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CITY OF ALAMEDA RESOLUTION NO. 16382

CONCERNING THE PROGRAM FEES APPLICABLE TO PROJECTS WITH BELOW MARKET RATE RENTAL UNITS

WHEREAS, City Council on May 5, 2021, adopted Resolution 15771 adopting a tier-structured annual rent program fee for the City's Rent Control Ordinance and implementing Regulations; and

WHERES, as provided in that resolution, landlords are charged varying fees depending on the type of rental unit involved. For example, due to the level of staff time to administer rental units that are "fully regulated", i.e., are subject to rent control, just cause and relocation payments, the current fee is $170 per rental unit; rental units that are only "partially regulated", i.e., not subject to rent control but subject to just cause and relocation payments, pay a lesser fee, $114.; and

WHEREAS, in that resolution, City Council has made a policy decision to waive rent program fees for certain rental units, such as those units that are in the Housing Choice Voucher (Section 8) program or other housing voucher programs, on grounds that the City Council wants to encourage property owners to join such programs and waiving the fees may help encourage property owners to do so; and

WHEREAS, the Program Fee resolution needs to be clarified as to the fees that are imposed on rental units that are exempt under the Rent Control Ordinance (Section 6-58.20, Alameda Municipal Code) or rental units identified in Rent Program Regulation 20-01 or 20-04; and

WHEREAS, that resolution also imposes a penalty on landlords if the Rent Program Fee is not paid timely but does not expressly provide the reasons why such penalty is necessary; and

WHEREAS, that resolution is not clear whether privately owned below market rental units, for which Rents are subsidized by means other than Housing Choice Voucher (Section 8) program or other housing voucher programs, qualify for a waiver of Rent Program Fees.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALAMEDA as follows:

Section 1. The Recitals in Resolution 15571 to the extent not amended by the Recitals in this Resolution are true and correct.

Section 2. A Program Fee of $170 is imposed on every rental property owner in the City of Alameda for each Fully Regulated Unit owned.

Section 3. A Program Fee of $114 is imposed on every rental property owner in the City of Alameda for each Partially Regulated Unit owned.

Section 4. Notwithstanding Sections 2 and 3 of this Resolution, a Landlord of a privately owned rental unit that is rented to a Tenant in the Housing Choice Voucher (Section 8) program or other qualifying housing voucher program as determined by the Program Administrator, shall not be charged a Rent Program Fee; rather those Fees will be paid by the City's General Fund and through penalties imposed by late Rent Program Fees and administrative fines imposed for Rent Ordinance violations.

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Section 5. The Partially Regulated Program Fee shall be imposed on Landlords of privately owned below market rate rental units that are not within a housing voucher program.

Section 6. Not withstanding Sections 2 and 3 of this Resolution, Rental Units that are fully exempt from the Rent Control Ordinance and Rental Units approved for a fee exemption as determined by the Program Administrator as provided in Rent Program Regulation 20-01 or 20-04 shall not be subject to the Rent Program Fee.

Section 7. The reasons for imposing a penalty for a Landlord failing to pay rent program fees timely (10% per month up to 60%) are as follows: the City's interest in ensuring compliance with the Ordinance and a penalty encourages timely payment; there is additional administrative costs to the Rent Program in monitoring and pursuing delinquent payors; and without penalties, the City suffers a loss of revenue to run the Rent Program if the fees are not paid timely.

Section 8. In all other respects, the provisions of Resolution 15771 remain in full force and effect.

Section 9. This Resolution shall take effect immediately upon its adoption.

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I, the undersigned, hereby certify that the foregoing Resolution was adopted by the City Council of the City of Alameda at a regular meeting on the 7th day of April 2026 by the following vote:

AYES:	Councilmembers, Daysog, Jensen, Pryor and Mayor Ezzy Ashcraft – 4.
NOES:	None.
ABSENT:	Councilmember Boller - 1.
ABSTENTIONS:	None.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Alameda on the 8th day of April 2026.

DocuSigned by:
Lara Weisiger
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Lara Weisiger, City Clerk
City of Alameda

Approved as to form:

Signed by:
Yibin Shen
032BE506412945B...

Yibin Shen, City Attorney
City of Alameda