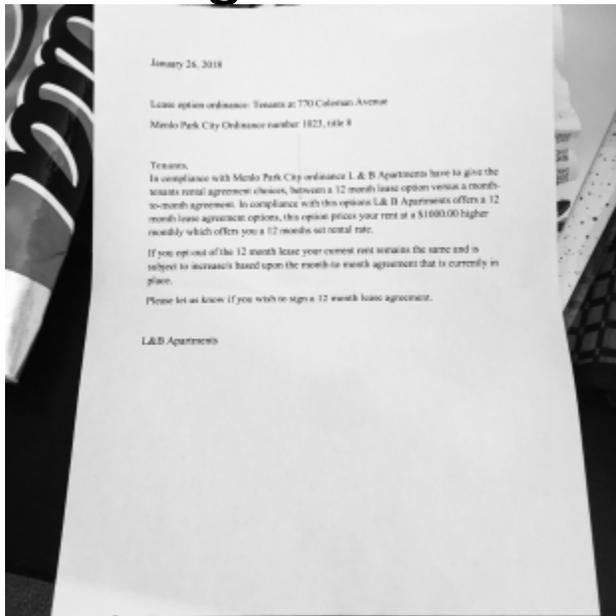


Is Menlo Park's 12-month lease policy working?



by [Kate Bradshaw](#) / Almanac / Uploaded: Wed, Apr 11, 2018, 10:26 am

The experience of Karla and Chad's family and their request for a 12-month lease ultimately led them to the Menlo Park Housing Commission. Housing Commissioner Karen Grove, speaking as an individual, said that hearing about their predicament "added to my sense of urgency that we need to have protections" for renters.

That landlords can make tenants' requests for a 12-month lease so expensive or difficult raises questions about the one-year-old policy's effect – particularly as other Peninsula cities consider this and other renter policies. Redwood City just passed its own mandatory 12-month lease ordinance, and rejected a proposed requirement that a one-year lease not be more expensive than a month-to-month rental agreement.

Menlo Park Housing and Economic Development Manager Jim Cogan said the city has received anecdotal feedback that the policy has been helpful to tenants.

Joshua Howard, senior vice president at the California Apartment Association, said the 12-month lease ordinance "codified an industry best practice."

"Our members appreciate and recognize that these ordinances do not create any form of rent or price control, they do not create any barriers to evicting a problem tenant, and do not take flexibility away from an owner on how they renew their lease agreements when they come due for renewal," he said in a written statement.

On the other hand, Jason Tarricone, an attorney at Community Legal Services in East Palo Alto, said he has seen another narrative play out with the policy: "Anecdotally, we've seen it can have unintended consequences."

"We don't think it's a good idea," he added. "It can just prompt the landlord to raise the rent significantly."

Angie Evans, community builder at the Housing Leadership Council of San Mateo County, said in an interview that there are two main flaws with the city's 12-month lease ordinance: It fails to protect renters from unpredictable rent increases, and it applies only to a very small number of households in the city. In the long term, she added, "If you actually want a holistic community, you have to protect current tenants and create more affordable housing."

One of the big challenges with trying to get data on such policies is that it is not readily tracked many places, Mr. Tarricone explained. This data is collected, though, in East Palo Alto as part of that city's rent control and just-cause eviction policies.

He said that while the legal services agency does not have data on how many households have been displaced in Menlo Park, "We have certainly represented many families who face eviction in Menlo Park because of very large rent increases or no-cause eviction notices."

Most displacement happens under the radar, he explained. "Unless an eviction case is filed, there's no official document or record-keeping of tenants who are getting eviction notices," he said.

Solutions

Ms. Evans pointed out that there are things that can be done to "actually prevent displacement." Putting in place disincentives to evict people – making property owners pay tenants' relocation fees, for instance – is one possibility.

"We would much rather see other tenant protections in place, such as just cause for eviction," said Mr. Tarricone. That's a law that says tenants can be evicted only for a good reason, he explained.

One recommendation he offered: requiring landlords to send cities a copy of any eviction notice or rent increase that's given. That wouldn't capture all the incidents of households being displaced or priced out of town, but it could be a first step to help a city understand the extent of the problem, he said.

Ms. Grove, again speaking not as a member of the Housing Commission, said, "I think there's not one answer." Inclusionary housing – requiring developers to designate a certain number of housing units they build across the city as affordable – is "going to take years before it kicks in."

"In the meantime," she added, "I think we should consider rent control, just-cause eviction, rental relocation – everything we can to keep our community intact. Once people are gone, they're gone."

If you have a story to share about displacement or Menlo Park's 12-month lease ordinance, contact reporter Kate Bradshaw at kbradshaw@almanacnews.com or (650) 223-6588.

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