

TENANT PROTECTION ORDINANCE: PROPOSED CHANGES FOR SANTA CLARA COUNTY

February 2025

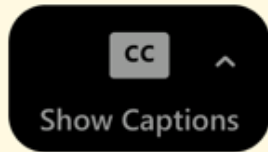


Language Access

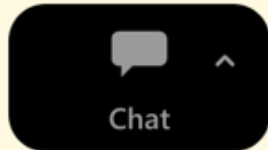
Click the icons below to:



Choose your language.



Read live transcripts and closed captions.



- Join the chat (if available).
- Write to the panelists or all guests.



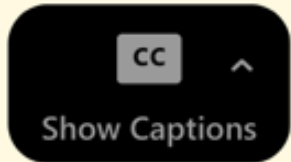
Unmute to speak.



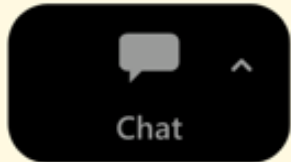
Haga clic en los siguientes iconos para:



Seleccionar su idioma.



Leer las transcripciones en directo y subtítulos.



- Unirse al chat (si está disponible).
- Escribir a los panelistas o a todos los invitados.

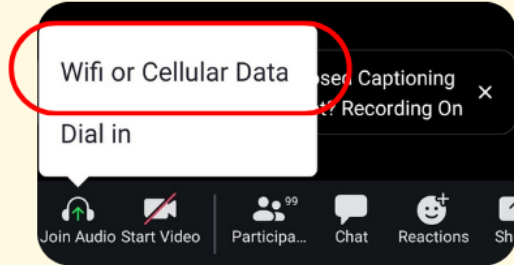


Desactivar para hablar

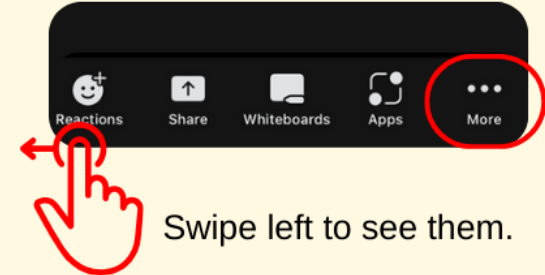


Directions to Access the Language Interpretation Feature on Zoom Using a Smartphone

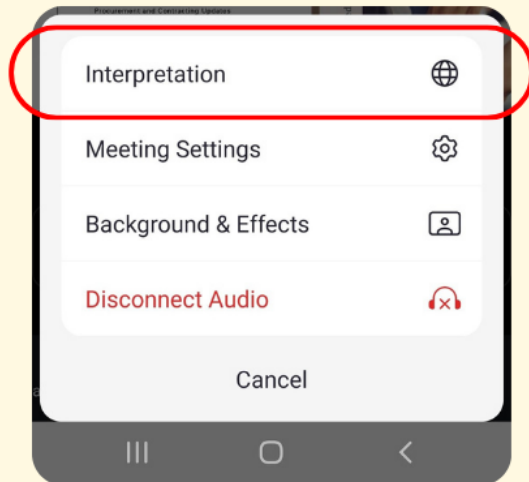
- 1 Choose **Wifi or Cellular Data**.



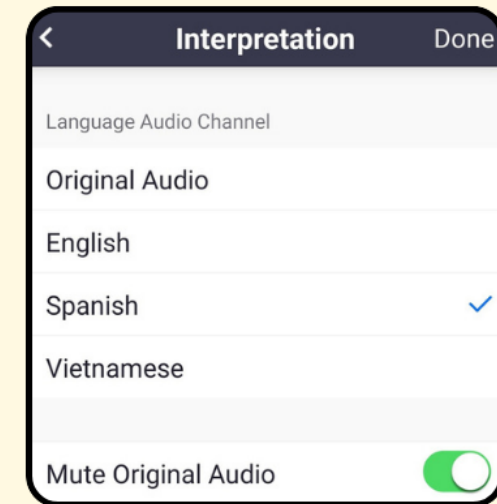
- 2 Touch the three (3) dots on the tool bar.



- 3 Choose **Interpretation**.

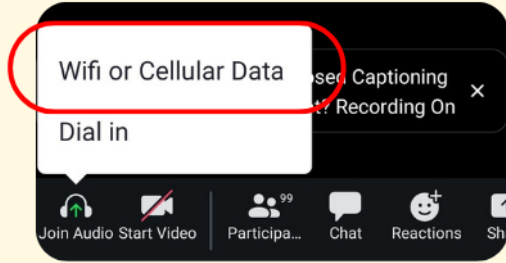


- 4 Choose your language of preference. Tap on **Mute Original Audio**.

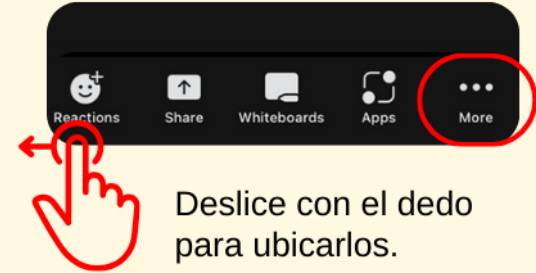


Instrucciones para utilizar la función de interpretación de Zoom desde un teléfono inteligente

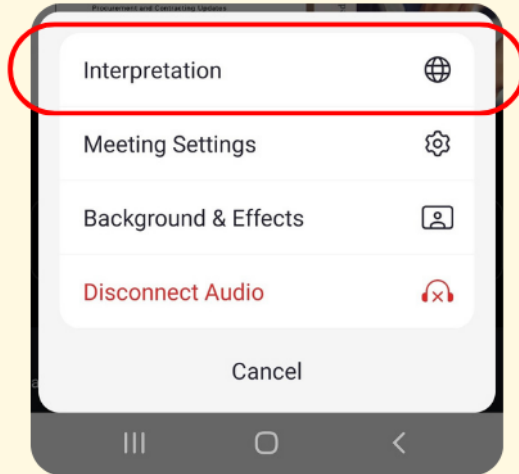
- 1 Seleccione **Wifi** or Cellular Data.



- 2 Toque los tres (3) puntos en la barra de herramientas.



- 3 Seleccione **Interpretation**.



- 4 Seleccione **Spanish** y haga click en **Mute Original Audio** (silenciar el audio original).





WHO WE ARE

- Office of Supportive Housing
- County Counsel
- Department of Planning and Development
- Language Access Unit





WHY ARE WE HERE TODAY?

- **Objective: Update the ordinance to protect the rights of tenants and increase housing stability, while maintaining the tools and authority landlords need to manage and maintain their property.**
- The County ordinance covering relocation assistance has not been updated in over 30 years.
- California law includes some protections, but many jurisdictions in Santa Clara County have adopted more robust protections.



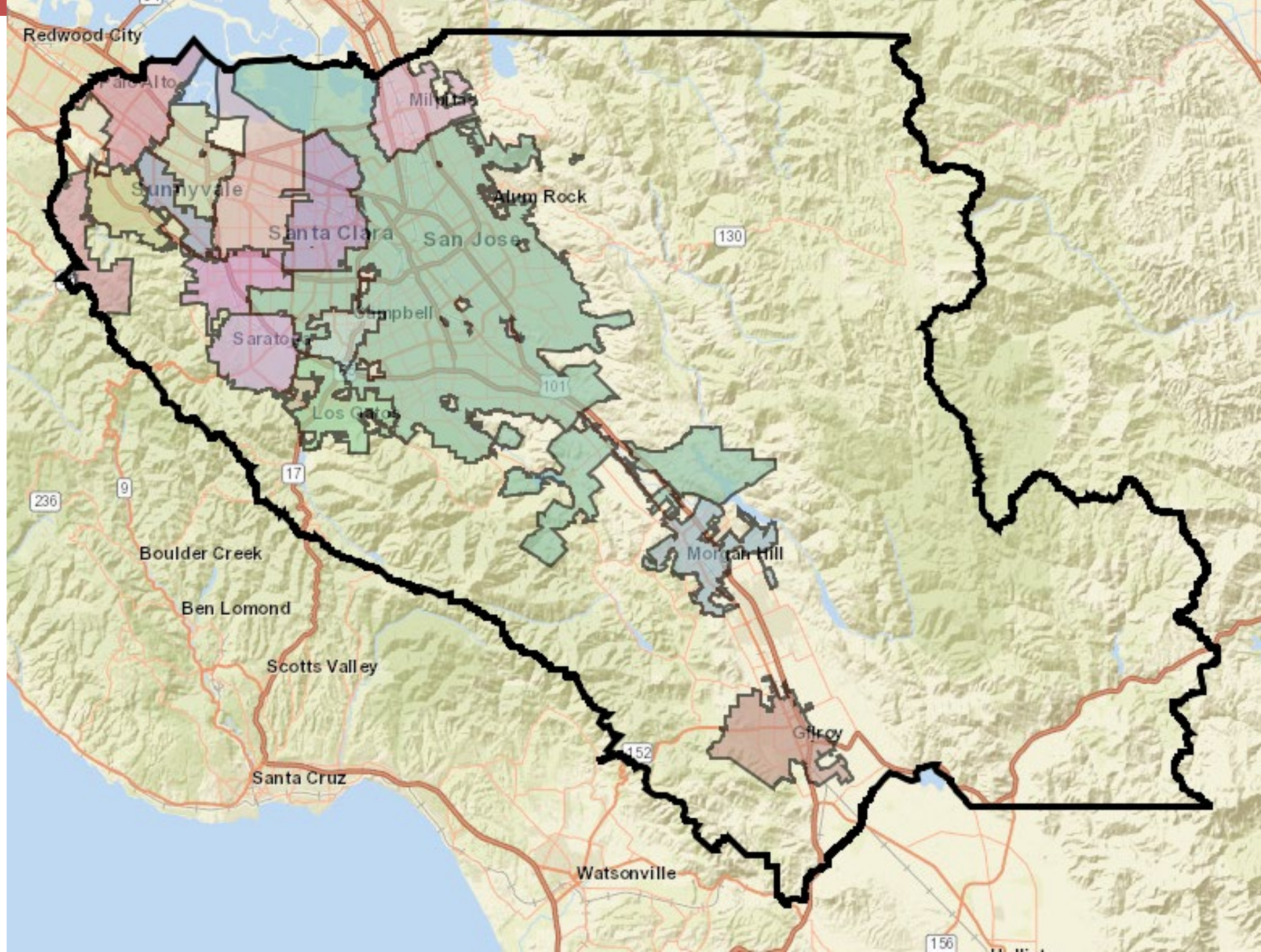
AGENDA

- Tenant Protections in place today
- Proposed changes
- Public Input
- Next Steps

Who?

Unincorporated Areas

- 29% of housing is renter occupied
- 8,890 households
- Highest populations in Alum Rock, Burbank, and San Martin





DEFINITIONS



- **Eviction** – Legal action taken by property owner for the removal of a tenant from housing due to a lease violation, which could include not paying rent.
- **Just Cause** – Policies that promote residential stability by limiting grounds upon which property owners may evict a tenant.
- **Relocation Assistance** – Eligible tenants may be entitled to relocation assistance, such as three months of Fair Market Rent (FMR).
- **Fair Market Rent** - Published annual by the U.S. Department of Housing & Urban Development to establish estimates of rent, takes into account rent and utilities (water and power). FMRs vary depending on geographic area.
- **Rent Control** – Laws that limit how and much property owners can raise rent on certain residential properties.



AT-FAULT VS NO-FAULT JUST CAUSE

At-Fault Just Cause

The tenant is evicted for reasons related to tenant actions. For example:

- Not paying rent.
- Violating the lease.
- Unlawful conduct.
- For employee housing: termination of employment.
- Or other reasons relating to the tenant's action(s).

No-Fault Just Cause

The tenant is evicted for reasons unrelated to tenant actions. For example:

- Owner is going to move into the home.
- Owner is going to take the home off the rental market.
- Owner is going to demolish or substantially remodel.



TENANT PROTECTIONS IN PLACE TODAY

California Tenant Protection Act	<ul style="list-style-type: none">• Landlords can evict tenants when there is “just cause”• Relocation assistance provided for no-fault evictions• Rent increases are limited• There are exceptions, for example: single family homes in some cases, duplexes may be partially exempt (depends on ownership)• Authorizes cities and counties to adopt stronger regulations
County of Santa Clara Ordinance Code Division C5	Relocation assistance required for residential tenants who are required to move due to unsafe conditions, including red-tagging.



RESOURCES

Current State Law

Resources from the California Department of Justice, Office of the Attorney General

- *Know Your Rights As A California Tenant*
<https://oag.ca.gov/system/files/media/Know-Your-Rights-Tenants-English.pdf>
- *The Tenant Protection Act: Your Obligations as a Landlord or Property Manager*
<https://oag.ca.gov/system/files/media/Tenant-Protection-Act-Landlords-and-Property-Managers-English.pdf>
- *Landlord-Tenant Issues*
<https://oag.ca.gov/consumers/general/landlord-tenant-issues#:~:text=The%20Tenant%20Protection%20Act%20caps,over%20a%2012-month%20period.>

QUESTIONS?





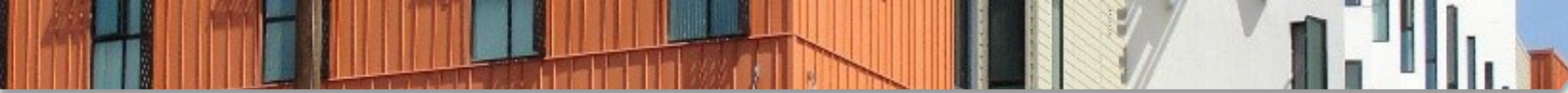
PROPOSED CHANGES

Proposed Ordinance would:

- Expand types of homes/units that are protected
- Expand relocation assistance requirements
- Provide a process for enforcement and compliance with the laws

Proposed Ordinance would not:

- Make changes to existing state law rent control requirements



EXPANSION OF JUST CAUSE PROTECTIONS

Now	Proposed Change
<p>Landlords are required to provide 30 days to take the home off the rental market, if tenant has been renting unit for less than 1 year.</p> <p>Landlords are required to provide 60 days to take the home off the rental market, if tenant has been renting unit for more than 1 year.</p>	<p>Landlords required to provide notice 120 days before evicting to remove the property from the rental market.</p>





EXPANSION OF JUST CAUSE PROTECTIONS

Now	Proposed Change
Evictions for “substantial repairs” or remodeling can be for repairs related to health and safety OR cosmetic updates OR remodel.	Evictions for “substantial repairs” must be necessary to make the property safe , not cosmetic.
Owners may evict current renter to move into the unit themselves under various circumstances.	Evictions that are due to the owner moving into the unit must prove that the person moving in has at least 50% ownership .



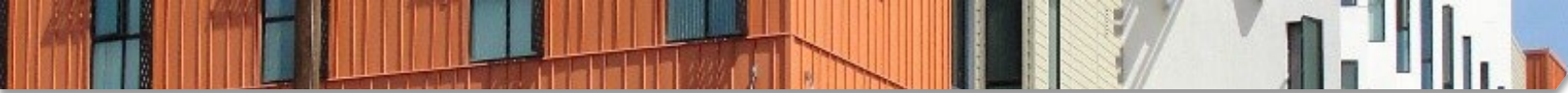


EXPANSION OF JUST CAUSE

Additional restrictions on At-Fault Just Cause Evictions

Now	Proposed Change
Tenants may be evicted with Just Cause if any person not on the lease moves into the unit and the lease prohibits additional occupants.	<p>Protect tenants’ right to allow immediate family members to live with them, subject to health and safety standards.</p> <p>Protect tenants’ ability to replace departing co-tenant with a new co-tenant.</p>





EXPANSION OF RELOCATION ASSISTANCE

Proposed Ordinance would require relocation assistance equal to three months Fair Market Rent for no-fault evictions.

Example: If a renter is required to leave their 1-bedroom apartment because their unit is deemed uninhabitable, the property owner would be required to provide \$8,082 in relocation assistance.

	Studio / 0 Bed	1 Bed	2 Bed	3 Bed	4+ Bed	Description
Proposed Ordinance	\$ 7,149	\$ 8,082	\$ 9,396	\$ 12,033	\$ 13,275	Three months' FMR
Current State Law	One month of actual rent.					





EXPANSION OF PROTECTED UNITS

Now	Proposed Change
Renters in single-family homes and duplexes are not covered by state law.	Includes single family homes, duplexes, townhomes, and condominiums (with exceptions for certain owner-occupied residences).
Tenants who have been in their unit for less than 12 months are not covered.	Includes tenants who have resided in their unit for fewer than 12 months.
State protections do not apply to housing that was new in the last 15 years.	Includes all qualifying units, regardless of when constructed. There are not exclusions for recently constructed units.



QUESTIONS?





PUBLIC INPUT



- Are the proposed changes clear?
- How would the proposed changes impact you?
- Do you have concerns that are not covered by the proposed changes?



NEXT STEPS

Opportunities to Provide Further Comments

- BOS Committee Meeting: Housing, Land Use, Environment and Transportation Committee (HLUET) - Meeting Date TBD
- County Board of Supervisors Meeting – Date TBD
- Questions about upcoming meetings or to be notified about future meetings: tpooutreach@hhs.sccgov.org