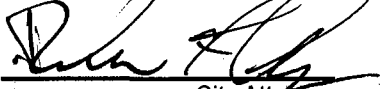


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City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

Introduced by Councilmember Kaplan

RESOLUTION REQUESTING THE HOUSING RESIDENTIAL RENT AND RELOCATION BOARD TO CONSIDER REGULATIONS TO HAVE PROPERTY OWNERS WHO OWNER-OCCUPY DUPLEXES AND TRIPLEXES TO CONFIRM OWNER-OCCUPANCY STATUS THROUGH A CERTIFICATE OF EXEMPTION OR OTHER ADMINISTRATIVE PROCESS; AND REQUESTING THAT, BEFORE IMPLEMENTATION, RENT BOARD WILL BRING ANY PROPOSED REGULATION BEFORE CITY COUNCIL FOR CONSIDERATION OF COSTS

WHEREAS, Oakland's Just Cause Ordinance (O.M.C. 8.22.300) exempts buildings with two or three units from just-cause protections if a property owner lives in one of the units as a primary residence; and

WHEREAS, this means that renters in buildings with two or three units risk no-fault eviction, should an owner move into one of the units; and

WHEREAS, this exemption has the benefit of helping mom and pop landlords, who live in buildings with two or three units, but is susceptible to abuse; and

WHEREAS, false owner-move ins and owner-occupied exemptions are increasing in the City of Oakland as a tactic to push out existing tenants and raise rents; and

WHEREAS, such false owner-move ins and owner-occupied exemptions is exacerbating Oakland's severe housing supply and affordability crisis, and threatens the public health, safety and/or welfare of our residents; and

WHEREAS, currently, tenants may not know their rights and/or lack the resources to fight for them to be enforced or access the information to determine if an owner-occupancy is valid; and

WHEREAS, currently, the City of Oakland lacks adequate regulations to ensure that owner-occupancy claims being used for exemptions to the just cause for eviction law are legitimate; and

WHEREAS, the Rent Board has authority to adopt regulations for the Just Cause for Eviction Ordinance without returning to Council; now, therefore be it

RESOLVED: That the Oakland City Council requests the Housing, Residential Rent and Relocation Board to consider regulations to have property owners who owner-occupy duplexes and triplexes to confirm owner-occupancy status through a certificate of exemption or other administrative process for exemption from the Just Cause for Eviction Ordinance; and be it

FURTHER RESOLVED: That before implementation, the Council requests that the Housing, Residential Rent and Relocation Board bring any proposed regulation before Oakland City Council for consideration of costs.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

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

NOES -

ABSENT -

ABSTENTION -

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