



California Apartment Association

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April 17, 2023

Honorable Mayor McDonnell
Petaluma City Council
City of Petaluma
11 English Street
Petaluma, CA

RE: Residential Tenancy Protections Ordinance – Oppose

Dear Mayor McDonnell and City Council,

The California Apartment Association (CAA) is the largest statewide rental housing trade association in the country. We proudly represent over 3,000 rental housing providers in Sonoma County who provide over 30,000 homes for Sonoma County families.

CAA strongly opposes the city's misguided newly drafted Residential Tenancy Protections ordinance and staff report produced on April 12. The ordinance makes it nearly impossible for housing providers to operate and are expected to burden this costly layer of law imposed by Petaluma's city council.

The following points have been identified to further exemplify our position in opposing Petaluma's ordinance and the city staff report. The city of Petaluma fails to consider the consequences of the following issues:

Day 1 Occupancy Application

Section 6.60.030, applicability of this ordinance occurs after the first day of occupancy. California State Law, AB 1482 was drafted by the legislature with the intent of tenant protections be effective after one year, to serve as an opportunity of fairness for both tenants and housing providers. Just cause eviction protections contribute to lifetime tenancies. It is extremely important that the relationship works between both housing provider and tenant. Petaluma should adhere to state guidelines of one-year protections for tenant households in order to ensure that all members of the community are in the best possible living outcome.

Noticing Requirements

According to the ordinance, housing providers would be subject to providing notices that go far beyond industry practices and state law. Section 6.60.060 proposes an overtly complicated and unnecessary noticing requirements that go way beyond state law at the burden of the housing providers. The processes imposed by the city of Petaluma make it nearly impossible for someone to lawfully comply with executing what is required in the drafted sections. The landlord bearing the sole responsibility of

translating and serving multilingual notices makes it impossible to use industry standard lease agreements and leave a large margin for error and confusion.

In section 6.60.070B the ordinance requires a landlord give notice of name, address, and relationship of the family member who will be moving into the dwelling. This is a privacy issue and excessive for an owner move in.

Section 6.60.070D language poses a slew of problems for all parties involved. This section requests that in the event of a no-fault eviction's landlords must first in addition to giving notice as required by section 6.60.060 provide notice by using a city issued form for the purpose of informing of the tenants' rights to relocation assistance. As industry leaders, we fully support all parties being fully educated on their rights.

However, it is unclear whether the city wants housing providers to inform residents prior to their termination notice or if the city form will accompany it. The city of Petaluma should partner with industry leaders and outreach services to provide multilingual forms for all the above sections to ensure equity among all housing providers and that there are no technical mistakes or issues.

Relocation Assistance

Section 6.60.080 proposes relocation assistance at 250% of the tenants' current rent or \$11,000 adjusted annually for inflation after the first year of occupancy and thereafter. This egregious amount of money proposed by the city of Petaluma is a costly burden and will be a risk of imminent bankruptcy for some housing providers if relocation payments were to be paid per person.

Tenants under California state law are afforded relocation assistance equivalent to one month's rent. Petaluma has failed to produce any evidence that would require housing providers to provide a 250% increase in relocation assistance.

There is no evidence or data showing a threat of displacement. Contrary, Petaluma has shown a gradual annual decrease in eviction processes, exemplifying that there is no immediate threat of displacement or need for this costly proposal.

Application of Ordinance on New Development

Under AB 1482 new development is exempt from the state TPA with the intention to encourage much needed new development and housing to be built throughout California. The city of Petaluma will directly contribute to the ongoing housing crisis and lack of housing stock through this ordinance applying to new developments and structures less than fifteen years old.

It is unclear what the city is trying to achieve by the application of this ordinance onto new housing, however what is apparent is that the city is discouraging further housing from being built and developed.

CAA strongly urges Petaluma city council to listen to their community and not pass this ordinance. It is imperative the city of Petaluma focus their resources on educating their community of renters about their existing protections through AB 1482. CAA has proudly partnered with jurisdictions throughout California to provide thorough and equitable outreach and education for both renter and housing provider communities. With our outreach, industry leading compliance and education materials we are prepared to work with the city of Petaluma to ensure all residents know their rights and responsibilities.

There is no justifiable data nor an identifiable issue by city staff that Petaluma needs to permanently enact any laws that go beyond the California Tenant Protection Act. With this ordinance, Petaluma will contribute to pushing rental housing off the already limited market and discourage any new housing from being built. The city council needs to focus its energy and attention on educating their community of their rights as both housing providers and renters through a multilingual, multistep process.

The city council would be well served to pursue efforts to build much-needed affordable housing and to ensure that the laws that are being passed will not affect such endeavors through added layers of bureaucracy.

Sincerely,

Angelina Soldatos

Angelina Soldatos
Director, Local Public Affairs