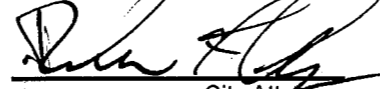


17 JUL -6 PM 2:40

Approved as to Form and Legality

  
City Attorney

## OAKLAND CITY COUNCIL

RESOLUTION No. 86852 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, JUL 18 2017

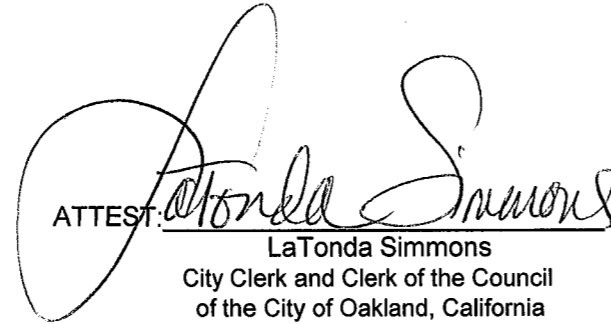
**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLEN, KALB, KAPLAN, AND PRESIDENT REID 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

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