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OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

Introduced by Councilmembers Rebecca Kaplan and Dan Kalb

RESOLUTION URGING THE STATE LEGISLATORS AND GOVERNOR TO REPEAL OR MODERNIZE THE COSTA HAWKINS RENTAL HOUSING ACT

WHEREAS, in 1995, the California State Legislature adopted the Costa-Hawkins Rental Housing Act (California Civil Code Sections 1954.50-1954.535), allowing a property owner to establish a new rental rate for each new tenancy, allowing unlimited increases upon vacancy and then re-control of rents, exempting certain units from rent control, including single family homes, condominiums, and Oakland homes constructed after 1983; and

WHEREAS, Oakland’s Rent Adjustment Ordinance sets limits on residential rent increases; and

WHEREAS, in 2002, Oakland voters passed the Just Cause for Eviction Ordinance, which sets grounds for evictions; and

WHEREAS, there is a significant demand for rental housing in Oakland leading to rising rents, caused in part by the spillover of increasingly expensive housing costs in San Francisco, and the increased housing pressures for residents across a range of lower and middle income levels warrants improved rent stabilization and tenant protection policies; and

WHEREAS, the Costa-Hawkins law resulted in rent increases dramatically beyond the pace of inflation, and has not resulted in significant reinvestment in rent-controlled properties; and

WHEREAS, the reality is that Costa-Hawkins has resulted in “unwarranted” rent increases in unprotected rental units, exacerbating not only Oakland’s housing crisis but regionally as well; and

WHEREAS, in this unprecedented housing crisis, it is important that we explore all viable options to preserve affordability, prevent displacement, and make it easier for people who work in Oakland to live in Oakland; and

WHEREAS, by repealing or at least substantially modernizing the Costa-Hawkins law, thereby allowing local governments to stabilize rents through mechanisms including, but not limited to, de-exempting condominiums and post-1983 housing construction, cities will have an important tool to reduce displacement and keep rents from rising even further; and therefore be it

RESOLVED, That the Oakland City Council hereby urges the California State Legislature and Governor Jerry Brown to repeal or substantially modernize the Costa Hawkins Rental Housing Act and return control to local cities, which have better understanding of the needs in their respective jurisdictions.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, AND PRESIDENT GIBSON MCELHANEY

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California