

In March 2016, the Alameda City Council adopted Ordinance No. 3148, a rent control ordinance (“the Ordinance”). On August 8, 2016, the City Council voted to place the Ordinance on the November 8, 2016 election ballot. The voters approved the Ordinance, including a provision that the City Council retained the authority to amend the Ordinance in the future in response to “changing conditions and concerns”.

The proposed measure would incorporate the Ordinance into the City Charter and make two significant changes. First, it would eliminate the City Council’s authority to amend the Ordinance instead requiring a vote of the people for any amendment. Second, it would eliminate the Sunset Provision currently established as December 31, 2019, meaning the law would remain in effect unless the voters voted to amend or repeal it.

The current Ordinance limits rent increases to once a year, requires a review process for all rent increases above 5%, and requires landlords to pay relocation fees when terminating certain tenancies. In addition, for all rental units in the City, the Ordinance limits the grounds upon which a landlord may terminate a tenancy. Those grounds include a landlord’s right to terminate a tenancy for “cause” (e.g. failure to pay rent, breach of lease, etc.), “no fault” (e.g., owner move in, withdrawal from the rental market), or, with certain restrictions, “no cause” (no articulated basis). In cases of “no fault” and “no cause” evictions, landlords must pay relocation benefits to displaced tenants. These benefits amount to \$1,595, which is periodically adjusted for inflation, plus the equivalent of one month’s rent for each year that a tenant has rented the unit capped at four months’ rent. The Ordinance remains in effect until December 31, 2019, unless the City Council affirmatively acts to extend it.

If the proposed measure is passed, the foregoing provisions of the current Ordinance will remain in effect except for the following two changes: (1) the Ordinance will not sunset on December 31, 2019; and (2) the Ordinance can only be modified by a vote of the people not by act of the City Council.

The proposed measure was placed on the ballot by a petition signed by the requisite number of Alameda voters.

s/ Janet C. Kern
City Attorney

The above statement is an impartial analysis of Measure K. If you desire a copy of the measure, please call the Alameda City Clerk’s office at 510-747-4800 and a copy will be mailed at no cost.