



September 3, 2019

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Lisel Blash,  
Housing Specialist

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Larkspur City Council  
400 Magnolia Ave.  
Upstairs, City Hall  
Larkspur, CA 94939

Dear Councilmembers:

The Marin Environmental Housing Collaborative (MEHC) has long been in support of tenant protections in Marin. Stabilizing existing tenants in their current homes is the most environmentally friendly way of providing housing and preventing homelessness. We urge you to pass the tenant protection ordinances before you tonight.

Fairfax and San Rafael have followed the County's lead in passing both Just Cause for Eviction and Mandatory Mediation ordinances. Both will be using the District Attorney's office to mediate disputed rent increases above 5% in a 12-month time period. We are pleased to see that Larkspur's proposed ordinances follow this same template, which will make it easier for those landlords who own properties across jurisdictions to understand and comply with a single set of consistent rules.

We thank the City of Larkspur for its careful examination of these issues and are pleased to see that these ordinances apply to most rentals other than those in which the landlord resides. In addition, we commend you for adopting a rental registry and requirements that the landlord provide a copy of any eviction notice to the City. This will allow for a more data-driven assessment of the rental market and the impact of these ordinances.

In addition to these ordinances, we ask that you consider a Source of Income ordinance protecting Section 8 and HUD-VASH voucher holders – who are often individuals with disabilities, racial and ethnic minorities, and families with children – from rental discrimination, as Fairfax, San Anselmo, Novato, San Rafael, and the County have done. Our recent Craigslist search demonstrates that some Larkspur landlords still refuse to entertain applications from those who hold Section 8 vouchers. While housing vouchers should allow low-income families to move to communities of greater opportunity, they are too often blocked from this opportunity by rental discrimination. Landlords who do accept such applicants have learned that they actually gain from the experience: faster lease-up with an

expanded pool of applicants, and, if the eventual tenant has a Section 8 voucher, a significant portion of the rent is deposited directly to the landlord's bank account by Marin Housing Authority. In addition, Section 8 landlords have reduced exposure to possible loss from any default or damage.

While we recognize that more affordable housing is needed in all our communities, we note that most Marin jurisdictions are far behind in their provision of low- and moderate-income housing for reasons that are complicated and sometimes beyond the control of local jurisdictions. Existing renter households cannot wait the many years it takes to realize new developments. We encourage you to pass tonight's renter protection ordinances and we look forward to future deliberations on preserving the affordability of Larkspur's mobile home parks and protecting voucher holders from rental discrimination.

Sincerely,

A handwritten signature in cursive script that reads "Lisel Blash". The signature is written in black ink and is positioned above the typed name.

Lisel Blash Housing Specialist



California Apartment Association  
North Bay  
755 Baywood Drive, 2nd Floor  
Petaluma, CA 94954  
(800) 967-4222 • caanet.org

LARKSPUR CITY COUNCIL  
- LATE CORRESPONDENCE -

Meeting Date: 09/04/2019  
Item Number: 7.1

September 3, 2019

Honorable Ann Morrison  
Larkspur City Council  
400 Magnolia Avenue  
Larkspur, CA 94901

**RE: City of Larkspur Just Cause Eviction/Mandatory Mediation/Rent Registry Program - Oppose**

Dear Mayor Morrison:

The California Apartment Association – North Bay Division (CAA) opposes the proposed City of Larkspur Just Cause, Rental Housing Dispute, and Rent Registry ordinances.

CAA has serious concerns regarding the just cause ordinance and its impact on the community. This policy will reduce access to affordable housing and put good renters in danger by making it extremely difficult to remove tenants who are engaged in illegal activity.

In properties that are subject to just-cause, owners struggle to remove tenants who have no regard for their neighbors, tenants who destroy the property, and tenants who are involved in illegal activity. This activity substantially interferes with the quiet enjoyment of other tenants at the premises. As a result, good tenants suffer the consequences, having to make the choice of living next to the nuisance tenant or protecting themselves and their family by moving out. Under just-cause, there is an inherent element of uncertainty when it comes to regaining possession of the unit because an owner must rely on third party witnesses – who may be asked to testify in court - to provide the evidence necessary to win in court. Fearing retaliation from the nuisance tenant, witnesses often do not testify, and as a result, the illegal activity continues unchecked and many good tenants choose to move elsewhere.

Just cause policies reduce access to housing for struggling renters. One of the many unintended consequences of just cause policies is that property owners can be less willing to take risks when it comes to marginal applicants who may not have a stellar rental history or credit record. Today many property owners are willing to take a chance on an applicant who is otherwise qualified but who has something in their past – such as an eviction when they were young, a foreclosure, a bankruptcy, or a lack of credit history. Property owners are willing to do this because they know that if the tenant is unable to live up to their lease obligations, there is a straightforward process to recover possession of the unit. If this proposed ordinance becomes law in Larkspur, property owners may no longer be willing

to go out on a limb for these riskier applicants, who are often those in the greatest need of housing.

The mandatory mediation program will further worsen the rental housing market in Larkspur. This ordinance requires that landlord and tenants participate in a mediation process in any instance where either party requests a mediation in anticipation of, or response to, a rental increase of greater than five percent within any twelve-month period. This is rent control and communities throughout the Bay Area have rejected similar policies as they reduce access to affordable housing.

Though intended to make housing more secure for vulnerable populations, the proposed ordinances will worsen the situation for those who are looking for housing in Larkspur. These policies go too far, and will have serious unintended consequences, which will only worsen the housing market, especially for the community's most vulnerable. In addition, the State Legislature is currently considering similar policies (please see AB 1482) and it may be premature for the City of Larkspur to adopt these ordinances.

There is no silver bullet that will solve the housing crisis in Marin County. However, policies such as just cause eviction, and mandatory mediation will only worsen the situation and will not help bring a single unit of affordable housing to Larkspur. Rather than focusing on policies that discourage development, the city should increase the supply of housing and encourage capital investment in affordable housing projects.

Sincerely,

A handwritten signature in black ink that reads "Alex Khalfin". The signature is written in a cursive, flowing style.

Alex Khalfin  
Vice President of Public Affairs  
California Apartment Association

cc: Larkspur City Council



# Fair Housing Advocates of Northern California

1314 Lincoln Ave., Ste. A, San Rafael, CA 94901 ▼ (415) 457-5025 ▼ TDD: (800) 735-2922  
www.fairhousingnorcal.org ▼ [fhanc@fairhousingnorcal.org](mailto:fhanc@fairhousingnorcal.org)

**LARKSPUR CITY COUNCIL**  
**- PUBLIC COMMENT -**  
**Meeting Date:** 09/04/2019  
**Item Number:** 7.1

September 4, 2019

BY EMAIL ONLY

To: Members of the Larkspur City Council – Ann Morrison ([amorrison@cityoflarkspur.org](mailto:amorrison@cityoflarkspur.org)), Larry Chu ([lchu@cityoflarkspur.org](mailto:lchu@cityoflarkspur.org)), Dan Hillmer ([dhillmer@cityoflarkspur.org](mailto:dhillmer@cityoflarkspur.org)), Kevin Haroff ([kharoff@cityoflarkspur.org](mailto:kharoff@cityoflarkspur.org)), Catherine Way ([cway@cityoflarkspur.org](mailto:cway@cityoflarkspur.org))

RE: Proposed Rent Registry, Just Cause for Eviction, and Mandatory Rent Mediation Ordinances

Dear Council Members,

In December of 2017 and 2018, as part of their efforts to preserve housing affordability and prevent displacement, the Board of Supervisors passed first a Mandatory Mediation, then a Just Cause for Eviction ordinance. The Mandatory Mediation ordinance is aimed at resolving disputes when an annual rent increase of more than 5 percent is sought by a landlord. The Just Cause for Eviction ordinance prevents the termination of renters' leases without cause, providing greater security and stability for responsible tenants while retaining landlords' rights to terminate a lease for valid reasons, such as non-payment of rent or other violation of a lease agreement, such as creating a nuisance. Tenants would no longer have to fear that reporting unsafe housing conditions would result in reprisals that would cause them to lose their housing and require them to leave their community.

Fair Housing Advocates of Northern California (FHANC) wholeheartedly supports Mandatory Mediation and Just Cause for Eviction ordinances in the city of Larkspur and urges the City Council to adopt these ordinances as part of an integrated approach to preserving affordable housing. FHANC believes this is a crucial step to provide necessary stability for the most vulnerable populations in the county who are protected under federal and state fair housing law.

In addition, FHANC fully supports the "Rent Registry" ordinance that would adopt regulations for landlords to report residential rents and other information to the City on an annual basis. When the City can track and analyze actual rents in Larkspur and the characteristics of rental units, it will allow the city council to better understand the city's housing patterns and also allow the council to analyze the effectiveness of housing policies it puts in place, including the tenant protections being considered this evening.

The burden of unaffordability is borne by tenants who are harmed by the current lack of affordable housing, and many devote half or more of their monthly income towards their rent in order to live in Larkspur and the County. At worst, they are forced out of the County altogether or face homelessness. We continue to see those tenants at our agency. For those who choose to stay near the jobs, schools, or support systems that sustain them, the choice is sometimes living in a car or couch-surfing. For families with children or people with disabilities, staying housed becomes exponentially more difficult.

FHANC's complaint-based investigations and systemic investigations during the last several years have uncovered discriminatory practices of housing providers in Marin County, such as offering fewer units, quoting higher rents, refusing to rent and/or falsely denying the availability of units, and stating more



*A local non-profit helping communities eliminate housing discrimination*

TDD: CALIFORNIA RELAY SERVICE FOR THE HEARING OR SPEECH IMPAIRED: (800) 735-2922  
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burdensome qualification requirements for Latinos, Blacks, families with children, and persons with disabilities. Some clients who received no-cause termination notices or excessive rent increases felt that the issuance of the notice was due to discriminatory reasons, particularly if they were the only family with children, or African-American, or Latino, or person with a disability at the complex who received such a notice. As housing providers are permitted to give significant rent increases and terminate a tenancy for no reason at all, members of protected classes increasingly feel as though they are experiencing discrimination.

Implementing a Just Cause for Eviction ordinance that could operate with a Mandatory Mediation ordinance would help limit excessive rent increases and would provide responsible tenants with assurances that they can have a stable home so long as they abide by the terms of the lease, or the housing provider doesn't have other cause to end a tenancy. Limiting the basis for which tenancies can be terminated will help reduce discrimination against in-place tenants and displacement of members of protected classes.

Until there is a Just Cause for Eviction ordinance, a housing provider can terminate a tenancy for no reason at all for month-to-month tenants, providing only 30, 60, or 90 days' notice (depending on the length of tenancy and whether a housing subsidy is used). Moving with limited notice poses a number of difficulties for people with physical disabilities, whose homes may have been modified to meet their needs or have other attributes that are necessary because of a disability, such as being located on a ground floor. In addition, families with children face additional challenges, as the location of their home is often tied to a school district or possibly a specific school that meets the disability-related needs of a child. The tight rental market magnifies these problems, particularly as there is a dearth of units with more than 1 bedroom. When there is a lack of rental protections for tenants, it is members of protected classes who are targeted and/or suffer disproportionately, contributing to the segregated housing patterns within Marin County. Marin County has taken action to address segregation and to address racial disparities by passing the Mandatory Mediation and Just Cause Eviction ordinance, and other jurisdictions have followed suit. *We must do more to keep people housed in this city and county and to affirmatively further fair housing.*

We applaud the City Council for considering the Mandatory Mediation ordinance in tandem with the Just Cause for Eviction ordinance and urge you to implement these and the rental registry ordinance without delay. These are important steps toward making housing more affordable, and positively impacting people of color, families with children, and people with disabilities.

Finally, we urge the City Council to also adopt an anti-discrimination ordinance prohibiting landlords from refusing to rent to tenants using housing subsidies, as Marin County, Fairfax, San Rafael, Novato, and other jurisdictions have done. On any given day, you can see Craigslist ads in Larkspur that state "no Section 8," "no vouchers," or similar language. And of course, there are plenty more who don't put this language in print but won't consider renting to someone with a housing subsidy. This is a fair housing, anti-discrimination issue. In the midst of a housing crisis, Section 8 is a source of affordable housing that also supports local landlords. No new construction is required, and the majority of rent is paid for by the federal government. In other words, it is in essence guaranteed rent.

Thank you for your efforts and consideration of these important housing policies to improve housing stability for those who need it most in the City of Larkspur.

Sincerely,



Caroline Peattie  
Executive Director

To the City Council. I spoke to you on that first meeting when we at Marin Mobile Home Park brought our rent increases to your attention. At that time I also mentioned how monthly fees for utilities and services had increased.

Maybe you know that the State of California has mandated that low income residents receive reduced fees, called care rates, for the phone, internet, and gas and electric bills. I asked the water district if they could give care rates, and they told me they already do, but to people who have their own water meters. Any care rate would have to come from the Park itself. I called the trash-garbage collector and asked if they would offer us care rates. They said Larkspur sets the rates, and any care rates would have to come from them.

I don't know about the District fees, which is the sewer service, but their fees have gone way up too. Between the District and the Trash bills, I'm paying almost a hundred dollars a month. That on top of the raised rent is a burden. Would you please look at these fees and see if any of them can be reduced for those of us on limited incomes? Thank you.

Conrad Williams. <conradwilliams@sbcglobal.net> . (415) 461-3453  
2130 Redwood Hwy D-14, Greenbrae Ca 94904

Landline Phone is \$7.81, and HiSpeed internet is \$10.  
G&E fees are reduced at least 10%  
C.W.