

BY AMY DIPIERRO / OCTOBER 31, 2019

# Redwood City approves rent cap, just-cause eviction protections



*Tenants, faith leaders and tenant advocates celebrate the passage of an ordinance setting just-cause eviction protections at city hall in Redwood City, Calif. Tenant advocates in California say they've seen a wave of evictions and rent hikes since the passage of Assembly Bill 1482. (Amy DiPierro / Peninsula Press)*

**R**edwood City officials approved an urgency ordinance capping rent increases and setting new requirements for just-cause evictions, joining a small group of California cities to pass similar emergency measures as tenants wait for statewide protections that take effect in 2020.

Tenants advocates in the Peninsula and elsewhere in California say they've seen a wave of evictions and rent hikes in anticipation of Assembly Bill 1482, which generally prevents landlords from evicting tenants without a valid reason and limits annual rent increases to 5% plus inflation.

But the state law doesn't kick in until January, leaving a months-long window during which landlords can still raise rent in excess of the impending cap and evict tenants without just cause.

Redwood City's urgency ordinance seeks to fill the gap by instituting what amounts to a local version of AB 1482 two months early.

Mayor Ian Bain explained that, for him, evictions and housing instability hit close to home.

"Growing up in the 70s and 80s, we were evicted many times," he said at the Oct. 28 city council meeting when councilmembers approved the ordinance. "At two different periods in my youth, I slept in cars for months at a time ... I don't have to imagine what it's like."

It's hard to say exactly how many evictions and rent hikes have been issued across California in advance of January, given a lack of timely eviction data. But action taken elsewhere in the state suggests the uptick reported by tenants rights groups is not limited to Redwood City.

City councils in Daly City, Milpitas and Los Angeles(<https://www.latimes.com/business/story/2019-10-22/los-angeles-eviction-moratorium>) have also approved new ordinances aimed at preventing evictions. In Sacramento, tenants that have been issued eviction notices have urged the County Board of Supervisors to approve a similar ordinance(<https://www.sacbee.com/opinion/editorials/article236569163.html>). And San Francisco-based Tenants Together, a renter's advocacy group, has called on California lawmakers to enact a statewide moratorium before January(<https://www.sacbee.com/opinion/editorials/article236569163.html>).

Redwood City began drafting its ordinance after tenants advocates reported a string of local evictions. According to a city staff report, 28

tenants told the city they had received a no-cause termination notice since June, while other tenants said their rent had spiked as much as 32%.

The Legal Aid Society of San Mateo County, meanwhile, received 10 reports of no-cause termination notices in the 16-day period since AB 1482 passed the state legislature, according to the staff report, almost twice as many as the nonprofit usually sees in a month.

Assemblymember David Chiu, the author of AB 1482, also encouraged the council to pass an urgency.

ordinance([https://meetings.redwoodcity.org/AgendaOnline/Documents/ViewDocument/ATTACHMENT\\_C - LETTER FROM CALIFORNIA STATE ASSEMBLYMEMBER DAVID CHIU.pdf?](https://meetings.redwoodcity.org/AgendaOnline/Documents/ViewDocument/ATTACHMENT_C_-_LETTER_FROM_CALIFORNIA_STATE_ASSEMBLYMEMBER_DAVID_CHIU.pdf?meetingId=2048&documentType=Agenda&itemId=2741&publishId=4268&isSection=false)

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in an Oct. 14 letter acknowledging that “rent gouging and displacement would substantially thwart the intent of AB 1482.”

Tenants speaking during a public comment period preceding the Oct. 28 council vote said they had received surprise eviction notices and rent hikes in the past few weeks and didn’t know where they would go if forced to leave their homes.

One woman said her family was celebrating her husband’s birthday when the landlady told the family they needed to leave their home by the end of the year. A man who received an eviction notice started crying as he described his difficult search to find replacement housing where his son will have access to a good school.

Claudia Pereira, who has lived in Redwood City for more than 18 years, said her landlord raised her family’s rent by \$450, then retracted the increase and instead issued the family an eviction notice.

“I truly don’t know how we’ll be able to spend the holidays,” she told the council through a translator. “I truly don’t know what to do. We’re in a difficult situation and for that reason I ask that you pass that ordinance.”

Still, support for the ordinance was not unanimous. Some speakers said they opposed the urgency ordinance because it would negatively impact property owners, especially small landlords.

Joshua Howard with the California Apartment Association noted the new state law's rollback provision, which requires landlords to reset any rent increases in excess of the rent cap to March 2019 levels plus the permissible increase at the beginning of 2020.

"We would question if this ordinance really does have any effect," he said.

Some landlords came to the tenants' defense. Connie Ahern, who manages and owns residential properties in the Bay Area, was among a small group of property owners that said they support the emergency just-cause eviction protections.

"Over the past 30 years, we have self-imposed our own rent increases that are less than what AB 1482 is implementing in January," she said. "These properties are our residents' homes. It is not for us to take money away and cause people to move."

Tenants and faith leaders vowed to spend Monday night in City Hall if the renter protection urgency ordinance failed. They didn't have to.

The council voted unanimously to approve the urgency ordinance. It caps rent increases at 9% – mirroring the state's forthcoming 5% plus inflation cap – and specifies reasons why a landlord may legitimately terminate a tenant's lease, like failing to pay rent or violating a lease term.

"You've got some unscrupulous people who jumped on the opportunity to make a quick deal and make money and leave people out for the holidays," said Vice Mayor Diane Howard, explaining her decision to support the city ordinance. "Whatever the gap we cover, it's better than what we have now."

On the other hand, Councilmember Giselle Hale, who also voted in favor of the ordinance, cautioned that staff time spent on enforcing the urgency ordinance could leave the city with less time for other housing issues.

"Other affordable housing initiatives we had planned to work on will be tabled so that we can take this on," she said. "There's always a trade off. There's always a cost."

Daniel Saver, a senior attorney at Community Legal Services in East Palo Alto who advocated for the urgency ordinance, said he believes the city's emergency measure protects renters that received no-cause eviction notices prior to the urgency ordinance but haven't yet terminated their tenancy. Still, he said, a landlord who disagrees could try to argue against that interpretation in court.

Speaking in Spanish after the meeting, Pereira said she felt "super nervous" prior to the council vote, worrying that city officials wouldn't pass the emergency tenant protections.

With the ordinance approved, she said, "I'm finally going to be able to sleep."