

# Rent Review Ordinance

## Informational Meeting

[www.unioncity.org/rent-requirements](http://www.unioncity.org/rent-requirements)



## Agenda

- Background
- Overview of the process
- Noticing requirements for rent increases
- How to request rent review
- Conciliation
- Mediation
- Business license, property registration, & fees
- Questions/Answers

## Background

- 2016-2017 City held a one-year community engagement process to look at addressing rapidly rising rents and unjust evictions.
- City Council adopted 2 ordinances in 2017:
  - *Eviction Protection Ordinance - Effective May 10, 2017*
    - Requires landlords have a cause for terminating a tenancy and prohibits harassment of tenants
  - *Rent Review Ordinance - Effective October 2, 2017*
    - Provides tenants with a non-binding mediation process for qualifying rent increases.

## Rent Review Ordinance

Two phase process to help settle rent disputes

### 1. Conciliation

- Typically done via phone/email
- Conducted by ECHO Housing

### 2. Mediation

- In-Person Meeting
- Conducted by a professional mediator

## Rent Review Ordinance

- All Landlords in Union City are entitled to increase the rent as long as they abide by the statutes and ordinances which govern their particular unit.
- Applies to all rental units including single-family homes/condos
  - *Exception* - any housing unit that is subject to a regulatory agreement, which requires the unit be rented for a specified amount of rent
    - *e.g. non-profit owned affordable housing*

## Issuance of Rent Increase Notice


### Existing State Law Requirements:

- To increase the rent, a Landlord must serve a
  - 30 day notice - if the rent increase less than 10%
  - 60 day notice - if the rent increase is 10% or more

### New Ordinance Requirements:

- Every rent increase notice must be accompanied by the *"Notice of Availability of Rent Review"*

# Notice of Availability of Rent Review

 **City of Union City  
Rent Review Ordinance**

**Instructions:** This is a notice that a landlord may use to provide a tenant with a Notice of Availability of Rent Review as required by Chapter 5.55 of the Union City Municipal Code. Landlords are to provide this notice at the same time any rent increase notice is provided.

Tenant Name(s) \_\_\_\_\_

Tenant(s) in possession of the premises at:

Street Address \_\_\_\_\_ (City) \_\_\_\_\_ (State) \_\_\_\_\_ (Zip Code)

Landlord Name(s) \_\_\_\_\_ Landlord Phone Number \_\_\_\_\_

Landlord Address \_\_\_\_\_

**Notice of Availability of Rent Review**

Under Civil Code Section 827(b) a landlord must provide a tenant with thirty (30) days' notice prior to a rent increase of ten percent (10%) or less and sixty (60) days' notice of a rent increase of greater than ten percent (10%). Under Chapter 5.55 of the Union City Municipal Code, a landlord must, at the same time as a notice of a rent increase, provide this notice of the City's rent review procedure, before demanding or accepting any increase in rent. You are encouraged to contact the owner or manager of your rental unit to discuss the rent increase.

However, if you have received notice of a rent increase that meets one of the following criteria, you may request rent review, which includes conciliation and mediation, of your rent increase:

1) the rent increase will increase your rent more than 7% above the base rent you paid last month; or  
 2) the rent increase follows one or more prior rent increases within the past year and the combined rent increases are more than 7% of the base rent paid prior to the first rent increase over the past year.

Rent review requests must be submitted in writing within fifteen (15) calendar days of your receiving notice of the rent increase or post marked within 15 calendar days of receipt if mailed. You must submit a copy of the notice of rent increase at the same time you submit the rent review request. To request review of your rent increase, please contact:

City of Union City - Economic and Community Development Department  
 34009 Alvarado-Niles Road, Union City, California 94587

For more information regarding the rent review procedure, please visit [www.unioncity.org/rent-requirements](http://www.unioncity.org/rent-requirements). Under Civil Code Section 1942.5, it is illegal for a landlord to retaliate against a tenant for lawfully and peaceably exercising his or her legal rights.

**Contact Information**

City of Union City Housing and Community Development Division Phone: (510) 675-5322 Email: <a href="mailto:housing@unioncity.org">housing@unioncity.org</a> Website: <a href="http://www.unioncity.org/rent-requirements">www.unioncity.org/rent-requirements</a>	Rent Review Program Administrator ECHO Housing Phone: 3-855-ASK ECHO / 1-855-275-3246 Email: <a href="mailto:UnionCityRentReview@EchoofAirHousing.org">UnionCityRentReview@EchoofAirHousing.org</a> Website: <a href="http://www.echoofairhousing.org">www.echoofairhousing.org</a>
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The City of Union City makes no claim or representation that this notice satisfies any responsibilities or obligations imposed by State or Federal Law.

**Notificación de disponibilidad de revisión de alquiler**

De acuerdo con la Sección 827 (b) del Código Civil, el arrendador debe proporcionar al inquilino un aviso de treinta (30) días antes de incrementar el alquiler en un diez por ciento (10%) o menos y de sesenta (60) días para incrementos mayores al diez por ciento (10%). Bajo el Capítulo 5.55 del Código Municipal de Union City, el arrendador debe, al mismo tiempo que un aviso de incremento de alquiler, entregar esta notificación del procedimiento de revisión de alquileres de la Ciudad, antes de exigir o aceptar cualquier aumento en el alquiler. Le recomendamos ponernos en contacto con el propietario o administrador de su unidad para hablar del aumento del alquiler.

Sin embargo, si ha recibido notificación de un aumento de alquiler que cumple uno de los siguientes criterios, puede solicitar una revisión del alquiler, incluyendo conciliación y mediación, de su aumento del alquiler:

1) el aumento del alquiler aumentará su alquiler más del 7% por encima del alquiler base que pagó el mes pasado; o  
 2) el aumento del alquiler sigue uno o más aumentos anteriores del alquiler durante el año pasado y los aumentos combinados del alquiler son más del 7% del alquiler pagado antes del primer aumento del alquiler durante el año pasado.

Las solicitudes de revisión de alquileres deben presentarse por escrito dentro de los quince (15) días naturales de haber recibido el aviso del aumento de alquiler o cargo marcado dentro de los 15 días naturales de haberlo recibido si se envía por correo. Debe presentar una copia del aviso de aumento de alquiler al mismo tiempo que envía la solicitud de revisión de alquiler. Para solicitar la revisión de su aumento de alquiler, comuníquese con:

City of Union City - Economic and Community Development Department  
 34009 Alvarado-Niles Road, Union City, California 94587

Para recibir más información sobre el procedimiento de revisión de alquiler, visite [www.unioncity.org/rent-requirements](http://www.unioncity.org/rent-requirements). De acuerdo con la Sección 1942.5 del Código Civil, es ilegal que un arrendador tome represalias contra un inquilino por ejercer sus derechos de manera legal y pacífica.

**租金审查通知书**

根据《民法典》第 827(b) 条，如果房东要加租，加租幅度在百分之十 (10%) 或以下的，必须提前三十 (30) 天通知承租人；加租幅度在百分之十 (10%) 以上的，必须提前六十 (60) 天通知。根据《合作市市政法典》第 5.55 条，房东在要求增加租金之前，必须在通知的同时，必须提供本城市租金审查程序通知，请您尽早通知租房业主或单位的所有人或管理人，讨论加租事宜。

但是，如果您收到满足以下其中一项标准的加租通知，您可申请对您的加租金进行审查，其中包括协调和调解程序：

1) 增加租的金额比您上个月支付的超过 7%；或者  
 2) 去年年内进行过一次或多次加租之后再次加租；综合租金涨幅超过去年年内首次加租之前支付的基本租金的 7%

您必须在收到加租通知后十五 (15) 天内以书面形式提交租金审查请求；或者，通过邮局的，收到后 15 天日历日内加寄。您必须在要求租金审查请求的同时提交加租通知副本。如请求审查您的加租事宜，请联系：

城市住房部 - 经济和社区发展部  
 34009 Alvarado-Niles Road, Union City, California 94587

如需了解租金审查程序详情，请访问 [www.unioncity.org/rent-requirements](http://www.unioncity.org/rent-requirements)。根据《民法典》第 1942.5 条，房东若因作为承租人依法和平行使合法权利而打击报复承租人，属于非法行为。

The City of Union City makes no claim or representation that this notice satisfies any responsibilities or obligations imposed by State or Federal Law.


# Rent Review Threshold

## Tenant may request Rent Review if:

- The rent increase is more than 7%; or
- The Tenant has received 2 or more rent increases in a 12-month period and the total of the rent increases exceeds 7%

# Rent Review Request

- The Tenant may submit a *Rent Review Request* to ECHO Housing within 15 calendar days after receiving a Notice of Rent Increase.
- A *Rent Review Request* does not delay the effective date of the proposed rent increase.



**Rent Review Ordinance**  
 ECHO Housing - Program Administrator  
 Phone: 1 (855) 275-3246 | Fax: 510-531-4793  
 Email: UnionCityRentReview@EchoHousing.org  
 Mail: 770 A Street #201, Hayward, CA 94541  
 www.unioncity.org/rent-review

Rent  
Review  
Request  
Form

Request forms must be submitted to ECHO Housing within 15 calendar days of your receipt of your Notice of Rent Increase

1. Tenant Name (s): \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_
2. Tenant Address: \_\_\_\_\_
3. Tenant Phone: \_\_\_\_\_ Tenant Email: \_\_\_\_\_
4. Unit Type: Apartment  Duplex/Triplex/Fourplex  Single-Family/Condo  Other: \_\_\_\_\_
5. Unit/Household Size: # bedrooms \_\_\_\_\_ # bathrooms \_\_\_\_\_ # of occupants: Adults \_\_\_\_\_ Children \_\_\_\_\_ Pets \_\_\_\_\_
6. Move in Date: \_\_\_\_\_ How long have you lived at the above address: \_\_\_\_\_
7. Landlord Name: \_\_\_\_\_ Owner  Property Manager
8. Landlord Phone: \_\_\_\_\_ Landlord Email: \_\_\_\_\_
9. Landlord Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_
10. Current Rent: \_\_\_\_\_ Amount of Rent Increase: \_\_\_\_\_ Rent Increase %: \_\_\_\_\_ Proposed New Rent: \_\_\_\_\_
11. Effective date of proposed new rent: \_\_\_\_\_
12. Date Notice of Rent Increase received: \_\_\_\_\_ (Attach copy of Landlord's notice of increase as you received it)
13. How did you receive your Notice of Rent Increase? Hand Delivered  Posted on Door  By Mail   
California Civil Code Section 87(2) (1) (2), (3), (4); Code of Civil Procedure Section 1013 require rent increase notices be personally delivered AND mailed
14. Have you received 2 or more rent increases within the last 12 months. Yes:  No:   
If yes, please complete the information below

Rent Increase #1	Rent Increase #2	Rent Increase #3 (if applicable)
Base Rent _____	Base Rent _____	Base Rent _____
Rent Increase Amount _____	Rent Increase Amount _____	Rent Increase Amount _____
New Rent Amount _____	New Rent Amount _____	New Rent Amount _____
Date of increase _____	Date of increase _____	Date of increase _____
15. Check utilities included in rent: Gas  Electricity  Water  Hot Water  Garbage  Other \_\_\_\_\_
16. Do you receive a housing subsidy to help you pay your rent (e.g. Section 8 (Housing Choice Voucher), VASH, etc.)? Yes  No  If yes, please indicate which: \_\_\_\_\_
17. Was the City's "Notice of Availability of Rent Review" provided with your Notice of Rent Increase? Yes  No
18. Are there other items regarding your rental unit/building that you would like to discuss?  
Please write on the back of this sheet or attach additional pages if necessary.
19. Desired outcome of the Rent Review Process:  
 \_\_\_\_\_

Tenant's Signature \_\_\_\_\_ Date: \_\_\_\_\_

ALL INFORMATION PROVIDED IS PUBLIC RECORD.

# Rent Review Response

- ECHO Housing notifies the Landlord of the *Rent Review Request* within 3 business days of receiving the request
- The Landlord must respond to the *Rent Review Request* within 10 business days by submitting a *Landlord Response Form* to ECHO Housing, or the rent increase is void
- Tenants may not be evicted for exercising their right rent review

# Rent Review

## 1. Conciliation

- Conducted by ECHO Housing
- Typically done via phone/email
- Conciliation lasts up to 10 business days

## 2. Mediation

- In-Person Meeting
- Conducted by a professional mediator

# Conciliation Participation is Mandatory

- The Landlord must participate in Conciliation or the rent increase is void.
- The Tenant must participate in Conciliation or forfeit the right to request Mediation.
- Participation means:
  - Providing relevant information
  - Exchanging proposals
  - Reasonably considering the other party's proposal
  - Engaging in discussions regarding the rent increase

## Conciliation Outcome

- If a resolution is reached at the Conciliation stage of the process, the Tenant and Landlord may sign a *Settlement Agreement*.
- If no resolution is reached, the Tenant may submit a request for Mediation within 5 days of the conclusion of Conciliation.

## Notification of Mediation

- If the Tenant requests Mediation, ECHO Housing will notify the Tenant and the Landlord of the Mediation date/time at least 10 days before the scheduled mediation.

## Mediation

- In-person meeting held with a professional mediator (typically 1 to 3 hours)
- Mediator will make *non-binding* recommendations, taking into consideration the following factors:
  - Hardship to tenant
  - Frequency/amount of prior increases
  - Landlord's mortgage payments
  - Landlord's maintenance costs
  - Landlord's interest in earning a reasonable rate of return
  - Etc.

## Mediation Participation

Participation is Mandatory:

- The Landlord must attend the mediation meeting or the rent increase is void.
- The Tenant must attend the mediation meeting or the case will be dismissed.
- Tenant/landlord representative(s) must have authority to enter into a binding agreement.



## Mediation Outcome

- If a resolution is reached at the Mediation stage of the process, the Tenant and Landlord may sign a *Settlement Agreement*.
- If no resolution is reached, the original rent increase stays in effect.

## Business License / Property Registration

- **Existing Business License Requirement** - Every person engaged in the business of renting dwelling units located in the City shall pay an annual business license tax
- **Property Registration Requirement** - Currently, the City's business license application satisfies the Rent Review Ordinance's registration requirement

*Refer to Union City Municipal Code Sections: 5.16.010 and 5.20.070*

## Fees

### Existing Business License Tax Rate

- *Company Owned*
  - \$132 + \$11 for each rental unit after 4 units
  - Plus \$11 application fee
- *Individual Owned*
  - \$132 + \$11 for each rental unit after 4 units
  - No application fee

### New Annual Fees - Effective November 1, 2017

- Eviction Protection Ordinance Fee - \$10/unit
- Rent Review Ordinance Fee - \$21.50/unit
- Fees are used to pay for administration of the ordinances
- Fees are due at business license application/renewal

## Business License

**A property management company oversees all of my rentals, and they already have a license. Do I also need a license?**

- Yes. Both the property management company and the property owner are required to obtain a business license annually.
- The property management company provides the service of property management while the property owner earns rental income.
- Note: Property management companies fall under a different rate structure

*Refer to Union City Municipal Code Sections: 5.16.010 and 5.20.070*

## How do I apply for a business license?

- Apply online at: <https://blweb.unioncity.org/>  
OR
- Download an application at:  
<http://www.unioncity.org/departments/administrative-services/licenses>  
OR
- Hard copies are available at City Hall  
34009 Alvarado-Niles Road, Union City, CA 94587  
Mon - Thurs: 8:00am to 6:00pm  
Friday: 8:00am to 5:00pm  
City Hall is CLOSED ALTERNATE FRIDAYS

## Questions and Answers

[www.unioncity.org/rent-requirements](http://www.unioncity.org/rent-requirements)

## Program Administrator Contact Info

### ECHO Housing

Mary Colbert - Tenant/Landlord Counselor

770 A Street #201

Hayward, CA 94541

855-275-3246 phone

510-537-4793 fax

UnionCityRentReview@echofairhousing.org

## Other Resources

### Alameda County Bar Association Lawyer Referral Service

- (510) 302-2222 (*Dial Option 4*)
- Lawyer referral service
- *30 min consultation for \$35*

### Alameda County Bar Association - Volunteer Legal Services

- (510) 302-2222 (*Dial Option 4*)
- Must income qualify to receive services

### Bay Area Legal Aid

- Toll Free: (800) 551-5554
- Alameda County: (510) 250-5270
- Must income qualify to receive services

### Eviction Defense Center

- (510) 452-4541
- Must income qualify to receive services

### Tenants Together

- Tenants Rights Hotline
- (888) 495-8020