

	CSFRA (current law in MV)	Santa Monica	Oakland	East Palo Alto 2010 Ordinance	San Jose	San Francisco	Berkeley
Vacancy Decontrol	allowed	allowed	allowed	allowed	allowed	allowed	allowed
Fair Rate of Return	2015 Net Operating Income (NOI) x Change in CPI-Rental = Petition Year NOI	MNOI (CPI), adopted by regulation	Hybrid MNOI (CPI, plus pass through of some cost increases over prior year)	MNOI (CPI), in ordinance	MNOI (CPI), proposed and under revision	MNOI (Ratio), adopted by regulation	60% of MNOI CPI
Number of Petitions filed by landlords to increase rents beyond current %	6 as of 2/28/18	Increase Petitions filed: FY16: 0 FY 15: 2 FY 14: 0 FY 13: 1 FY 12: 4	Only track total number of petitions which is in the thousands. Do not separate out landlord petitions or any specific types of petitions.	1 petition improperly filed and the landlord didn't refile, no petitions for rent adjustments since the new ordinance in 2010	FY 16-17: 138 rent-increase petitions filed FY 15-16: 258 rent-increase petitions filed FY 14-15: 108 rent-increase petitions filed FY 13-14: 92 rent-increase petitions filed San Jose staff speculate that petitions increased in FY15-16 because of increased outreach about rent control.	Comparable Rent Increase Petitions (doesn't include other petitions or passthrough petitions): 11 (FY13), 7 (FY14), 8 (FY15), 9 (FY16), 4 (FY17) All landlord petitions: 616 (FY13), 615 (FY14), 713 (FY15), 944 (FY16), 745 (FY17) Additional year data can be found: http://sfrb.org/rent-board-annual-statistical-report	23 (2011) / 46 (2012) / 37 (2013) / 28 (2014) / 51 (2015) / 37 (2016)
Rent Caps Apply To	3+ unit apartments built before February 1995	Most residential rental buildings in the City constructed prior to April 10, 1979 and certain units constructed after that date are covered by Rent Control. In addition to apartment buildings, Rent Control also applies to certain single-family homes and condominiums.	Everything except: The following units are exempt from the RAP: Subsidized Housing. Motels, hotels if occupancy not more than 30 days. Hospital, dormitory, extended care facility, etc. Non-profit cooperative owned and occupied by majority of residents. New construction (built after January 1st, 1983) Substantial rehabilitation. 3 units or less owner occupied properties. The unit that an owner occupies in any building. Non-profit facility-homeless/substance abuse treatment. Unit in trust for developmental disabled. Shared facilities with owner and tenants (bath/kitchen). Costa Hawkins-Single family home or condominium. Vacant units	any property with 2 units built before 1988, fully exempted properties are exempt from just cause as well as price stabilization and hotels, nursing homes, any unit where the landlord lives there and shares bathroom/kitchen, partially exempted only covered by Just Cause single family homes, units duplexes/triplexes where landlord has occupied the unit for more than a year	Everything but single family home	most residential units built before June 13, 1979, exemptions: units owned by non-profits, commercial, hospital/eldercare, college dorms, government run, units that have undergone significant renovations since 1979 can petition to be exempt from rent stabilization.	Most multi-unit properties in Berkeley that were built before June 1980, Single-family homes with tenants who moved in prior to 1996, Single-family homes with 5 or more rooms rented out individually with separate leases
Are mobile homes included?	Unclear	No mobile	Unclear	No, there is a separate 1988 Ordinance that covers all mobile homes	Covered under separate ordinance (City split the original ordinance which covered both into two ordinances in 1985)	No	Doesn't have any?

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Units Covered by just cause	3+ unit apartments built before December 23, 2016	70% of the residents are renters so in general things that are good for renters are passed. All residents of multi-family apartment buildings are covered by Just Cause.	Units with a certificate of occupancy before December 31, 1995	All units not exempt from Just Cause regardless of year built (see above)	Apartments with 3 units or more.	Anything built before June 13, 1979, Section 8 and subsidized	Single-family homes first re-rented on or after 1/1/1996, Most condominiums, "New Construction": Units that were built and received a Certificate of Occupancy after June of 1980, Section 8 Tenancies
Who Runs the Program?	City Council appoints 5 people to Rental Housing Committee (RHC) for 4-year terms. No more than 2 may be landlords, property managers, developers, or realtors.	Elected rent board	The program is administered by the City of Oakland Residential Rent Relocation and Adjustment Board. The Board is composed of two owners, two tenants, and three neutrals. The Board advises the City Council on changes to the Regulations.	Appointed rent board	Hearing Officer (contracted directly by City through RFP)	Board of Supervisors appoints rent board	Elected rent board
Appointed vs. elected governance	appointed	Elected	Appointed Rent board by Mayor	Appointed	Hired (staff runs it, decision-making body is City Council)	Appointed	Elected
Future Changes	RHC can suspend Measure V if vacancy rate is >5%; substantive changes must be approved voters in even-year elections. However, RHC can clarify the ordinance. For example, the RHC determines fair rate of return for landlords.	Rent board can pass resolutions clarifying ordinance. Substantial changes must be passed by voter.	Any changes to Just Cause have to go to the Voter since it was a ballot measure. Anything for the rent ordinance goes to Council to make changes.	City Council has the authority to ammend the ordinance if the law requires it to be ammended (court finds that its invalid then Council can change it, or if there is a new law), other changes have to go to the voters	City Council	City Board of Supervisors	Voters approved the Rent Stabilization and Just Cause Evictions Ordinance in the early 1980s, so any significant change needs to go to the ballot. The Rent Board is authorized to write regulations that are inline with the intent of what voters have passed.
Type of law	City Charter Amendment	Charter Amendment	Ordinance	Ordinance	Ordinance	Ordinance	Ordinance
Dispute Resolution/Petition Process	1) Tenant files petition which is reviewed by a Hearing Officer (contracted through Project Sentinel) 2) Hearing Officer gives their judgement 3) After this tenant may appeal this judgement to RHC 4) Tenant may file civil suit against landlord for violation; RHC or City Attorney may file civil suit on tenant's behalf	1) petition is filed 2) it goes to hearing or mediation (if mediation is unsuccessful then there is a hearing) 3) petition is reviewed before the hearing and any additonal information/changes are requested 4) hearing is scheduled	1) petition 2) Administrative Decision, Hearing, Mediation or Withdrawl depending on the situation 3) Appeal	1) file out a petition 2) petition is sent to the other party who has 20 days to file a response 3) then a hearing is scheduled within 45 days 4) hearing officer has 30 days to make a decision 5) 15 days after the decision is made for an appeal 6) then it goes to the rent board 7) either party is then allowed to seek legal review *parties always have the option to extend the timeframe if that is needed, for example if extensive research is needed	1) Hearing Officer 2) Appealed to courts	1) file a petition 2) copy of petition is sent to other party 3) arbitration/mediation is scheduled 4) for arbitration an Administrative Law Judge presides over the hearing 5) Administrative Law Judge issues a written decision to all parties by mail 6) parties have the right to appeal 7) if an appeal is filed, Rent Board Commission may stay portions of the decision until they have time to act on the appeal	1) Hearing officer 2) Rent Board 3) Courts

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Vega Adjustments (Generally aren't important once people have had an established rent stabilization program over a long period of time.)	Applies and MV uses HUD numbers. (Vega is applicable to any jurisdiction using MNOI to calculate fair rate of return.)	n/a	n/a	n/a - parties had the opportunity to apply for an adjustment when the new ordinance took effect in 2010	n/a	n/a - They were not part of that particular case, if there is a case where a rent was artificially set low then the landlord could petition but its not specifically a Vega adjustment.	n/a
Population (2014)		92987	413775	29530	1015785	852469	118853
Number of Units (2014)	n/a	28069	66000	2500	44300	173000	20000
Are rent-stablized units registered?	no registration	yes	yes	yes	no registration	no registration	yes
Are the actual rents landlords are charging tracked?	no	yes	no	yes	no	no	yes
Number of rent-stablized units at market rent or turnover rate	n/a	2016 - 68% of units are at market rate https://www.smgov.net/uploadedFiles/Departments/Rent_Control/Reports/Annual_Reports/2016%20RCB%20ANNUAL%20REPORT%20-%20FINAL.pdf	n/a	turnover rate in EPA out of 2500, see between 350-400 new tenancies every year (14%-16%/year)	n/a	n/a	-2016: 17.75% of units turned over -2015: 20.22% of units turned over -2014: 22.69% -2013: 25.38% -2012: 23.21% -11.31% of tenancies have been in their units since 1999 https://www.cityofberkeley.info/uploadedFiles/Rent_Stabilization_Board/Level_3_-_General/INFO_Market%20Medians%20Report_Q2%202017(1).pdf
What ordinance covers	rent-stablization and just cause	rent-stablization and just cause	rent-stablization and just cause	rent-stablization and just cause	rent-stablization and just cause (changed in 2017 to include just cause)	rent-stablization and just cause	rent-stablization and just cause