

TENANT PROTECTION PROGRAM

City of
SACRAMENTO
Community Development



Webinar Agenda – April 22, 2021

- Panel Introductions
- Program Overview
- TPP Tenant Assistance
- Q & A



Questions and Answers

- Please **use the “Q&A” feature of Zoom** to submit your questions for the panel.
- Questions will be answered at the end of staff presentations.
- Similar or repeat questions will be summarized for a response.
- For questions regarding a specific or detailed situation, please contact our office at tpp@cityofsacramento.org so we can provide the best response.



Panel Introduction

- **Tina Lee-Vogt, Program Manager**
 - City of Sacramento, Tenant Protection Program
- **Vickie Riggins-Medina, Program Specialist**
 - City of Sacramento, Tenant Protection Program
- **Sheryl Patterson, Senior Deputy City Attorney**
 - City of Sacramento, City Attorney's Office
- **Virginia Perez, Tenant Advisor**
 - Sacramento Self Help Housing

Tenant Protection Program

- In Fall of 2019, the Sacramento City Council adopted the Tenant Protection and Relief Act (TPRA) which established the Tenant Protection Program (TPP).
- TPP assists residential tenants by ensuring compliance with limits on annual rent increases and protections for unjustified evictions.
- Program includes over 8,100 parcels with approximately 42,000 rental units.



Tenant Protection Program

- Assist tenants and landlords with questions and concerns, facilitate fair rate of return and pre-eviction hearings, and interpret and enforce the city code.
- Partners with *Sacramento Self Help Housing* who triages calls and assists tenants and landlords with inquiries as well as sharing information on other resources available.
- From March - December 2020, TPP had over 2,000 contacts with tenants and over 500 contacts with landlords via email and telephone.



Major Program Components



Rental Property Registry
and Program Fees



Maximum Rent
Increase Limit



Eviction Protections

Rental Properties Subject to TPP

Included:

- Multifamily units built before February 1, 1995
- Mobile home rentals
- Single occupancy rooms in hotels rented for longer than 30 days

Exempt:

- Units built after February 1, 1995
- Single family homes
- Condominiums
- Units occupied by landlord, property agent, or immediate family
- Government subsidized low-income housing



Rental Property Registry and Program Fees

- Landlord must annually register all units subject to act.
- TPP Rental Property Registry is consistent with Rental Housing Inspection information.
- TPP registration forms mailed directly to landlords to complete and return
 - Forms will be available on website
- Invoices mailed to landlords and can be paid by mail or online
- Landlords pay annual program fee of **\$20.00 per unit**



Rental Rate Increases

- Annual rate increases cannot exceed 5% plus the change in Consumer Price Index (CPI). Maximum increase cannot exceed 10%.
- Current **maximum rate increase is 6%.**
- Maximum rate updated annually on July 1 and is available on our website.
- Rent includes all charges for use and occupancy of the rental unit, including any separate charges for housing services such as utilities, parking and pets.
- For charges that differ monthly, landlord must calculate the monthly average for the prior year and include it in the monthly rent which is subject to the maximum increase limit.

Rental Rate Increases

- Rental rate cannot be increased more than once every 12 months.
- Rate limit **applies to all tenants** regardless of how long they have resided in the unit
- Tenant cannot waive the maximum rent increase
- Tenants can submit a complaint to the city if they believe a landlord has improperly increased rent

Rent Increases Between Tenancies

- New base rent level is allowed when unit is voluntarily vacated, or rental agreement is terminated as allowed by ordinance
- Landlord may establish base rent for new tenant under a new rental agreement after rental unit is vacated
- Any rent increase for new tenant must comply with TPP maximum rate limits

Fair Rate of Return Increase

- Landlord can petition city for hearing examiner to review an increase rent above the maximum
- Tenant Protection Program Administrative Procedures:
 - Outlines the process to submit a petition
 - Available on our website
 - No hearing fee required
- Must provide documentation to justify request
- Hearing examiner decides based on facts presented
- Hearing examiner decision is final

Fair Rate of Return Documentation

Acceptable

- Property tax increases
- Unavoidable increases in maintenance and operating costs
- Planned capital improvements to comply with health and safety codes
- Repair costs to address substantial deterioration, not due to lack of routine repair and maintenance
- Increase in cost of housing services
- Debt service payments for new owners

Unacceptable

- Ongoing operating and maintenance costs
- Remodeling not required to address health and safety
- Landlord income taxes
- Penalties for Sacramento City Code violations related to rental unit
- Cost increases that arose before occupancy



Eviction Protections

- Landlord must offer to renew rental housing agreement if tenant has resided in unit for more than 12 months (i.e., 12 months plus one day).
- Evictions are prohibited without “just cause” once tenant has resided in rental unit for more than 12 months.
- Landlord must agree to extend or renew the lease before it expires for the just cause eviction protections to become effective.
- If the landlord notifies the tenant that the lease will not be extended before the lease expiration date, the tenant is not entitled to eviction protection. That status does not change if the tenant remains in possession past the lease expiration date as a hold-over tenant until they vacate the unit.



Eviction Protections: “Just Cause” Reasons

- Failure to pay rent
- Breach of rental housing agreement
- Criminal or nuisance activity
- Failure to give access
- Necessary and substantial repairs requiring temporary vacancy
- Owner move-in
- Withdrawal of rental unit from the rental market



Pre-Eviction Hearing Process

- Tenant aggrieved by landlord actions in violation of code may petition for a hearing examiner review.
- Tenant Protection Program Administrative Procedures:
 - Outlines the process to submit a petition
 - Available on our website
 - No hearing fee required
- Hearing examiner decisions are final
- If the hearing examiner upholds the tenant's petition that the landlord does not have just cause, the landlord cannot proceed with the eviction.



Violations and Penalties

- Tenants can submit a complaint to the city if they believe a landlord has violated a provision of the code. City will investigate to determine if a violation has occurred.
- Any landlord who violates a provision of the code subject to criminal sanctions, civil actions and administrative penalties *pursuant to chapter 1.28*.
- Landlord issued a Notice of Violation to remedy the situation.
- Administrative penalties may be imposed up to \$25,000 per offense if the landlord does not remedy the violation.
- Landlord's failure to comply with any requirement of the chapter is an affirmative defense in an unlawful detainer or other action brought by the landlord to recover possession of the rental unit.

How can a tenant request assistance or file a complaint?

- Contact the Tenant Protection Program or Renters Helpline
- Provide the following information:
 - Name and Contact Information (email, phone)
 - Rental Unit Address
 - Rental housing agreement and/or date of tenancy
 - Reason for the request (e.g., rent increase, eviction)
 - Any documentation received (e.g., rent increase letter, eviction notice)
 - Landlord/Property Manager name and contact information



City of Sacramento CARES Mediation Program

- Landlord/tenant mediation services

- CARES Mediation Program services are free for residential and commercial landlords and tenants in the City of Sacramento for tenancy issues related to COVID.
- Mediations are handled privately and confidentially on a volunteer basis with trained facilitators and mediators
- Individual plans are developed for specific landlord and tenant issues to address each unique situation.
- Mediators are neutral and do not advocate or investigate issues for either side.
- Visit the website and complete the form at <https://www.calawyersforthearts.org/Sacramento-CARES-Mediation> or call 916-850-9010 to request assistance for COVID related issues.
- For situations and issues unrelated to COVID, low-cost services are available through the Sacramento Mediation Center at 916-441-7979.

TENANT PROTECTION PROGRAM

City of Sacramento Tenant Protection Program

- Rental property registry and program fees
- Maximum rent increase limit
- Eviction protections
- Landlord/tenant hearing petitions

Contact Us! We are here to help!

Tenant Protection Program

- Website: cityofsacramento.org/tpp
- Email: tpp@cityofsacramento.org
- Phone: 916-808-8121
- Fax: 916-288-9957

Sacramento Self Help Housing/ Renters Helpline

- Website: rentershelpline.org
- Email: rentershelpline@sacselfhelp.org
- Phone: 916-917-4984



Sacramento Self Help Housing

- Renters Helpline
COVID-19 Tenant
Relief Act
- Housing services

Upcoming Events

Date & Time	Event
TBD	

*Today's event is part of our ongoing outreach efforts.
Please visit the TPP website at www.cityofsacramento.org/tpp for updates.*

*If you would like us to present this information at your meeting or event,
please contact us at tpp@cityofsacramento.org*

