RENTAL HOUSING COMMITTEE
RESOLUTION NO. RHC-15
SERIES 2018

A RESOLUTION OF THE RENTAL HOUSING COMMITTEE OF MOUNTAIN VIEW REGARDING RELOCATION ASSISTANCE AND THE FIRST RIGHT OF RETURN

WHEREAS, the Community Stabilization and Fair Rent Act (CSFRA) prohibits a Landlord from taking action to terminate a tenancy unless at least one of nine conditions identified in CSFRA Sections 1705(a)(1) through 1705(a)(9); and

WHEREAS, the CSFRA provides for Relocation Assistance and/or the First Right of Return if a Landlord terminates a tenancy as identified in CSFRA Sections 1705(a)(6) through 1705(a)(9); and

WHEREAS, the City previously required that Relocation Assistance be provided to Tenants in limited circumstances, as defined in Chapter 36, Article XIII of the City Code; and

WHEREAS, the First Right of Return is a new right, which has not been administered in the City; and

WHEREAS, CSFRA Section 1705(a)(8) authorizes the termination of a tenancy when a Landlord will permanently withdraw the Rental Unit from the residential rental market in accordance with the State "Ellis Act" (Government Code Sections 7060 through 7060.7); and

WHEREAS, the Ellis Act (Government Code 7060.5) currently authorizes only an elected body to define the parameters of Relocation Assistance and First Right of Return benefits for tenancies that are terminated because the unit(s) will be permanently withdrawn from the residential rental market; and

WHEREAS, the City has amended Chapter 36, Article XIII of the City Code to provide for Relocation Assistance and First Right of Return benefits as identified in the CSFRA; and

WHEREAS, the Rental Housing Committee is authorized to define the parameters of Relocation Assistance and First Right of Return benefits for tenancies that are terminated under CSFRA Sections 1705(a)(6), 1705(a)(7), and 1705(a)(9); and

WHEREAS, in order to provide greater certainty for Landlords and Tenants and in order to remove any ambiguity that could arise related to the application of Relocation Assistance and/or the First Right of Return based on one or more identified causes for termination of a tenancy as identified in CSFRA Sections 1705(a)(6) through 1705(a)(9), the Rental Housing Committee desires to provide equivalent Relocation Assistance and First Right of Return benefits for all terminations of a tenancy based on CSFRA Sections 1705(a)(6) through 1705(a)(9);

NOW, THEREFORE, BE IT RESOLVED by the Rental Housing Committee that the parameters of Relocation Assistance and First Right of Return benefits for tenancies that are terminated under CSFRA Sections 1705(a)(6), 1705(a)(7), and 1705(a)(9) are as defined in Chapter 36, Article XIII of the City Code.

BE IT FURTHER RESOLVED by the Rental Housing Committee that to the extent the City Community Development Director may, from time to time, promulgate regulations implementing the provisions of Chapter 36, Article XIII of the City Code, those same regulations will also implement the Relocation Assistance and First Right of Return benefits for tenancies that are terminated under CSFRA Sections 1705(a)(6), 1705(a)(7), and 1705(a)(9).

The foregoing Resolution was regularly introduced and adopted at a Regular Meeting of the Rental Housing Committee of the City of Mountain View, duly held on the 21st day of May 2018, by the following vote:

AYES: Committee Members Means, Ramos, Vice Chair Grunewald, and Chair Ortiz

NOES: Committee Member Pardo de Zela

ABSENT: Committee Member Oldenkamp Honey

ATTEST:

ANKY VAN DEURSEN
ASSOCIATE PLANNER

APPROVED:

EVAN ORTIZ
CHAIR

I do hereby certify that the foregoing resolution was passed and adopted by the Rental Housing Committee of the City of Mountain View, at a Regular Meeting held on the 21st day of May 2018, by the foregoing vote.

Associate Planner
City of Mountain View

AK/2/RHC
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