

April 14, 2023

Mayor Kevin McDonnell
Vice Mayor Janice Cader Thompson
Council Member Mike Healy
Council Member Dennis Pocekay
Council Member Brian Barnacle
Council Member John Shribbs
Council Member Karen Nau
City Manager Peggy Flynn
City Attorney Eric Danly
Assistant City Attorney Dylan Brady



Sent via email to: cityclerk@cityofpetaluma.org; landlordtenantprotections@cityofpetaluma.org; kmcdonnell@cityofpetaluma.org; jcaderthompson@cityofpetaluma.org; jshribbs@cityofpetaluma.org; bbarnacle@cityofpetaluma.org; mhealy@cityofpetaluma.org; knau@cityofpetaluma.org; dpocekay@cityofpetaluma.org; edanly@cityofpetaluma.org; pflynn@cityofpetaluma.org; dbrady@cityofpetaluma.org

RE: April 17, 2023 City Council Agenda Item #10
Petaluma Municipal Code, Chapter 6.60 Entitled, "Residential Tenancy Protections"
("Ordinance")

Dear City Council and Staff:

North Bay Jobs with Justice is a growing, grassroots coalition of more than 30 labor and community organizations in Sonoma, Napa, and Marin Counties. Our mission is rooted in centering the voices and leadership of working families, building real worker power through direct action and solidarity. We continue to support passage of a strong Residential Tenancy Protection Ordinance in Petaluma.

We commend the City of Petaluma for passing a local ordinance to close many of the loopholes in the California Tenant Protection Act of 2019 (TPA). The TPA implemented the most basic state level tenant protections, to the exclusion of many renters, particularly as applied to Petaluma where the majority of rental units are housed within single family homes (exempt from TPA protections). This Ordinance provides stronger protections to tenants, particularly from arbitrary evictions and retaliatory behavior from day one of a tenancy. That is a victory for Petaluma's workforce and vulnerable renter communities.

There is a stark and urgent need for this ordinance. 47% of Petaluma renters are cost-burdened (spending 30% of their income on housing) and 23% are severely cost-burdened, paying more than 50% of their income on housing.¹ County-wide, 40% of all renters are cost-burdened compared with only 25% of homeowners.² Families with young children are more susceptible to severe cost-burden, twice as likely to be severely cost-burdened as all other households.³ The most recent U.S. Census data indicates that between 1980 and 2020, inflation adjusted wages marginally increased for the bottom 60% of workers in the County by just 8 percent. For the bottom 20%, during that same period, wages dropped by nearly 3%, while wages for the top 10% increased by more than 35 percent. Between 2000 and 2020, gross annual rents climbed 28%, but renter incomes grew by just 10% a year!

¹ [Appendix+A+-+Needs+Assessment+\(08-28-22\).pdf \(squarespace.com\)](#)

² [2023_0322-Making-the-Rent-The-Human-Price-of-Housing-Cost-Burden.pdf \(generationhousing.org\)](#)

³ Id.

It is clear that working people in Petaluma are struggling simply to make ends meet, put food on the table, and keep a roof over their heads. We can do better for our essential workforce, for the people who teach our children, take care of our seniors, stock our grocery stores, and keep the town itself running. The largest sector in Petaluma is Health and Education, making up 33% of the workforce. Working renters deserve the dignity and respect of real housing security so that they can continue to serve our community, our children and seniors.

Protection of tenants is not just about stabilizing rental housing. It is about ensuring that people who work here can also afford and feel at home here. It is about keeping Petaluma's workforce out of long commutes which exacerbate climate change and traffic congestion. It is about addressing the starkest of housing disparities in Sonoma County, which is that Black, Latino, Native American, and mixed-race households are dramatically more likely to rent rather than own their homes.⁴ This means that Black, Indigenous and People of Color (BIPOC) residents are disproportionately vulnerable to exploitation and displacement due to predatory rent hikes, arbitrary evictions, being forced to live in uninhabitable conditions and endure landlord harassment and retaliation.⁵

Specifically, we would urge the City to use the Ellis Act implementation set forth by the state. We are not aware of any other cities or counties modifying this language, and encourage the City to keep the language in line with the State. Please consider adding a safety net to the just cause for owner move in to make it less ripe for abuse and in line with other modern just cause ordinances. We strongly urge you to put back the teacher and school-aged children protections to prevent displacement during the school year when a landlord attempts an owner/relative move-in eviction, as Berkeley, San Francisco and many other jurisdictions have for years. Finally, please make it clear that this Ordinance closes the "reno-viction" loophole by allowing a tenant to return to their unit once it is made safe and habitable, as you had more clearly in the first version of this Ordinance.

At the March 6th City Council meeting, the private right of action that provides for damages and attorneys fees was apparently on the chopping block. A private right of action is a well-established principle in Petaluma. The Living Wage Ordinance has a strong private right of action in Chapter 8.36.110 of the Municipal Code, and the Minimum Wage Ordinance at Chapter 8.35.070(B). The private right of action is necessary for enforcement, to prevent landlords from disregarding the rules. You have to give tenants a leg to stand on in court for them to be able to assert their rights against retaliation and wrongful eviction. Please do not remove that standing from this ordinance.

We are hopeful that Petaluma will have the same permanent tenant protections that are in place in thirty other California cities and counties. We encourage Petaluma City Council to strengthen the existing residential tenancy protections after considering and implementing these critical changes. We urge you to stand in solidarity with working families by strengthening and passing the Ordinance.

Sincerely,



Max Bell Alper, Executive Director
North Bay Jobs with Justice

⁴ [A PORTRAIT OF CALIFORNIA 2021–2022 | REGIONAL REPORT SERIES](#)