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## **Menlo Park council to consider enacting state renter protection law early**

Council will consider an urgency ordinance on Tuesday after hearing reports of seniors facing eviction and a teacher with a \$500 rent increase

by Kate Bradshaw

Word of a new state law that restricts evictions and rent hikes, set to take effect Jan. 1, has triggered a number of major rent increases and evictions in Menlo Park as some landlords seek to make the most of the remaining months of a less-regulated rental market.

Assembly Bill 1482, passed Sept. 11 in the state Legislature and signed into law on Oct. 8, creates two policies aimed at protecting renters. Starting Jan. 1, landlords will not be permitted to evict renters without a reason, and under certain conditions may be required to pay evicted tenants relocation assistance. Landlords will also be prohibited from raising rents by more than 5% plus the percent change in the consumer price index – an indicator of the cost of living – or by more than 10%, whichever is lower. The 2019 annual consumer price index as established in April was 4%, so under the policy, rent is not permitted to rise more than 9%.

City staff has noted that some renters have reported recent significant rent increases in advance of the new law's effective date. On Oct. 25, the city reports, a local teacher who has lived in her apartment for 20 years received notice of a \$500 per month rent increase, to \$3,000 from \$2,500.

So far, at least four tenants that the city knows of have been served no-fault eviction notices. Two are seniors. One of the seniors recently underwent a leg amputation and has significant trouble with mobility, according to the city.

In order to prevent the displacement of additional renters, the Menlo Park City Council is set to meet Tuesday (Nov. 12) to potentially enact an urgency ordinance that could put the provisions of AB 1482 into effect immediately. For the urgency ordinance to take immediate effect, it needs the support of four out of the five council members.

The council was planning to meet earlier, on Nov. 7, but Councilwoman Catherine Carlton was unavailable due to a meeting with the South Bay Waste Management Association. Today (Nov. 8) was ruled out because City Hall is closed and there were concerns about holding the meeting in a transparent way.

Stacy Townsend, an attorney at Community Legal Services in East Palo Alto, is working with two senior clients who have received no-cause eviction notices in Menlo Park. She said these are longtime residents who have rented in the community since at least 1991 and 2006.

"They were shocked and saddened to receive these no-cause eviction notices after living in their homes for decades," Townsend said in an interview. "They have no place to go. They wouldn't be able to afford to live in Menlo Park anymore if they were evicted from their homes."

She added that the legal services agency is probably only learning about a small proportion of the total number of evictions happening in the area. That's because when someone is first served an eviction notice, he or she is often more likely to prioritize finding a new housing situation than finding a lawyer, she explained.

Since AB 1482 passed, she noted, other Peninsula cities such as Daly City, Redwood City and San Mateo have been proactively passing urgency ordinances to protect renters from no-cause evictions and major rent hikes.

She said she'd encourage Menlo Park to include language in the ordinance that makes it clear it can apply retroactively to tenants already served eviction notices, such as her clients.

### **The law**

The new state law requires a landlord to have a valid reason to evict a household if it has lived in a unit for a year or more. Valid reasons are not paying rent, violating a lease term or being a "nuisance."

The law still permits owners to evict a tenant if they or certain members of the owner's family are planning to move in to the unit, or if the unit is being withdrawn from the market, but in those situations, the owner must offer tenants one month's rent as relocation assistance, regardless of the tenant's income.

The law has fairly strict parameters as to which rental housing units are covered.

For instance, the just-cause eviction and rent cap policies don't apply to housing units that are 15 years old or newer; educational dorms; already-restricted affordable housing; or duplexes where the owner's main home is one of the units.

These policies also do not apply to single-family homes or condominiums, unless the owner is a real estate investment trust, a corporation or a limited liability company, under specific circumstances. However, landlords are still expected to alert tenants in these units that they are exempt from the rent cap and just-cause eviction policies.

In addition, the just-cause eviction policy doesn't apply to hotels, housing at hospitals, churches, extended and licensed care facilities or other adult residential facilities. It also doesn't apply in situations where a renter shares a bathroom or kitchen facilities with the owner in the owner's home, or in homes where the owner lives there and rents no more than two units or bedrooms.

A group opposing the legislation filed a lawsuit against Gov. Gavin Newsom and the city of Long Beach on Oct. 15, claiming it is unconstitutional.

It's not yet clear how the law will be enforced, but city staffers say they anticipate it will be enforced through civil action. Community Legal Services in East Palo Alto and the Legal Aid Society of San Mateo County can provide legal resources and referral services for renters, staff report.

### **Need help?**

Reach Community Legal Services in East Palo Alto at (650) 326-6440 or [clsepa.org](http://clsepa.org) and the Legal Aid Society of San Mateo County at (650) 558-0915 or [legalaidsmc.org](http://legalaidsmc.org). Or call a tenant rights [hotline](http://hotline) at (888) 495-8020.

### **If you go**

The Menlo Park City Council is scheduled to discuss this matter at its meeting on Tuesday, Nov. 12, starting at 5:30 p.m. in the council chambers, 701 Laurel St. in the Menlo Park Civic Center. Access the meeting agenda [here](#), the staff report [here](#) for more information, or stream the meeting online [here](#).

***Have you been impacted by a sudden eviction or rent hike since Oct. 8? Share your story with The Almanac by contacting Kate Bradshaw at [kbradshaw@almanacnews.com](mailto:kbradshaw@almanacnews.com).***

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