



ALAMEDA RENT STABILIZATION PROGRAM - RENT PROGRAM FEE FREQUENTLY ASKED QUESTIONS (FAQ)

On June 5, 2018, the City Council adopted a new rent program fee based on a nexus study for Fiscal Year 2018-2019. Accordingly, the Alameda Finance Department mailed letters to all rental property owners covered by the Rent Stabilization, Rent Control and Limitations on Evictions Ordinance (Ordinance No. 3148) on June 12, 2018.

On June 19, 2018, the City Council approved revisions to the Master Fee Schedule to add the new rent program fee, and as is true with other fees, added a late fee that would be assessed if the rent program fee remain unpaid.

The Finance Department has received a number of inquiries concerning the fee and related materials, and consequently has published this list of Frequently Asked Questions.

1. What are the consequences of not paying the fee on time?

Answer: The City of Alameda's Master Fee Schedule provides that a late fee will be assessed on all rent program fees that are delinquent as of August 1, 2018. The late fee of 10% per month (not to exceed 60%, or six months) will be assessed on the amount of the fee owed (\$106.00), not the cumulative total owed. Delinquent fees (rent program fees and late fees) will be subject to enforcement, including the filing of a collection action, which may entail a court-assessed civil penalty or other fees, or could result in a lien being filed against the rental property.

2. Can the fee be passed on to the tenant/renter?

Answer: No. Payment of the annual rent program fee is the responsibility of the rental property owner. Any rent increase to a tenant is controlled by the provisions of Ordinance 3148 which generally allows for a maximum annual rent increase of 5%, which may provide an opportunity for subsequent rent increases to capture a portion, or all, of the new rental program fee.

3. What section of the ordinance requires that the owner fill out the registration form?

Answer: Section 1 of Resolution No. 15388 states that the \$106.00 program fee is to be assessed on "each rental unit owned." Some rental units are exempt from the fee under the definition of rental unit found in Ordinance 3148. The Finance Department has a form to ensure accurate assessment of the total fee owed by a given rental property owner. Failure to fill out the form impedes this objective and does not relieve the rental property owner of his/her obligation to pay the fee.

4. I rent a room in my single family home, do I need to pay the fee?

Answer: No. The program fee applies to any “rental unit,” which is defined to exclude renting of a room in a single family home.

5. What do I do if I live in a multi-family dwelling which I share with other family members and we do not rent out the units?

Answer: Only rental units are subject to the program fee. However, to qualify for any exemption, a rental property owner must annually fill out the form in its entirety, including signing the attached declaration, and providing it to the Finance Department. Unless a rental property owner does so, the program fee will be assessed.

6. The Property is in probate and I am waiting for the Judge to prove that I am the Trustee, do I have to pay the fee?

Answer: Payment of the program fee is the responsibility of the rental unit owner. If the property is held in trust, it is the duty of the trustee to pay the fee. The trust documents would identify the trustee. If you are listed as the trustee, you are responsible for paying the program fee. However, if you are not listed as the trustee but are later adjudged to be the trustee, you will also be responsible for paying the fee on behalf of the trust.

7. Does the program fee registration form need to be notarized?

Answer: No. It simply needs to be filled out in its entirety and “executed” (or signed).

8. Do I need to pay the Rent Program fee on commercial rental property?

Answer: No. The program fee is only applied to the residential rental property.