 (“[A] landlord’s ability to rent his property may not be conditioned on his forfeiting the right to compensation for a physical occupation.”). But “[w]hen a person voluntarily surrenders liberty or property,” like when the Ballingers chose to rent their property causing them to pay the relocation fee when they caused the tenants to relocate, “the State has not *deprived* the person of a constitutionally protected interest.” *L.L. Nelson Enters., Inc. v. County of St. Louis*, 673 F.3d 799, 806 (8th Cir. 2012) (citing *Zinermon v. Burch*, 494 U.S. 113, 117 n.3 (1990)); *see Yee*, 503 U.S. at 527; *Fla. Power*, 480 U.S. at 252.

Here, the Ballingers voluntarily chose to lease their property and to “evict” under the Ordinance—conduct that required them to pay the relocation fee, which they would

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<sup>3</sup> Further, “[t]he government effects a physical taking only where it *requires* the landowner to submit to the physical occupation” of his property. *Yee*, 503 U.S. at 527; *see also Fla. Power*, 480 U.S. at 252 (“This element of required acquiescence is at the heart of the concept of occupation.”). The Ballingers never asserted that there was a physical occupation of their property. To the contrary, they invited their tenants to lease their property and paid the relocation fee. *See Yee*, 503 U.S. at 532 (citing *Fla. Power*, 480 U.S. at 252–53).

not be compelled to pay if they continued to rent their property. *See Yee*, 503 U.S. at 527. “A different case would be presented were the statute, on its face or as applied, to compel a landowner over objection to rent his property or to refrain in perpetuity from terminating a tenancy.” *Id.* at 528. Here, the Ordinance “is a regulation of [the Ballingers’] *use* of their property, and thus does not amount to a *per se* taking.” *Id.* at 532.

### B

Based on the U.S. Supreme Court’s “long-settled view that property the government could constitutionally demand through its taxing power can also be taken by eminent domain,” *Koontz v. St. Johns River Water Mgmt. Dist.*, 570 U.S. 595, 616 (2013), the relocation fee’s obligation to pay money rather than real or personal property does not mean that it cannot be an unconstitutional taking. Even though money is generally considered fungible, *see United States v. Sperry Corp.*, 493 U.S. 52, 62 n.9 (1989), money may still be subject to a *per se* taking if it is a specific, identifiable pool of money, *see Phillips v. Wash. Legal Found.*, 524 U.S. 156, 169–70 (1998). Indeed, the Supreme Court has held multiple times that money can be subject to a taking, and these cases show why the relocation fee here is not one: The Ordinance “merely impose[s] an obligation on a party to pay money on the happening of a contingency,” which happens to be related to a real property interest, but does not “seize a sum of money from a specific fund.” *McCarthy v. City of Cleveland*, 626 F.3d 280, 284 (6th Cir. 2010) (citing *Brown v. Legal Found. of Wash.*, 538 U.S. 216, 223–24 (2003)).



## 1

To begin with, the district court concluded that *Eastern Enterprises v. Apfel*, 524 U.S. 498 (1998) “is the law,” so “the obligation to pay money is not a taking.” Because a majority of justices in *Eastern Enterprises* failed to agree to the same rationale, we reject that anything more than the *Eastern Enterprises* holding is binding in this court.

In *Eastern Enterprises*, the plaintiff challenged a statute that retroactively imposed obligations to pay for retired miners’ medical expenses, claiming that this payment obligation was an unconstitutional taking of its money and a violation of substantive due process. 524 U.S. at 514–15, 517. In sum, a four-Justice plurality held that the payment obligation was a regulatory taking. *Id.* at 529 (O’Connor, J., joined by Rehnquist, C.J., Scalia, and Thomas, JJ.). But five Justices, split between Justice Kennedy’s concurrence and a four-Justice dissent, conveyed that the Takings Clause is implicated only by laws that appropriate specified and identified property interests. *See id.* at 540 (Kennedy, J., concurring in the judgment and dissenting in part); *id.* at 555 (Breyer, J., joined by Stevens, Souter, and Ginsburg, JJ., dissenting).

In his concurrence, Justice Kennedy rejected the regulatory takings claim because there was no “specific property right or interest . . . at stake” and the statute did “not appropriate, transfer, or encumber an estate in land (*e.g.*, a lien on a particular piece of property), a valuable interest in an intangible (*e.g.*, intellectual property), or even a bank account or accrued interest.” *Id.* at 540–41 (Kennedy, J., concurring). Instead, the payment obligation “simply impose[d] an obligation to perform an act, the payment of benefits,” and was “indifferent as to how the regulated entity elects to comply or the property it uses to do so.” *Id.* at 540. Page 156

But he concluded the statute violated substantive due process and thus concurred only in the plurality's holding. Justice Breyer, writing for the four Justices in dissent, agreed that the Takings Clause is limited to claims based on "the operation of a specific, separately identifiable fund of money," or "a specific interest in physical or intellectual property . . . [but not] an ordinary liability to pay money." *Id.* at 554–55 (Breyer, J., dissenting).

So five Justices agreed that mere obligations to pay money could not constitute a regulatory taking unless connected to a "specific property right," but four of them dissented from the Court's holding. Dissenting opinions cannot be considered when determining the holding of a fractured Supreme Court decision—only the opinions of those who concurred in the judgments can be considered. *Marks v. United States*, 430 U.S. 188, 193 (1977).

Even then, only an opinion that "can reasonably be described as a logical subset of the other" is binding. *United States v. Davis*, 825 F.3d 1014, 1021–22 (9th Cir. 2016) (en banc). But neither the plurality nor Justice Kennedy's concurrence are a logical subset of the other since they differed on why the statute was unconstitutional. Compare *E. Enters.*, 524 U.S. at 522–38 (O'Connor, J., plurality) (unconstitutional regulatory taking), with *id.* at 539–47 (Kennedy, J., concurring) (substantive due process violation). Thus, "only the specific result" of *Eastern Enterprises*, that the statute at issue was unconstitutional, is binding in this court. *Davis*, 825 F.3d at 1022.<sup>4</sup>

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<sup>4</sup> Our prior applications of *Eastern Enterprises* either accord with this conclusion, were reversed by the Supreme Court, or did not reach the issue. See *Chevron U.S.A., Inc. v. Bronster*, 363 F.3d 846, 852 (9th

That said, as the district court noted, “all circuits that have addressed the issue” of the precedential value of *Eastern Enterprises* “have uniformly found that a taking does not occur when the statute in question imposes a monetary assessment that does not affect a specific interest in property.” *McCarthy*, 626 F.3d at 285 (collecting cases). Indeed, *Koontz* appeared to endorse that “the relinquishment of funds linked to a specific, identifiable property interest” invoked a per se takings analysis. 570 U.S. at 614. We hold, as other circuits have, that in certain circumstances not argued here, money can be the subject of a taking. But here, the City’s Ordinance imposes a general obligation to pay money and does not identify any specific fund of money; therefore, it does not effectuate an unconstitutional physical taking.<sup>5</sup>

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Cir. 2004) (suggesting *Eastern Enterprises* is “of no precedential value outside the specific facts of that case” (citing *Ass’n of Bituminous Contractors v. Apfel*, 156 F.3d 1246, 1254–55 (D.C. Cir. 1998))), *rev’d on other grounds sub nom., Lingle v. Chevron U.S.A., Inc.*, 544 U.S. 528 (2005); *Wash. Legal Found. v. Legal Found. of Wash.*, 271 F.3d 835, 854 (9th Cir. 2001) (en banc) (relying on *Eastern Enterprises* plurality to hold that money may only constitute a regulatory taking), *aff’d, Brown*, 538 U.S. at 235 (but agreeing with dissenters in part); *Quarty v. United States*, 170 F.3d 961, 969 (9th Cir. 1999) (assuming without deciding *Eastern Enterprises* plurality was binding and finding no taking had occurred).

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<sup>5</sup> “[P]hysical takings jurisprudence is ‘as old as the Republic.’” *Cedar Point Nursery*, 141 S. Ct. at 2071 (citation omitted). Because the lack of records of discussion on the meaning of the Takings Clause, the statements of its author, James Madison, “thus provide unusually significant evidence about what the clause was originally understood to mean.” William M. Treanor, *The Original Understanding of the Takings Clause and the Political Process*, 95 Colum. L. Rev. 782, 791 (1995);

By way of example, money can be subject to a taking when the government procures the interest earned on lawyers' trust accounts, *see Brown*, 538 U.S. at 235; *Phillips*, 524 U.S. at 160; procures the interest accrued in interpleader funds, *see Webb's Fabulous Pharmacies v. Beckwith*, 449 U.S. 155, 162 (1980); seizes ownership of liens, which are the right to receive money secured by a particular piece of property, *see Armstrong v. United States*, 364 U.S. 40, 48 (1960); demands that one pay a debt owed to a third party to the state itself, *see Ware v. Hylton*, 3 U.S. (3 Dall.) 199, 245 (1796) (opinion of Chase, J.); *Cities Serv. Co v. McGrath*, 342 U.S. 330, 335 (1952); or seizes money without a court order, *see Cedar Point*, 141 S. Ct. at 2076 ("We have recognized that the government can commit a physical taking . . . by simply 'enter[ing] into physical possession of property without authority of a court order.'"); *see also* Richard A. Epstein & Eduardo M. Peñalver, *The Fifth Amendment Takings Clause*, Nat'l Const. Ctr., <https://constitutioncenter.org/interactive-constitution/interpretation/amendment-v/clauses/634> ("bag full of cash" is subject to physical taking).

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Akhil Reed Amar, *The Bill of Rights* 78 (1998). Generally, Madison thought a federal constitution would best protect property interests and other rights. *See* The Federalist No. 10 (James Madison). One year after the ratification of the Bill of Rights, Madison wrote that the same sense of property includes "land, or merchandi[s]e, or money." James Madison, *Property*, Papers 14:266–68 (Mar. 29, 1792), *reprinted in The Founders' Constitution*, ch. 16, available at <https://press-pubs.uchicago.edu/founders/documents/v1ch16s23.html>. "Government," he wrote, "is instituted to protect property of every sort." *Id.* "If there be a government then which prides itself in maintaining the inviolability of property; which provides that none shall be taken *directly* even for public use without indemnification to the owner, and yet . . . violates their actual possessions, in the labor that acquires their daily subsistence, . . . such a government is not a pattern for the United States." *Id.*



The money in all those cases was taken from known persons in the form of a specific, identified property interest to which those persons were already entitled. *See Swisher Int’l v. Schafer*, 550 F.3d 1046, 1055 n.6 (11th Cir. 2008).

In contrast, the obligation to pay money in the tax and government services user fee context is not generally compensable under the Fifth Amendment because taxes and user fees are collected in exchange for government benefits to the payor. *See Sperry Corp.*, 493 U.S. at 62 n.9 (“artificial” to treat an award deduction from Iran-United States Claims Tribunal as a physical taking because “[u]nlike real or personal property, money is fungible”); *Brushaber v. Union Pac. R. Co.*, 240 U.S. 1, 24–25 (taxes could constitute a taking if “the act complained of was so arbitrary as to constrain to the conclusion that it was not the exertion of taxation, but a confiscation of property”); *see also Koontz*, 570 U.S. at 615 (collecting cases distinguishing taxes and user fees from money that can be taken). Thus, when it comes to takings, “[t]he Constitution . . . is concerned with means as well as ends.” *Horne*, 576 U.S. at 362; *see also Dickman v. Comm’r of Internal Rev.*, 465 U.S. 330, 336 (1984) (“We have little difficulty accepting the theory that the use of valuable property—in this case money—is itself a legally protectible property interest.”).

Here, the Ballingers’ rely on *Koontz* to argue that the relocation fee is an unconstitutional taking. But *Koontz* cuts against them. The exaction in *Koontz* operated on “the direct link between the government’s demand and a specific parcel of real property,” 570 U.S. at 614. The Ballingers claim that a direct link exists between the government’s demand for their money and their real property. We cannot deny that the relocation fee here is linked to real property, but no more so

than property and estate taxes. Rather than a mere obligation to pay in relation to the use of one's property, the government in *Koontz* demanded and specifically identified that it wanted Koontz's payment of money in exchange for granting a benefit to either Koontz's parcel of land or another identified parcel of land. *Id.* at 613 (“[U]nlike *Eastern Enterprises*, the monetary obligation burdened petitioner's ownership of a specific parcel of land.”). So the demand for payment in *Koontz* was “functionally equivalent to other types of land use exactions” and amounted to a taking of an interest in the real property itself. *Id.* at 612–13 (“In that sense, this case bears resemblance to our cases holding that the government must pay just compensation when it takes a lien—a right to receive money that is secured by a particular piece of property.”).

Instead, the relocation fee required by the Ordinance is a monetary obligation triggered by a property owner's actions with respect to the use of their property, not a burden on the property owner's interest in the property. It is more akin to the obligations to pay money that other circuits have held were not takings, such as

- costs to clean up hazardous waste under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), *United States v. Alcan Aluminum Corp.*, 315 F.3d 179, 190 (2d Cir. 2003);
- survivor's benefits required from previous employers of coal miners who died from Black Lung Disease, *W.V. CWP Fund v. Stacy*, 671 F.3d 378, 387 (4th Cir. 2011);
- fines for traffic offenses caught on municipal traffic

- quarterly monetary assessments based on tobacco manufacturers' market share under the Fair and Equitable Tobacco Reform Act, *Swisher Int'l*, 550 F.3d at 1057; and
- special monetary assessments on domestic utilities that benefit from facilities that process environmentally contaminated uranium, *Commonwealth Edison Co. v. United States*, 271 F.3d 1327, 1340 (Fed. Cir. 2001) (en banc) ("Requiring money to be spent is not a taking of property." (citation omitted)).

Unlike the cases that have found a taking of funds a violation of the Takings Clause, this Ordinance neither identifies the Ballingers' \$6,582.40 as a parcel of money it intends to take, nor seeks to seize any escrow accounts or funds that meet certain criteria. Thus, the Ballingers' physical-taking claim was not "an appropriate vehicle to challenge the power of [a legislature] to impose a mere monetary obligation without regard to an identifiable property interest." *McCarthy*, 626 F.3d at 286 (quoting *Swisher Int'l*, 550 F.3d at 1057) (alteration in original).<sup>6</sup>

#### IV

For the same reasons, we disagree with the Ballingers that the City placed an unconstitutional condition, called an exaction, on their preferred use of their Oakland home. Though the Takings Clause prohibits the government from "deny[ing] a benefit to a person because he exercises a

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<sup>6</sup> Because we hold that the relocation fee is not a taking, we need not address the Ballingers' arguments that the relocation fee is taking for a private, rather than public, purpose and without just compensation.

constitutional right” or “coercing people into giving [those rights] up” by imposing unconstitutional conditions on the use of private land, the “predicate for any unconstitutional conditions claim is that the government could not have constitutionally ordered the person asserting the claim to do what it attempted to pressure that person into doing.” *Koontz*, 570 U.S. at 604, 612 (citation omitted). Because the relocation fee here was not a taking, it cannot have been an unconstitutional exaction.

### A

The unconstitutional conditions doctrine of the Takings Clause allows the government to condition the use of one’s property on agreeing to an exaction, or the dedication of one’s other property to the public use, “so long as there is a ‘nexus’ and ‘rough proportionality’ between the property that the government demands and the social costs of the applicant’s proposal.” *Id.* at 605–06 (quoting *Dolan v. City of Tigard*, 512 U.S. 374, 391 (1994), and *Nollan v. Cal. Coastal Comm’n*, 483 U.S. 825, 837 (1987)). In evaluating the constitutionality of an exaction, we must balance (1) the vulnerability of “land-use permit applicants” who can be strongarmed by government entities with “broad discretion” with (2) legitimate government interests in “landowners internaliz[ing] the negative externalities of their conduct.” *Id.* at 604–05.

The Supreme Court has limited the scope of exaction claims to the administrative-conditions context. *E.g.*, *City of Monterey v. Del Monte Dunes at Monterey, Ltd.*, 526 U.S. 687, 702 (1999) (“[W]e have not extended the rough-proportionality test of *Dolan* beyond the special context of exactions—*land-use decisions conditioning approval of development on the dedication of property to public use.*” (emphasis added)); *Lingle*, 544 U.S. at 546 (describing



*Nollan* and *Dolan* as “Fifth Amendment takings challenges to adjudicative land-use exactions”); *Koontz*, 570 U.S. at 604, 614 (describing *Nollan* and *Dolan* as “involv[ing] a special application” of the unconstitutional conditions doctrine “when owners apply for land-use permits,” where “central concern” is “the risk that the government may use its substantial power and discretion in land-use permitting” (citation omitted)). Following the Supreme Court’s lead, we have applied an exactions analysis only to generally applicable administrative, not legislative, action. *See, e.g., McClung v. City of Sumner*, 548 F.3d 1219, 1227 (9th Cir. 2008) (“In comparison to legislative land determinations, the *Nollan/Dolan* framework applies to adjudicative land-use exactions where the ‘government demands that a landowner dedicate an easement allowing public access to her property as a condition of obtaining a development permit.’” (citation omitted)); *San Remo Hotel, LP v. San Francisco City & County*, 364 F.3d 1088, 1097 (9th Cir. 2004).<sup>7</sup>

But the doctrine barring unconstitutional conditions is broader than the exactions context. *See Koontz*, 570 U.S. at 604 (collecting cases relating to different contexts); *Stop the Beach Renourishment, Inc. v. Fla. Dep’t of Env’t Prot.*, 560 U.S. 702, 713–14 (2010) (“The Takings Clause . . . is not addressed to the action of a specific branch or branches.

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<sup>7</sup> At least one Justice highlighted his disagreement. *See, e.g., Cal. Bldg. Indus. Ass’n v. City of San Jose*, 136 S. Ct. 928, 928 (2016) (Thomas J., concurring in denial of certiorari) (“I continue to doubt that the existence of a taking should turn on the type of governmental entity responsible for the taking.” (quotation marks and citation omitted)); *Parking Ass’n of Ga. v. City of Atlanta*, 515 U.S. 1116, 1117–18 (1995) (Thomas, J., joined by O’Connor, J., dissenting in denial of certiorari) (“It is not clear why the existence of a taking should turn on the type of governmental entity responsible for the taking. A city council can take property just as well as a planning commission can.”).

It is concerned simply with the act, and not with the governmental actor . . . .”).

Last year, in a now-vacated opinion, we relied on *McClung* to reject as an exaction “a general requirement imposed through legislation, rather than an individualized requirement to grant property rights to the public imposed as a condition for approving a specific property development.” *Pakdel v. City & County of San Francisco*, 952 F.3d 1157, 1162 n.4 (9th Cir. 2020) (cleaned up), *vacated* 5 F.4th 1099 (9th Cir. 2021). However, the Supreme Court invited us to “give further consideration to [this] claim in light of [its] recent decision” in *Cedar Point Nursery*. *Pakdel v. City & County of San Francisco*, 141 S. Ct. 2226, 2229 n.1 (2021).

In *Cedar Point Nursery*, the Court highlighted that “[t]he essential question is not . . . whether the government action at issue comes garbed as regulation (or statute, or ordinance, or miscellaneous decree).” 141 S. Ct. at 2072. Yet the Court still limited the exactions context to “[w]hen the government conditions the grant of a benefit such as a permit, license, or registration” on giving up a property right. *Id.* at 2079. Thus, the Supreme Court has suggested that any government action, including administrative and legislative, that conditionally grants a benefit, such as a permit, can supply the basis for an exaction claim rather than a basic takings claim. *See id.* at 2072; *see, e.g., Com. Builders of N. Cal.*, 941 F.2d at 873 (applying exactions analysis to legislative ordinance imposing a fee to finance low-income housing in connection with the issuance of permits for nonresidential development).

## B

Here, the Ballingers claim that the City’s Ordinance (a legislatively imposed condition) is an unconstitutional

exaction. The district court rejected their exaction claim as based on a generally applicable legislative condition when a properly pled exaction claim can only arise from administrative, not legislative, conditions.

In light of *Pakdel*, 141 S. Ct. at 2229 n.1, and *Cedar Point Nursery*, 141 S. Ct. at 2072, 2079, we agree with the Ballingers that “[w]hat matters for purposes of *Nollan* and *Dolan* is not *who* imposes an exaction, but *what* the exaction does,” and the fact “[t]hat the payment requirement comes from a [c]ity ordinance is irrelevant.” But the Ballingers miss, under the *Nollan/Dolan* framework, that whatever the government action is, it must condition the grant of a benefit on an unconstitutional taking. *See Dolan*, 512 U.S. at 391–92 (exactions where government bodies “make some sort of individualized determination that the required dedication [or condition] is related both in nature and extent to the impact of the proposed development.”); *McClung*, 548 F.3d at 1227 (exactions analysis applies to “determinations conditioning permit approval on the grant of property rights to the public”). Here, the Ordinance does not conditionally grant or regulate the grant of a government benefit, such as a permit, and therefore does not fall under the unconstitutional-conditions umbrella.

Lastly, even so, the “starting point to our analysis” of exactions claims is still whether the substance of the condition, such as granting an easement as in *Nollan* and *Dolan*, would be a taking independent of the conditioned benefit. *Cedar Point*, 141 S. Ct. at 2073; *Koontz*, 570 U.S. at 612; *see Nollan*, 483 U.S. at 831; *Dolan*, 512 U.S. at 384. Here, the relocation fee is not a compensable taking, so the relocation fee did not constitute an exaction. We therefore affirm the dismissal of the Ballingers’ exaction claim.

## V

Finally, we also affirm the dismissal of the Ballingers' seizure claim. The Fourth Amendment applies to searches and seizures in the civil context. *United States v. James Daniel Good Real Prop.*, 510 U.S. 43, 51 (1993); *see also Mapp v. Ohio*, 367 U.S. 643, 655 (1961) (incorporating the Fourth Amendment through the Fourteenth Amendment). To adequately plead a seizure claim, a plaintiff must allege a "deprivation of any rights, privileges, or immunities secured by the Constitution and laws." 42 U.S.C. § 1983. And to establish a deprivation of Fourth Amendment rights, the Ballingers must allege the seizure was caused by state action. *See United States v. Jacobsen*, 466 U.S. 109, 113 (1984). The Ballingers claim their tenants were "willful participant[s] in joint activity with the State or its agents" and that the Ordinance authorizes a "meaningful interference with [the Ballingers'] possessory interest in [their] property." The district court correctly rejected these arguments.

A private individual's actions can only be considered state action if a "sufficiently close nexus" makes private action "treat[able] as that of the [government entity] itself." *Blum v. Yaretsky*, 457 U.S. 991, 1004 (1982) (citation omitted). Merely "authoriz[ing]," "approv[ing,] or acquiesc[ing]" to private action—such as the "creation or modification of any legal remedy"—is not enough to show state action. *Am. Mfrs. Mut. Ins. Co. v. Sullivan*, 526 U.S. 40, 52–53 (1999) (citations omitted). And an "[a]ction by a private party pursuant to [a] statute, without something more, [is] not sufficient to justify a characterization of that party as a 'state actor.'" *Lugar v. Edmondson Oil Co.*, 457 U.S. 922, 939 (1982).



The Ballingers have not established a cognizable theory of state action. The City did not participate in the monetary exchange between the Ballingers and their tenants. *See Flagg Bros., Inc. v. Brooks*, 436 U.S. 149, 164–65 (1978). Neither did it “exercise[] coercive power” over the Ballingers’ tenants or “provide[] such significant encouragement, either overt or covert, that the [tenants’] choice must in law be deemed to be that of the State.” *Blum*, 457 U.S. at 1004. Because the tenants were not willful participants in joint activity with the State, they cannot be fairly treated as the State itself. *Cf. Stypmann v. City & County of San Francisco*, 557 F.2d 1338, 1341–42 (9th Cir. 1977). Nor did the City actively encourage, endorse, or participate in any wrongful interference by the tenants with the Ballingers’ money. *Cf. Presley v. City of Charlottesville*, 464 F.3d 480, 488 (4th Cir. 2006). At most, the City was only involved in adopting an ordinance providing the terms of eviction and payment. *See Sullivan*, 526 U.S. at 53. But enacting the Ordinance of this nature is not enough—entitling tenants to demand a relocation payment is a “kind of subtle encouragement . . . no more significant than that which inheres in [a government entity]’s creation or modification of *any* legal remedy.” *See id.* (emphasis added). Adopting the Ballingers’ expansive notion of state action would eviscerate the “essential dichotomy between public and private acts.” *Id.* (citation and quotation marks omitted). Thus, we affirm the district court’s dismissal of the Ballingers’ seizure claim.<sup>8</sup>

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<sup>8</sup> We affirm dismissal of the Ballingers’ facial Fourth Amendment challenge as well. Outside the First Amendment context, a facial challenge must prove that a law is “unconstitutional in all of its applications,” considering only those applications “in which [the law] actually authorizes or prohibits conduct.” *City of Los Angeles v. Patel*,

**AFFIRMED.**

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576 U.S. 409, 418 (2015) (citation omitted). But the Ballingers’ as-applied seizure claim proves the Ordinance is not “unconstitutional in all applications,” dooming a facial challenge. *See Bell v. City of Chicago*, 835 F.3d 736, 739 (7th Cir. 2016) (rejecting a facial Fourth Amendment seizure claim as “the Ordinances’ actual application in [the plaintiffs’] case does not violate the Fourth Amendment” (cleaned up)); *see also Patel*, 576 U.S. at 444–45 (Alito, J., dissenting) (questioning whether facial Fourth Amendment claims are ever viable given that “reasonableness . . . is pre-eminently the sort of question which can only be decided in the concrete factual context of an individual case” (citation omitted)).

### **New Petaluma Ordinance.**

In this report I am here to I am here to discuss the continual non-incentive we have in place which deter people from entering the rental market and becoming housing providers. I believe this new ordinance will further perpetuate this issue which in turn accelerates vacancies due to lack of rentals. This ordinance undermines exactly what it is trying got protect.

The simple cost of housing and ownership has been increasing each year. Between 2019-2020 we saw a 6% property tax increase. With Sonoma County's property taxes already being in the top 20% out of all counties in California these increases added up substantially.

Home insurance is also a rising cost for homeowners. We have seen California home insurance rates increase nearly 10% between 21-22 and it is schedule to continue to increase this year, 2023.

Add on the fact that, the cost to purchase in Petaluma has been on the steadily increasing. As of December 2022, the median price of a house sold in Petaluma was for \$912,400. Unless someone is doing a 1099 exchange the cost to get into the market as an investor would be almost \$183,000 (actual number \$182,400) as the 20% down payment. Even then, let's say an investor bought a house for \$901,500, the monthly estimated cost is \$5,289. This cost includes insurance, property taxes, mortgage ect. This monthly expense would have a home provider in the hole by a few thousand dollars if they were to put it on the rental market.

We saw an example very recently where a family is moving out of the area for work and wanted to keep their home to hopefully move back one day. Before meeting with them they were set on putting their home on the rental market however after speaking with us they knew this would not be an option and they would have to sell. Their mortgage is greater than the rental market and they would be in the negative each month.

Currently Single-Family homes make up about 78% of the rental market and Single-family homes easiest to lose from the rental market. With further restriction on housing providers, we will see the homes removed from the rental market and sold to a single-family buyer. I say this confidently due to the previous stats I mentioned before. This will create a greater strain on the supply and demand for rentals in the area.

With further restrains on housing providers such as this proposed ordinance I fear we will push mom and pop landlords into a corner of either having to sell their property or have them go with a Property Management Company. If they go with a Property Management Company, a lot of the higher risk tenants who need someone to take a chance on them will find it difficult to find housing as they will not meet the requirements of property management companies.

But one of our biggest concern, the one we're not seemingly focused on, is the impact of Proposition 19, and what it's going to do to our housing supply.

Prop 19 was passed in November 2020. It removes property tax shelter for heirs. When a property is inherited, the property is now reassessed at the true market value. Due to this Proposition, we are seeing property taxes skyrocket. This has forced many homes be sold instead of being put on the rental market. Not many people can afford the mortgage with the new increased property tax rates. Other than selling the property, people do not have the funds to pay these property taxes. They are better off selling. We knew this was a pressing issue as the county saw property transfer request nearly double than the previous year when this proposition was first put on the ballot.

Many of our "mom and pop" independent landlords are already in their seventies and older.

When our elders pass away, even if they WANTED to, their kids WON'T be able to afford to keep the rental investment that Mom and Dad created - because the Prop 19 adjusted taxes make it prohibitive.

Within a generation, we're likely to see a massive loss in Petaluma housing supply - especially detached homes - simply because of Prop 19.

That's what we need to be focusing on - how to address that impending problem.

By passing this ordinance - or anything like it - you're NOT fixing that problem, or slowing it down by even a day.

As a matter of fact, housing losses that might otherwise be a problem 20 years from now will instead be accelerated - we'll be moving the needle forward so it's only five or eight years from now, instead of twenty.

We need to protect our rental housing supply. This ordinance doesn't do anything to make that happen.

The numbers do not add up for people to continue to invest in the rental market. Between rising cost in Property taxes, insurance, maintenance cost and now adding on harsh restrictions to owners they have no incentive to put their money in the rental market and we will continue to lose homes this way.

*Laura Taylor*

Mahoney Davison Co. Property Management

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## Against:

- What happens to landlords who don't renew a lease for a good tenant in order to move in themselves, but then need to vacate in order to do repairs?
- Why remove sublease rules – can landlords not have a say in who stays in their property?
- Objections to removal of the “committing waste” clause in the TPA
- Concerns that there isn't the same level of landlord legal help that tenants can access, for mom & pop landlords who are not wealthy
- There's a “minimum” that a landlord must pay to get rid of a tenant but no maximum
- Additional objection to “committing waste” - City complained to landlord about waste accumulating due to tenant, but the City came after the landlord for the waste
- Raise suggestion that landlords/property investors will not purchase in Petaluma
- Additional objection to removal of sublease rule
- Ordinance would not let landlords retire
- Argument for protections to expire when the lease expires
- Ordinance goes too far – risks losing the rental market in Petaluma. Reiterates objections to “committing waste” and subleasing aspects of the ordinance
- City going in wrong direction generally
- Ordinance should expire
- Committing waste exemption could create a health and safety issue
- Don't fault property owners for needing to take units out of the rental market for personal reasons
- If this passes, homeowners will sell their properties and there will be fewer rentals in Petaluma
- Ordinance doesn't speak to potential property tax or other cost increases and the need to raise rents to cost share
- Investors will leave the market, the market will decline
- Right of first refusal for ten years is onerous
- The more detailed the ordinances we establish in Petaluma, the more likely that mom & pop landlords will get out of the business because they won't have the legal acumen to deal with the regulations
- Already a lot of protections for tenants, better use of time to make tenants aware of existing rights than make it harder for landlords who are trying to act in good faith
- Providing legal fees for tenants is a recipe for bad actors
- Suggestion to make it possible to ask tenants to waive their rights under the ordinance
- There is no problem; TPA already offers most robust tenant protections in the country
- TPA is adequate

## Pro:

- Make the ordinance permanent
- Compensation for tenants who are evicted for reasons outside of their control
- That amount should be adjusted to cost of living adjustments each year
- Hard to get deposits back

- Most tenants need at least half of the amount of rent to pay moving expenses that accumulate before the moving date
- Additional vote for ordinance to be permanent
- Must continue, housing crisis in Petaluma continues
- TPA has loopholes that are easy to find and exploit, the Petaluma ordinance reduces the amount of exemptions
- Petaluma renters live in single family homes so these should remain a part of the ordinance
- Ordinance should protect renters on day 1, not after 6 or 12 months to stop landlords from changing their minds
- Relocation should be increased to 120 days of rent (four months)
- Protections create a more equitable playing field for tenants
- “Committing waste” provision in TPA is actually redundant and not needed
- Failing to exclude properties built in last 15 years will make housing situation worse

Questions re: definition of “termination” vs. “eviction”

Questions re: LLC ownership and impact

Question re: how much of city’s general funds going towards enforcing this ordinance and hounding landlords about compliance

Question re: Why are properties built in last 15 years exempt? Impact on seniors in our community who are landlords?

Observation re: experience of Spanish-speaking commenter was intimidating for other Spanish-language participants

Spelling mistakes in ordinance, doesn’t breed confidence

7073421696

Good evening City Council and Community Members. It is an honor to speak with you this evening. My name is Mary Reynolds. I am a 4th generation Petaluman and it is the greatest honor and privilege of my life to be the Principal of Miwok Valley Elementary Charter School. Miwok is a public charter school in East Petaluma. I have been the principal for 5 years and we enroll 297 students across 8 grades. We are a Title I school. To receive federal Title I funds, a minimum of 40% of the school's student body qualifies for free and reduced lunch. At Miwok Valley, 73% of our students qualify. 73% of our students are socio economically disadvantaged. 217 of our students receive free or reduced lunch. 40% of our students are linguistically diverse, in which English is their second language. The pandemic has disproportionately impacted our students in these categories in numerous ways. I am here this evening to use my positional power and status in the community of Petaluma to advocate for the students and families at my school who experience ongoing insecure housing, which has substantially increased during the pandemic and is our current reality. I am here to advocate for the housing protections and that those protections go into effect immediately and take effect on day one of tenancy. Insecure housing is a key contributing factor that negatively impacts a child's learning outcomes and overall school experience. Learning is joyful and fun, but is compromised when children's parents and guardians are threatened by arbitrary and unjust eviction practices. This system is easy for me to navigate. I have been given all the advantages in the world - because of my education. Education is access to the world. Education can and will end poverty and eliminate crime. Secure and equitable housing will ensure that students reach positive learning outcomes. Thank you for your time.

March 6, 2023

Mary Reynolds, Ed.D.

*Incurring a rental vacancy is never a low-cost enterprise. Even when the outgoing resident leaves their premises in pristine condition, and gets their entire security deposit returned, the owner incurs costs: preparing the property (carpet, paint, repairs, cleaning, “detailing” to prepare for re-rental); lost rent, which can average as much as two or more months’ vacancy between tenants; utilities and services; costs to find new tenants, and potentially tenant acquisition commissions. Those are all fundamental costs a housing provider incurs any time there’s a vacancy.*

*We surveyed eleven housing providers - independent operators and property managers alike - who, between them, have more than 150 years experience, and manage 2,200+ residential rental units. While these units are not exclusively in Petaluma, they are all within Sonoma County. As such, the costs to “turn” a unit do not vary significantly from town to town within Sonoma County.*

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Jennifer Rihl, President-Elect of the Marin-Sonoma chapter of the National Association of Property Managers (NARPM), conducted the survey between January 17 and January 25, 2023.

#### data and analysis:

- 11 viable responses received: 10 from professional property managers, and 1 from an independent owner/operator
- Total direct and indirect costs to prepare and re-rent was established by dividing TOTAL estimated cost for ALL reported turns by 418, the reported number of turns
- **Average direct-and-indirect cost of a turn is \$10,561.00.**
- IF a housing provider were to increase rent by average \$300/mo (10%) subsequent to a vacancy, 34 months would pass before “break even,” even while instituting subsequent yearly rent increases of 5%
- based on data provided (and excluding three noteworthy “outliers”), average length of tenancy is 54 months - four and one half years.
- The annualized ROI (return on investment) at the END of that average 4.5 yr tenancy is .884% (less than one percent), compared to the calculated return generated by a resident continuing in uninterrupted tenancy
- Even while the outliers - 11 year average tenancies, 15, 20 - will ultimately generate HIGHER overall ROI over the longer tenancy term, this information indicates that residents and housing providers BOTH already benefit from longer uninterrupted tenancies

#### Conclusion:

*The average housing provider is actually DISINCLINED to unilaterally create a vacancy, because there’s so much outlay and expense, at an unjustifiably low rate of return. It is consistently more advantageous for an owner to keep a responsible long-term tenant in possession, at market or even below market rent. This data and analysis shows that there simply isn’t a motive or strategy by housing providers to evict good residents just to get higher rents. Using the argument that, absent regulation, housing providers would en masse wantonly evict residents “just because they can” is disingenuous, and entirely unsupported by fact.*



**Average Cost of Turning a 3 Bed, 2 Bath Residence in Sonoma County**

| Respondent     | Years as PM  | units under mgmt | appx vacancies/turns per Year | annual turns as % of respondent units | annual turns as % of 418 total turns | vacancy costs reported by respondent | tenancy duration in yrs (units under mgt / turns) | weighted tenancy duration | weighted vacancy costs X # units turned by respondent |
|----------------|--------------|------------------|-------------------------------|---------------------------------------|--------------------------------------|--------------------------------------|---|---------------------------|---|
| Owner/Operator | 52           | 61               | 3                             | 0.5%                                  | .70%                                 | \$20,000                             | 20.33   | 1240.13                   | \$60,000.00   |
| PM - A1        | 9            | 160              | 36                            | 22.5%                                 | 8.60%                                | \$8,300                              | 4.44  | 710.4                     | \$298,800.00  |
| PM - D1        | 10           | 238              | 50                            | 21%                                   | 12.00%                               | \$12,000                             | 4.76  | 1132.88                   | \$600,000.00  |
| PM- W1         | 8            | 250              | 50                            | 20%                                   | 12.00%                               | \$9,000                              | 5.00  | 1250                      | \$450,000.00  |
| PM - B1        | 10           | 277              | 25                            | 9.03%                                 | 6.00%                                | \$6,500                              | 11.08   | 3069.16                   | \$162,500.00  |
| PM - H1        | 7            | 167              | 60                            | 35.93%                                | 14.34%                               | \$7,500                              | 2.78  | 464.26                    | \$450,000.00  |
| PM - D2        | 12           | 230              | 53                            | 23.04%                                | 12.67%                               | \$9,697                              | 4.33  | 995.9                     | \$513,941.00  |
| PM - B2        | 25           | 310              | 20                            | 6.45%                                 | 4.77%                                | \$12,350                             | 15.5  | 4805                      | \$247,000.00  |
| PM - W2        | 13           | 150              | 45                            | 30%                                   | 10.75%                               | \$13,114                             | 3.33  | 499.5                     | \$590,130.00  |
| PM - M1        | 6            | 125              | 28                            | 22.4%                                 | 6.70%                                | \$12,032                             | 4.45  | 556.25                    | \$336,896.00  |
| PM - T1        | 7            | 268              | 48                            | 17.9%                                 | 11.47%                               | \$14,700                             | 5.58  | 1495.44                   | \$705,600.00  |
|                |              |                  |                               |                                       |                                      |                                      |   |                           |   |
| <b>Totals</b>  | 159          | 2,236            | 418                           |                                       | 100.00%                              | \$125,193.00                         | 51.58   | 16218.92                  | \$4,414,867.00  |
| <b>Average</b> | <b>14.45</b> | <b>203</b>       | <b>38</b>                     | <b>19%</b>                            |                                      | <b>\$9,564.81</b>                    |   | <b>7.25 (4.48)</b>        | <b>\$10,561.19</b>                                    |

**Average Cost of Turning a 3 Bed, 2 Bath Residence in Sonoma County**

| Respondent     | Years<br>as PM | units<br>under<br>mgt | appx<br>vacancies/<br>turns per<br>Year | annual turns<br>as % of<br>respondent<br>units | annual<br>turns as %<br>of 418 total<br>turns | vacancy<br>costs<br>reported by<br>respondent | tenancy<br>duration in<br>yrs (units<br>under mgt /<br>turns) | weighted<br>tenancy<br>duration | vacancy costs<br>X # units<br>turned by<br>respondent |
|----------------|----------------|-----------------------|---|--|---|---|---|---------------------------------|---|
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| <b>Totals</b>  | <b>159</b>     | <b>2,236</b>          | <b>418</b>                              |  | <b>100.00%</b>                                | <b>\$125,193.00</b>                           | <b>51.58</b>  | <b>16218.92</b>                 | <b>\$4,414,867.00</b>                                 |
| <b>Average</b> | <b>14.45</b>   | <b>203</b>            | <b>38</b>                               | <b>19%</b>                                     |   | <b>\$9,564.81</b>                             |   | <b>7.25 (4.48)</b>              | <b>\$10,561.19</b>                                    |

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A spreadsheet titled “Comprehensive Tenant Protection Review\_CA 2022” was received by

Margaret DeMatteo from Legal Aid shared two documents. The first is a chart, included below - “Sheriff+Unlawful Detainer Data-Petaluma”

| Zip Code Areas             | Calendar 2017 | Calendar 2018 | Calendar 2019 | Calendar 2020 | Calendar 2021 | Calendar 2022 to 12-22 | Totals          |  |
|----------------------------|---------------|---------------|---------------|---------------|---------------|------------------------|-----------------|--|
| <b>Petaluma UD's</b>       | <b>128</b>    | <b>116</b>    | <b>105</b>    | <b>42</b>     | <b>42</b>     | <b>83</b>              | <b>516</b>      |  |
| 94952                      | 53            | 38            | 51            | 22            | 21            | 37                     | 222             |  |
| 94954                      | 75            | 78            | 54            | 20            | 21            | 46                     | 294             |  |
| Sheriff lock outs-total    | 63            | 36            | 54            | 12            | 23            | 31                     | 219             |  |
| Legal Aid Client Intake #s |               |               | 46            | 51            | 55            | 85                     | Not enough data |  |
|                            |               |               |               |               |               |                        |                 |  |
|                            |               |               |               |               |               |                        |                 |  |

The second, titled “Guardian\_Jan\_1\_2019\_to\_May\_8\_2022\_Sonoma\_County\_Evictions” is a spreadsheet that has been uploaded to the City of Petaluma website. A link to the document is also included below.

This information was uploaded to our site as received. The information has not been verified by the City.

|   |           |
|---|-----------|
| <a href="#">Guardian_Jan_1_2019_to_May_8_2022_Sonoma_County_Evictions</a> | Legal Aid |
|---|-----------|