



# Planning & Transportation Commission

## Staff Report (ID # 12157)

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**Report Type:** Action Items **Meeting Date:** 4/14/2021

**Summary Title:** Renter Protections

**Title:** Renter Protection Policy Recommendations

**From:** Jonathan Lait

### Recommendation

Staff recommends the Planning and Transportation Commission (PTC) take the following action:

1. Review and recommend to Council development and implementation of the following renter protection policies.

### Report Summary

Staff has prepared a summary of existing and proposed renter protection policies for review and consideration, including recommendations for pursuit of select policies here in Palo Alto. The report also reviews existing local and state protections, both temporary and permanent, to offer a full picture of the current policy landscape. This picture allows the PTC to consider how the City can expand renter protections that best support the needs of Palo Altans.

Following the PTC review, the recommendations and discussion will be forwarded to Council for consideration. Upon Council action, and pending Council direction, staff will draft ordinance(s) to codify any policies. These ordinances would return to the PTC for consideration and recommendation before being presented to the City Council.

### Background

The City Council directed staff to research and propose policies and programs to protect and stabilize Palo Alto renters. In 2017, a Colleagues Memo<sup>1</sup> highlighted the importance of protecting renters and continuing to update renter protections that would keep renters housed. The subsequent eviction of many renters when a downtown building converted to a hotel use, further heightened the need for renter protections, and led to Council action. Subsequent discussions and Colleagues Memo<sup>2</sup> followed in 2018, emphasizing City Council's

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<sup>1</sup> 2017 Colleagues Memorandum: <https://www.cityofpaloalto.org/civicax/filebank/documents/61406>

<sup>2</sup> 2018 Colleagues Memorandum: <https://www.cityofpaloalto.org/civicax/filebank/blobdload.aspx?t=65189.46&BlobID=66602>

desire to work on the issues of housing affordability and socio-economic diversity through renter protections.

With the award of the Challenge Grant from the Partnership for the Bay's Future, the City has been able to research who Palo Alto renters are and what renter protection policies would benefit all Palo Altans. Staff introduced some of these concepts to the PTC in September 2020 in a Study Session<sup>3</sup> and the Human Relations Commission in February 2021. This report reflects the continuation of these discussions with specific policies proposed for consideration.

### Renter Profile

This section provides a review of the renter profile. For more detail, please see the September PTC study session report.

#### *Palo Alto Renters and the Rental Housing Stock*

This section provides a profile of Palo Alto renters and rental housing inventory. The City aims to center the policy discussion around the community directly impacted by the proposed policies.

According to [American Community Survey data](#)<sup>4</sup> there are 11,764 rental units in Palo Alto, which comprises 46% of the existing housing stock in Palo Alto. Table 1 and Figure 1 provide graphic interpretation of the data.

**Table 1: Palo Alto Rental Housing Stock by Type**

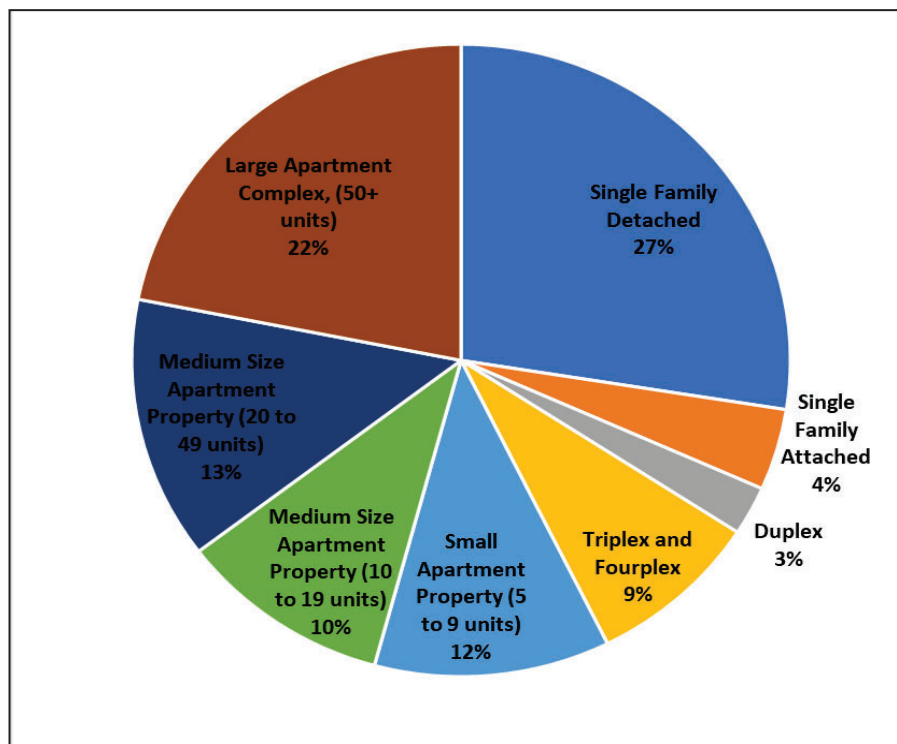
	Single Family Detached	Single Family Attached	Duplex	Triplex and Fourplex	Small Apartment (5 to 9 units)	Medium Size Apartment (10 to 19 units)	Medium Size Apartment (20 to 49 units)	Large Apartment Complex (50+ units)	Total
<b>Number of Units</b>	3,234	489	294	1,002	1,362	1,228	1,579	2,576	11,764
<b>% of Total Units</b>	27.49%	4.16%	2.50%	8.52%	11.58%	10.44%	13.42%	21.90%	100.00%

Source: American Community Survey

<sup>3</sup> PTC Staff Report, 09/30/2020: <https://www.cityofpaloalto.org/civica/filebank/documents/78563>

<sup>4</sup> ACS Data:

[https://data.census.gov/cedsci/table?q=tenure%20by%20income%20palo%20alto,%20ca&t=Income%20%28Housholds,%20Families,%20Individuals%29%3AOwner%2FRenter%20%28Tenure%29&g=0400000US06\\_1600000US06\\_55282&tid=ACSST5Y2018.S2503](https://data.census.gov/cedsci/table?q=tenure%20by%20income%20palo%20alto,%20ca&t=Income%20%28Housholds,%20Families,%20Individuals%29%3AOwner%2FRenter%20%28Tenure%29&g=0400000US06_1600000US06_55282&tid=ACSST5Y2018.S2503)

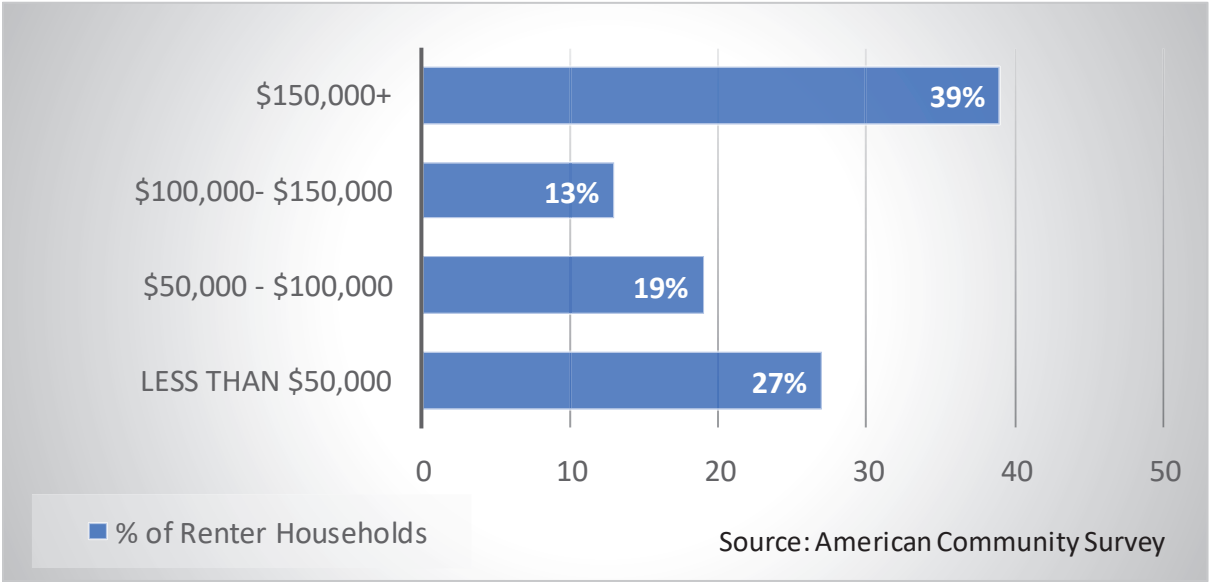


**Figure 1: Rental Housing Units in Palo Alto by Building Type**

Of the 11,764 rental units in Palo Alto, approximately 1,696 are deed restricted affordable housing units. This is equivalent to 14% of the rental units, which means that 86% of the rental units are market rate units. According to [RentCafe.com](https://www.rentcafe.com)<sup>5</sup>, the average rent across all unit types in Palo Alto was down 11% from 2020 and is currently \$2,940 when averaged across all unit types.

Household incomes for renter households span a large range and can be seen in Figure 2. Of note, is that 27% of renter households are making less than \$50,000 a year.

<sup>5</sup> <https://www.rentcafe.com/average-rent-market-trends/us/ca/santa-clara-county/palo-alto/>



**Figure 2: Renter Households by Income Tier**

The more rent burdened a household is the more financially insecure, and therefore at risk for evictions. Table 2 shows the percentage of renter households that are rent burdened in Palo Alto. Rent burdened is defined as a household paying more than 30% of its gross income on housing. As shown in Table 2, a greater proportion of low-income households are cost burdened. While overall only about 37% of renter households are cost burdened, a super majority of each income group below \$74,999 is cost burdened.

**Table 2: Renter Household Units Within Income Tiers<sup>6</sup>**

Income Level	Number of Units	Percent of Total Renter Units	Cost Burdened Units	Percent of Cost Burdened Units in Income Tier
Less than \$20,000	1,344	11.4%	1,135	84.45%
\$20,000 to \$34,999	752	6.4%	672	89.36%
\$35,000 to \$49,999	600	5.1%	449	74.83%
\$50,000 to \$74,999	1,319	11.2%	968	73.39%
\$75,000 or more	6,958	59.1%	1,185	17.03%
Zero or Negative Income	369	3.1%		
No Cash Rent	422	3.8%		
<b>TOTAL UNITS</b>	<b>11,764</b>	<b>100%</b>	<b>4,409</b>	<b>37.48%</b>

- Denotes More than 50% of Units are Cost Burdened
- Denotes Less than 50% of Units are Cost Burdened

<sup>6</sup> Source: American Community Survey

## Discussion

This section describes the protections currently applicable to Palo Alto renters and outlines a variety of different policy opportunities that Palo Alto can pursue to create greater stability for its renters. Palo Alto seeks to be a community of opportunity for all. Council and the community are especially seeking ways to support low-income households that are essential to the community.

The Partnership for the Bay's Future, of which Palo Alto is a part of through the Challenge Grant program, recommends a three-prong approach to ensuring that all can thrive in the Bay Area. Producing more affordable housing is one prong; developing more deed-restricted units that are available to lower-income families. Preserving existing affordable housing is the second prong. This can be done by ensuring covenants do not expire, keeping the homes in good repair, and ensuring households have needed subsidies. The final prong is providing protection for renters so that they are not displaced from the communities in which they live. Over the last few decades, lower-income households have been priced out of core Bay Area communities. Moving farther away, these persons can face long commutes, are disconnected from community networks and resources. Likewise, local communities suffer from lack of diversity; local businesses cannot find and retain workers.

A significant percentage of Palo Alto lower-income households are rent-burdened; they are more likely to have to choose between paying rent over food or medical needs. When tenants consistently make these choices, the community suffers. In this context, cities can pursue public policies that increase renter stability. By increasing tenant protections for the most vulnerable households, those battling financial instability, the City creates greater opportunity for community stability.

### Existing Renter Protections

Some local and state renter protections currently exist and serve as the foundation for proposed enhancements. The following are permanent protections currently in place in Palo Alto.

- ***One-Year Lease Requirement*** - The one-year lease requirement has been in place since 1981 and requires a landlord to offer a tenant a lease with a minimum term of one year in writing (Palo Alto Municipal Code (PAMC) Chapter [9.68](#)).
- ***Mediation Program*** - The Palo Alto Mediation Program has been in place since 2002 and requires landlords and tenants to participate in the conciliation and mediation of rental housing disputes (PAMC Chapter [9.72](#)).
- ***Tenant Relocation Assistance*** - Tenant Relocation Assistance is a more recent protection, passed in 2018, for tenants in properties with 50+ units that are part of a no-

fault eviction (PAMC Chapter [9.68](#)). The required assistance includes a flat fee for tenants being evicted, based on the unit size.

Due to the COVID-19 pandemic and associated economic disruptions, there are also several **temporary protections** that apply to renters. The following renter protections apply:

- [AB1482](#)<sup>7</sup> (*Tenant Protection Act of 2019*) - AB1482 requires a landlord to have a “just cause” to terminate a tenancy and caps annual rent increases at 5% plus the local rate of inflation. This legislation will expire on January 1, 2030.
- [SB330](#)<sup>8</sup> (*The Housing Crisis Act of 2019*) - SB330 predominantly concerns streamlining the housing development process. In addition, there are tenant relocation benefits and right of first refusal tenant protections in the law. This legislation will expire on January 1, 2025.
- [SB3088](#) → [SB91](#)<sup>9</sup> (*COVID-19 Relief Act*) - SB91, which began as SB3088, became effective in January 2021. It extends the statewide eviction moratorium and includes rental assistance details. Of note is that while the eviction moratorium was extended, tenants must pay at least 25% of rent to be covered. Tenants must also respond to notices to pay rent with a Declaration of COVID-19 Related Financial Distress within 15 days to be covered under the state’s eviction moratorium. This bill will expire on June 30, 2021, unless extended by the legislature.
- [Palo Alto Eviction Moratorium](#)<sup>10</sup> - The eviction moratorium prevents renter households impacted by COVID-19 from being evicted, but any amount of rent owed must be paid to the landlord within an agreed upon timeframe. The state’s eviction moratorium supersedes this local program, which is currently proposed to expire on June 30, 2021 but may be extended. If the state moratorium ends and the City’s state of emergency has not ended, then this will be active and applicable.

#### Potential Renter Protection Policies

While protections do exist at both the state and local level, additional protections could give the renter community a greater sense of stability. Staff analyzed nine renter protection policies, listed below. The following analyses explain each policy and its applicability to Palo Alto. Two policies discussed below were determined to be not feasible or not imperative for Palo Alto, but discussed. See Table 3 for a breakdown of the policies staff analyzed, their impacts, and potential next steps.

<sup>7</sup> [https://leginfo.ca.gov/faces/billTextClient.xhtml?bill\\_id=201920200AB1482](https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB1482)

<sup>8</sup> [https://leginfo.ca.gov/faces/billTextClient.xhtml?bill\\_id=201920200SB330](https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201920200SB330)

<sup>9</sup> [https://leginfo.ca.gov/faces/billTextClient.xhtml?bill\\_id=202120220SB91](https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=202120220SB91)

<sup>10</sup> <https://www.cityofpaloalto.org/civicax/filebank/blobdload.aspx?t=53342.14&BlobID=76045>

**Table 3: Summary of Analyzed Policies and Next Steps**

	<b>Policy</b>	<b>Brief Description</b>	<b>Impact to Tenants</b>	<b>Next Steps to Enact</b>
1	<b>Rental Survey Program</b>	Annual survey gathering data on all rental housing units.	Would provide data on rental units of all kinds, creating a foundation for future policy and implementing current policy.	City would establish a fee to support the cost of administering the survey and analyzing results. A penalty for non-compliance could be levied.
2	<b>Expand Tenant Relocation Assistance</b>	Apply existing tenant relocation assistance framework to more rental units.	If the policy is expanded to more units, more tenants have assistance if they are forced to leave through a no-fault eviction.	City would establish the ordinance and notify all of its existence. If a landlord does not comply, the tenant must pursue the matter civilly.
3	<b>Eviction Reduction Program</b>	Expand existing state legislation to include more households protected by rules regarding when tenants can be evicted.	If the policy is expanded, more tenants will be covered by a framework that outlines what constitutes a fair eviction.	City would establish the ordinance and educate all about their rights and roles. Programmatic design should decide if penalties will apply to those found at fault.
4	<b>Rent Stabilization</b>	Expand existing state legislation regarding a rent cap to include more households	More tenants will be protected through limitations on rent increases through an expansion of eligibility.	City would draft a local ordinance to cover the gap in state law and research how to pursue complaints filed.
5	<b>Security Deposit Limit</b>	Limit amount that can be charged for security deposits.	Helps lessen the size of obstacles to entry for low-income households.	City would establish the ordinance and notify all its existence. If a landlord does not comply, the tenant must pursue the matter civilly.
6	<b>Fair Chance Ordinance</b>	Eliminates ability to ask applicants about criminal history.	This ordinance will create more stability for Black and brown households disproportionately impacted by incarceration.	Examine successes of other municipalities to decide how to prohibit landlords from asking about criminal history.
7	<b>Support Right to Counsel</b>	Provides tenants with legal assistance in housing-related cases.	Tenants experiencing housing instability will feel more empowered	Identify ways to support the proposed Santa Clara County

			and potentially stay housed more often.	Housing Court and AB1487.
8	<b>Tenant/Community Opportunity to Purchase Act (TOPA/COPA)</b>	Notifies tenants of an opportunity to buy a property before selling to other parties.	Tenants at risk of being displaced through the sale of a building are provided with another option to stay in their home.	None Recommended
9	<b>Proactive Rental Inspection</b>	Commits code enforcement officers to routinely inspecting rental housing inventory.	Tenants protected from living in substandard housing.	None Recommended

### Policy Implementation & Enforcement

All of the policy proposals raise questions of implementation and enforcement. The City must decide how to implement and enforce any proposed ordinances. In its 2018 motion, Council directed staff to review and consider “strengthened enforcement measures to ensure compliance with and penalties for violations of Palo Alto’s existing requirement to offer an annual lease to tenants.” The options for implementation and enforcement can be summarized as follows:

*Active Implementation and Enforcement* – The City could fund staff or consultants to proactively administer programs and ensure compliance with local ordinances; in cases of non-compliance, fines would be levied. An example of this type of implementation and enforcement would be the Rental Survey program. City staff would correspond with all landlords, requesting them to complete the annual survey, and charging the appropriate fees, and levying fines against landlords who did not comply.

*Active Education and Private Enforcement* - In response to other policies, the City may implement the ordinance by noticing passage of the ordinance, conducting pro-active and regular tenant and landlord education, and providing good materials on the City’s website. Alleged violations of the ordinance, however, would be left to private enforcement; this may include referral under the City’s mediation program or the parties may need seek redress from the court system. For example, if the City lowered the amount a landlord can charge for a security deposit, the City would conduct outreach in advance of the ordinance taking effect. If, however, a tenant faced a landlord willfully violating that ordinance, the matter could be addressed during mediation or as a civil matter through the court system. Ideally, through advance education, the landlord would understand the action is unlawful and not pursue it. Of course, that will not always be the case.

*Build Resources to Support Active Implementation and Enforcement* - The City may want to assemble greater resources to respond to complaints of violation of local ordinances. Such resources could be financially supported by fees charged to rental property owners that cover the cost implementing and enforcing the City’s tenant protection ordinances. While the City



may wish to pursue this, due to the pandemic, the recession, and budgetary challenges, this enforcement program may need to be built up over time. Staff has explored enforcement models in other cities. Some have staff dedicated to the enforcement of rental ordinances, others have oversight bodies established (such as a board or commission), and some offer both staff and oversight bodies. If the City wants to ensure compliance with laws, this type of program could be developed, funded, and appropriately staffed. For illustrative purposes, the City of Mountain View's program began with a \$115 per unit fee to fund four positions, one of which is focused on their rental survey program. Mountain View's program, however, includes the survey as well as other enforcement activities related to additional rent stabilization policies.

### Phasing

The proposed policies can and should be phased in over time. While staff recommend development of a series of ordinances, staff also recommend phasing their passage. Each ordinance will require additional research and greater specificity than provided at this time. In addition, adequate time for outreach and for education once passed is needed for each ordinance.

At this time, staff seek conceptual feedback and direction on this package of policies. This package then forms part of the work plan for the City's Planning and Development Services staff.

### Policy Analysis

1. Rental Survey Program – *Staff recommends implementation of an annual Rental Housing Survey, as envisioned in PAMC Section 9.72.050.*

The City established a basic rental property registration (Rental Survey) in 2002 that is cited in PAMC Section [9.72.050](#).<sup>11</sup> As stated in the code, the registry would collect basic information about the owner and contact information. While the Office of Human Services managed the program until about 2014, it had only minimal participation by property owners.

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<sup>11</sup> 9.72.050 *Property registration.*

- (a) *The landlord of each residential rental property within the city shall register the unit or units with the city, regardless of whether the residential rental property is listed in Section 9.72.030. The registration shall include the name and mailing address of the owner or owners of the property, as well as the name, mailing address and contact telephone number of the person having the legal authority to effectively resolve disputes arising under this chapter.*
- (b) *For the sole purpose of reimbursing the city of Palo Alto for the reasonable costs of maintaining property registration records and related administrative systems, the owner or manager of each residential rental unit to which this chapter applies shall pay a fee in an amount to be set by the Palo Alto city council.*

Staff propose an expanded annual Rental Survey program. In addition to the information outlined in the PAMC, staff recommends the survey also collect rental rates, rent increases, evictions filed on the property, the size of the unit, and the length of the current tenancy. Through this program the City can better understand the profile of local renters, and not rely only on large data sets from the federal government.

Implementing a more robust Rental Survey program would provide the foundation for enacting other rental protection measures. The Rental Survey could track different data points that the City determines relevant. The City can also observe trends and identify areas of challenge where policy intervention may be needed. Furthermore, if the City decided to enforce local regulations more actively, the Rental Survey could provide valuable information to aid enforcement staff.

A relevant example that illustrates the possibilities of a rental survey program is with the state enacted measure AB1482 that establishes eviction limitations and a rent cap. Currently, without a survey program, the City cannot determine if landlords are in compliance with AB1482; there is no year-after-year data to reference. This is just one example of how the Rental Survey could be used. Through regular and consistent analysis of the data combined with outreach to stakeholders, the City can use the Rental Survey to implement programs, ensure compliance, and develop new policies and programs to serve the community's needs.

Ideally, the Rental Survey would impact both landlords and tenants positively. The City can be an honest broker of data that is available to the tenants and landlords alike. Through this information, tenant and/or landlord groups can propose new policies and or improvements.

Landlords may be required to pay an annual fee, which increases their costs. Fees for these programs in most cities are minor, though could accumulate for large property owners. Some landlords, and some tenants, may be concerned about disclosing certain information publicly. The City would want to take care in collecting and distributing data, to balance the needs for gathering and providing data to the public with privacy needs.

Implementation of the Rental Survey Program is expected to impact all Palo Alto renters, as units of all kinds are subject to registry—from single family homes and ADUs to large apartment complexes.

2. Expand Tenant Relocation Assistance –*Staff seeks PTC recommendation if the Relocation Assistance requirement should expand to apply to projects of 3, 5, or 10+ units.*

In 2018, the City established requirements for Tenant Relocation Assistance for no-fault evictions (PAMC Section [9.68.035](#)<sup>12</sup>). For historical information regarding the passage of the ordinance, please see the [2018 report](#)<sup>13</sup> from the City Attorney's Office. Tenant Relocation

<sup>12</sup> [https://codelibrary.amlegal.com/codes/paloalto/latest/paloalto\\_ca/0-0-0-55262](https://codelibrary.amlegal.com/codes/paloalto/latest/paloalto_ca/0-0-0-55262)

<sup>13</sup> <https://www.cityofpaloalto.org/civicax/filebank/documents/66507>

Assistance (TRA) is currently applicable to properties that contain 50 or more rental units that are being demolished or significantly remodeled. The amount of assistance is as follows:

Unit Type	Assistance Amount
0 bedrooms	\$7,000
1 bedroom	\$9,000
2 bedrooms	\$13,000
3 or more bedrooms	\$17,000

Properties with 50 or more rental units equates to 22% of the rental housing units in Palo Alto, leaving the majority of renter households in the City disqualified for assistance. Outside of the Hotel President, there has not been another instance of a large rental property triggering the TRA. With the City's anticipated Regional Housing Needs Assessment (RHNA) target of over 6,000 homes, more redevelopment is likely. To the extent redevelopment occurs on occupied housing units, it could cause some difficulty for tenants.

To further the TRA protections and assist more residents having to relocate, the City can lower the number of units/property threshold from 50. The three options below can be considered for implementation, each one expands the TRA protections above what is in place today:

- a. **Three Units or More** - Lowering the number of units in a property to three means 66% of the rental housing stock would be covered by TRA. The three-unit threshold has significance for the unit count for local Planning and Zoning purposes, as the City defines a multi-family property as one with three units or more. This is the threshold for when Below Market Rate requirements are triggered.
- b. **Five Units or More** - Amending the number to five units per property means that 57% of the housing stock is covered. This is the point that properties are considered "residential", and loans are made based on the profitability of the property's operations.
- c. **10 Units or More** - Changing the number to 10 units per property means 45% of the rental housing stock is covered. This threshold includes medium and large apartment properties.

Please note, in the 2018 Colleagues Memorandum, Council specifically identified five or more units as a potential starting place for expansion of the TRA.

A drawback to lowering the TRA threshold would be an extra cost to developers and landlords in Palo Alto. Some may reconsider redevelopment of existing residential properties in Palo Alto. The program would help any displaced tenants relocate, helping with moving expenses, security deposits, and other costs. Depending on their income, the displaced household may not be able to relocate in Palo Alto. It should be noted, under SB 330, tenants displaced from

their housing for the construction of new housing, do have some rights to return. The rental rates, however, may increase if they return to the redeveloped project.

3. Eviction Reduction Program - *Staff recommend extending framework for fair evictions to certain housing units not protected by the statewide renter protection law (AB1482).*

Preventing eviction is a key to protecting tenants. According to a recent [Shelterforce article](#)<sup>14</sup>, “the cascading effects of evictions often lead to homelessness” and the current moment is one in which homelessness is a serious public health and budgetary concern. In addition to being disruptive for households and families, evictions are disruptive and costly to the entire community. For a visual representation of how deeply evictions can impact cities, please see Figure 3 from the [Urban Institute](#)<sup>15</sup>.

With the passage of AB1482, the State legislation recognized the importance of curbing the number of evictions in California and outlined reasons for when a landlord could or could not evict a tenant. These reasons are referred to as “just cause” protections and are broken up into two groups, “at-fault” and “no-fault” evictions. The 11 “at-fault” reasons and four “no-fault” reasons can be found in Attachment A, as well as in the full text of the bill [here](#)<sup>16</sup>.

It should be noted that, while AB1482 provides some protections for tenants until 2030 when the bill sunsets, not all tenants are protected. The following rental units are not covered:

- a. Rental units in properties built within the last 15 years
- b. Rental units occupied by renters that moved in less than a year ago
- c. Single family homes that are not owned by a corporation
- d. Renters who live in a duplex and the other unit is owner-occupied

Providing regulations that both a landlord and tenant can operate within reduces costly evictions and community upheaval. AB1482 provides clear requirements and gives tenants peace of mind without asking for much in terms of compromises on the part of property owners. But, as noted above, there are some tenants that do not have the same security as others. The passage of a local ordinance could expand protections to tenants overlooked by state law but may result in additional challenges for the property owners. This can include incurring further costs, which is difficult to imagine in this current economic time. However, Palo Altans have indicated their desire for greater equity in their community and this is one way in which that could be better achieved.

To further reduce no-fault evictions, the City can adopt an ordinance to have the existing, temporary, measures cited in AB1482 cover the gaps stated above. Specifically, staff suggest

<sup>14</sup> <https://shelterforce.org/2020/07/24/what-happens-if-23-million-renters-are-evicted/#:~:text=The%20cascading%20effects%20of%20eviction%20often%20leads%20to%20homelessness.&text=That's%20more%20than%2010%20times,2019%20Point%20in%20Time%20count>.

<sup>15</sup> <https://www.urban.org/sites/default/files/publication/101309/cost-eviction-san-francisco.pdf>

<sup>16</sup> [https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201920200AB1482](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1482)

considering having the provisions apply to properties built in the last 15 years and to renters who have lived in a unit less than one year. The passage of either or both solutions requires drafting a new ordinance that supplements state law.

4. Rent Stabilization – *Staff recommends extending rent increase limits to certain housing units not protected by the statewide rent stabilization law (AB1482).*

California has a statewide cap on how much rents can increase from year to year. This cap was passed as part of AB1482. The law states that rent cannot increase more than 5% plus inflation annually which must be less than a 10% increase. For context, an allowable increase could be between \$147 and \$294 on the average rent of \$2,940. This policy stabilizes the rent for households of all incomes. Policylink’s 2019 Report entitled [Our Homes, Our Future](#)<sup>17</sup> claimed that price control “...increases the housing stability of tenants while decreasing the risk of displacement, eviction, and frequent moves.” Given the number of Palo Alto residents that are rent burdened, the risk of displacement and eviction is high.

The rent stabilization applies to most rental units in Palo Alto. The controls do not apply to:

- a. Rental units in properties built within the last 15 years
- b. Rental units occupied by renters that moved in less than a year ago
- c. Single family homes that are not owned by a corporation
- d. Renters who live in a duplex and the other unit is owner-occupied

The gaps mean that these households will not benefit from the stabilization policy.

Given the statewide stabilization in effect until 2030, and the considerable effort required to establish local rent stabilization policies, staff recommend not pursuing a Palo Alto rent stabilization policy. By pursuing some of the other policy recommendations, especially the Rental Survey, the City can obtain more data overtime which can be used to assess the need for stabilization. Staff recommends the City revisit establishing local rent stabilization program in the future.

Staff does recommend focusing on closing the gaps in coverage of AB1482. As discussed, the caps on rent increases do not cover specific unit types and tenants. Staff recommend developing a local ordinance that would essentially extend the protections in AB1482. The PTC may wish to recommend that all gaps be closed, or that certain gaps be closed. The following outlines the pros and cons of extending AB1482 rent increase caps to the different unit types.

- ***Rental units in properties built within the last 15 years*** – Some argue that the development pipeline of new housing units could be slowed if new housing units are subject to the rent increase cap. The cap, however, does not prevent new housing rental rates from being set at market rates and increasing each year. To the degree that a cap could harm new housing development, the City should be cautious. More research with

<sup>17</sup> [https://www.policylink.org/sites/default/files/OurHomesOurFuture\\_Web\\_08-02-19.pdf](https://www.policylink.org/sites/default/files/OurHomesOurFuture_Web_08-02-19.pdf)

the local development community would be conducted if the PTC and Council support expanding rent cap increases to these units.

- **Rental units occupied by renters that moved in less than a year ago** – Some argue that AB1482 not applying within the first year provides an opportunity for the property owner and the tenant to see if they are a good fit. Under AB1482, a tenant can still be evicted for breaching the lease; so theoretically, if the tenant is violating the terms of the lease, the landlord can pursue eviction. Likewise, the rent can be set at market rates and increase annually, with limits. It’s difficult to see a strong downside to extending rent increase protection to these tenants.
- **Single family homes that are not owned by a corporation** – This exception assumes that many single-family homes being rented are “mom and pop” operations; an owner who is not using real estate as their primary income. They are assumed to be small in scale (the number of units owned is small) and less sophisticated than corporations or other business enterprises. Perhaps it’s a person who owned a home, bought a new home, and decided to rent their previous home. There can be merit to not burdening these landlords with more rules and diminishing their flexibility. In Palo Alto, however, 27% of rental units are single family homes. More research would be needed to detail ownership by individuals vs. corporations. If rented single family homes are not subject to a rent cap increase, a number of Palo Alto renters will continue to face rent increases of any amount.
- **Renters who live in a duplex and the other unit is owner-occupied** – Similar to the above topic, these units were carved out of AB1482 in order to provide owner occupants with more flexibility in who lives next door. The close proximity of the landlord and tenant may present a special case where such flexibility is warranted. It could be argued that this also applies to ADUs, that is properties with a primary home and a detached or attached ADU. The PTC may wish to have the rent cap increase limit apply to these units or continue to exempt them from the policy.

5. Security Deposit Limit- *Staff recommends limiting security deposits to 1.5x the rent.*

Limiting the amount a landlord can charge for a security deposit is an effective way to easily lower the cost of entry for households. High security deposits can be a significant obstacle for lower-income renter households. [California Civil Code 1940.5 and 1950.5](#)<sup>18</sup> state that a landlord cannot charge more than two times the rent for an unfurnished unit and three times the rent for a furnished unit as a security deposit. Two times the average Palo Alto rent (\$2,940), on top of the first month’s rent is \$8,820 just to be able to rent an average unit in Palo Alto. This amount is unattainable for many households.

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<sup>18</sup>[https://leginfo.ca.gov/faces/codes\\_displayText.xhtml?lawCode=CIV&division=3.&title=5.&part=4.&chapter=2.&article=](https://leginfo.ca.gov/faces/codes_displayText.xhtml?lawCode=CIV&division=3.&title=5.&part=4.&chapter=2.&article=)

While there are many high-income households in Palo Alto, a security deposit limit would significantly impact many low-income renter households. As has been shown repeatedly, low-income renter households are disproportionately people of color and this could help provide some protection and stability for those households, as well as help the City meet their racial equity goals.

Returning to the example, limiting the security deposit to 1.5x the rent would reduce the required deposit from \$5,880 to \$4,410 for the average unfinished unit. While no similar legislation is being explored in other Bay Area jurisdictions that staff is aware of, many states have laws that cap security deposits at one month's rent.

6. Fair Chance Ordinance - *Staff recommends limiting a landlords ability to inquire about an applicant's criminal history. Staff seek PTC recommendation regarding when in the lease-up process inquiries would be acceptable.*

Fair Chance ordinances prohibit landlords from having criminal history be a part of the marketing, application, lease up, or vacating process. Fair Chance ordinances are gaining in popularity regionally, having passed in San Francisco, Oakland and Berkeley within the past few years. The [Just Cities' Policy Comparison Chart](#)<sup>19</sup> (Attachment B) shows that Oakland and Berkeley have recently passed Fair Chance Ordinances that basically do not allow a landlord to discriminate against a tenant based on their criminal history. To see some of the most frequently asked questions addressed regarding Fair Chance, please see this page by the [Fair Chance Housing Coalition](#)<sup>20</sup>.

The City is committed to pursuing racial equity and ensuring renter protection policies advance racial equity. Considering that incarceration disproportionately impacts members of the Black, Indigenous, People of Color (BIPOC) community, a Fair Chance ordinance where landlords cannot screen for a criminal background could help address racial equity goals and renter protection goals. As is seen in Attachment B, there are several different places in the rental process where discrimination against formerly incarcerated individuals occurs. Passing a fair chance ordinance does not mean that a landlord cannot make choices about who to offer housing to but simply requires reviewing each applicant and can be customized to best suit the community. For example, Berkeley and Oakland exempt single family homes and allow for specific background checks like the State's Lifetime Sex Offender list. Likewise, some communities "ban the box" on the initial application, but allow checks after a tenant passes initial screening.

The topic of previous incarceration and/or a tenant's criminal history is a sensitive one. As landlords and property managers are risk averse, removing access to this information could

<sup>19</sup>[https://static1.squarespace.com/static/5d3a3edf4508ff00014b406f/t/5fd168448ba64b78df48a6f7/1607559237/612/JustCities\\_FCH\\_PolicyComparisonChart.pdf](https://static1.squarespace.com/static/5d3a3edf4508ff00014b406f/t/5fd168448ba64b78df48a6f7/1607559237/612/JustCities_FCH_PolicyComparisonChart.pdf)

<sup>20</sup><https://fairchance4all.org/fag>

prove to be a contentious subject. However, the assumption that past behavior can invariably predict future behavior can perpetuate discriminatory behavior.

7. Right to Counsel - *Staff recommends that the City (1) endorse the concept of Right to Counsel, (2) advocate to the County—to the Courts and Supervisor—that an eviction court be established, and (3) support legislative efforts to fund Right to Counsel (AB1487).*

Across the nation, there are efforts to provide tenants facing eviction with legal assistance or representation. Efforts are underway in smaller cities like Toledo, Ohio, and larger cities like San Francisco. Right to Counsel is a powerful tool in leveling the playing field when it comes to a tenant's housing situation. A 2015 report from the [Permanent Commission on Access to Justice](#)<sup>21</sup> found that 98% of tenants attempting to address any legal issues regarding their housing had no legal representation whatsoever. According to a 2019 article published by the [Center for American Progress](#)<sup>22</sup>, “[w]ithout representation, the majority of tenants lose their cases and ultimately face evictions.”

Circumstances have become increasingly more difficult for many tenants since 2019 and now lawyers are deeply concerned about what will occur once eviction moratoria expire. The [National Housing Law Project](#)<sup>23</sup> said 85 out of 100 legal aid and civil rights attorneys surveyed across 38 states believed that a dramatic surge in eviction cases would occur and they had no idea how they would deal with them. Essentially, Right to Counsel guarantees tenants legal representation and ensures a more level playing field when discussing the potential loss of a tenant's home.

The establishment of a local Right to Counsel program would be cost prohibitive for the City. The Center for American Progress wrote about San Francisco's No Eviction Without Representation Act that resulted in the allotment of \$5.8 million by Mayor Breed to start up these efforts. In the same report, Newark, NJ, expected that annual costs for serving renters within 200% of the poverty limit would be approximately one million dollars.

A new approach to this service is being developed by the City of San Jose and Santa Clara County. They have been working in partnership to establish a Housing Court that could provide renters with a trained legal advocate. A collaborative approach could be a workable solution to provide needed legal services. Also, AB1487 is currently under discussion in the state legislature as an effort to establish a funding source for jurisdictions looking to pursue the creation of a Right to Counsel program.

8. Tenant or Community Opportunity to Purchase Act (TOPA/COPA) - *Staff does not recommend this policy at this time.*

<sup>21</sup> [http://ww2.nycourts.gov/sites/default/files/document/files/2018-04/2015\\_Access\\_to\\_Justice-Report-V5.pdf](http://ww2.nycourts.gov/sites/default/files/document/files/2018-04/2015_Access_to_Justice-Report-V5.pdf)

<sup>22</sup> <https://www.americanprogress.org/issues/poverty/reports/2019/10/02/475263/right-counsel-right-fighting-chance/>

<sup>23</sup> <https://www.nhlp.org/wp-content/uploads/Evictions-Survey-Results-2020.pdf>



Tenant Opportunity to Purchase Act (TOPA) and Community Opportunity to Purchase Act (COPA) are both programs that provide the tenant within multifamily rental housing properties advance notice that the landlord is trying to sell the building, helping the community combat displacement. Advance notice is given to those tenants so that they can pool resources and purchase the building from the property owner instead of having the property owner put the building on the open market.

TOPA/COPA ordinances are being explored by several neighboring jurisdictions as a means of stabilizing the community. However, because large amounts of capital are needed to implement TOPA/COPA programs, and the Palo Alto land prices are high, staff does not recommend that the City pursue a TOPA or COPA ordinance at this time.

9. Proactive Rental Inspection Program - *Staff does not recommend this policy at this time.*

Proactive Rental Inspection Programs are another powerful renter protection tool being explored by neighboring jurisdictions. A proactive rental inspection program would mean that inspectors were routinely visiting the entire rental housing inventory to make sure that the units were safe and legal. Traditionally, Proactive Rental Inspection Programs have the most impact in jurisdictions where rental housing units may not be in the best condition.

Given the City's ability to use the building code enforcement process to address building deficiencies, staff does not recommend pursuing this as a renter protection at this time. Instead, staff recommends ensuring that tenants are aware of how they can report code violations to the City if their landlords are not responsive.

### **Stakeholder Outreach**

Staff conducted outreach with the Palo Alto renter population in a variety of different settings. Palo Alto PDS staff acted as a liaison in conversations with the Palo Alto Renter Association (PARA), created a series of webinars to engage the public and educate them about laws that applied specifically to the renter population. Staff also created a series of webinars in partnership with local providers in order to decrease the barriers to access, showing renters who to reach out to in times of need. Ultimately, all of these webinars and information will be cataloged in a Renter Resource Portal that lives on the City's newly launched website.

In advance of meeting with City Council, staff plans to meet with property owners, both market rate and below market rate, and tenants to gather feedback on the proposed policies. While centering the needs of the most vulnerable is essential, staff wants to engage with all stakeholders in the policy creation process. Members of the public will also have the opportunity to comment on these policies during the related public hearings.

## Public Notification & Comments

Public notice in the newspaper is not required for this non quasi-judicial action item; it was posted in the online meeting agenda and in City Hall's publicly accessible display case. At the time of this report's writing, no written public comments were received.

## Next Steps

Following the review and recommendation from the PTC, staff will bring the renter protections discussion to the City Council for feedback and direction. This meeting is tentatively targeted for late Summer 2021.

## Environmental Review

This discussion is not a project under the California Environmental Quality Act.

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### Attachments:

- Attachment A: Reasons for "Just Cause" Evictions (DOCX)
- Attachment B: Policy Comparison For Fair Chance (PDF)

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<sup>24</sup> Emails may be sent directly to the PTC using the following address: [planning.commission@cityofpaloalto.org](mailto:planning.commission@cityofpaloalto.org)

## Reasons for “Just Cause” Evictions

The following is an [excerpt](#) from TenantProtections.org that outlines the Tenant Protection Act (AB1482). Under the Tenant Protection Act, eligible renters are protected from unjust evictions. This means a landlord must have a valid reason for eviction as outlined below:

### At-Fault Evictions:

1. Failure to pay rent.
2. Breach of a material term of a lease that continues after a written notice of the right to cure. The written notice must provide at least three days to cure. If the tenant does not cure, then a non-curable notice of termination may be served.
3. Maintaining, committing, or permitting a nuisance.
4. Destruction of property or creating a nuisance.
5. Failure to sign a lease with similar terms after the expiration of a lease.
6. Criminal activity on the property, or criminal activity or criminal threat directed at an owner or manager of the property.
7. Assigning and subletting in violation of the lease.
8. Refusal to provide the owner access to the unit.
9. Using the premises for an illegal purpose.
10. Failure of a licensee, agent or employee of the landlord to vacate after termination of the relationship.
11. Failure of a tenant to deliver possession after the tenant gives a notice to move out or after the landlord and tenant agree in writing that the tenant will vacate.

### No- Fault Evictions:

1. Owner or relative move in only where the original lease or a new lease allows for an owner or relative to move in. The eviction must be done by an owner or the owner’s spouse, domestic partner, children, grandchildren, parents, or grandparents. The original lease or new lease must reserve the right to move in an owner or the owner’s spouse, domestic partner, children, grandchildren, parents, or grandparents.
2. Withdrawal of the unit from the rental market
3. Where a city or county agency requires the unit to be vacated due to uninhabitable conditions.
4. Intent to demolish or substantially remodel a unit. “Substantially remodel” means the replacement or substantial modification of any structural, electrical, plumbing or mechanical system that requires a permit, or the abatement of hazardous material, including lead, mold or asbestos that cannot be reasonably accomplished in a safe manner with the tenant in the unit and that requires the tenant to vacate for more than thirty days. Cosmetic improvements alone, including painting, decorating, and minor repairs, do not qualify, nor does any work that can be done safely with the tenant in the unit.



# Comparison of National North Star Fair Chance Housing Laws

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As part of a national reckoning with the profound injustice and senselessness of US mass incarceration policies, criminal justice reforms have occurred at the federal, state, and local levels. However, when people who have “done their time”, including those for wrongful convictions, return home they are met with extreme and discriminatory barriers that prevent them from accessing basic support needed to successfully reintegrate back into society.

A growing number of jurisdictions across the nation have been addressing these injustices including through the passage of Fair Chance Housing laws that seek to remove barriers to housing for people with a criminal record. However, there are only a few policies that we consider north star policies. Only the cities of Seattle, Berkeley, and Oakland have passed policies that completely do away with relying on criminal background checks, at all stages of the rental process, on all forms of housing. Why use a tool of the criminal background check that has no proven correlation between one’s criminal history and success as a future tenant, especially when it has been proven to be extremely unreliable and discriminatory? The commonsense and racially just response would be what these three cities have enacted. In addition, we consider the Portland policy to be a north star policy because when faced with State preemption issues that prevented them from enacting a similar policy, instead of giving up, Portland government and formerly incarcerated leaders worked together to craft a problem-solving policy. Here’s a comparison of the main policy terms.

Policy Term	Seattle	Portland	Berkeley	Oakland
<b>Links</b>	<a href="#">Link to Ordinance</a> <a href="#">Link to FAQ</a>	<a href="#">Link to Ordinance</a> <a href="#">Link to FAQ</a>	<a href="#">Link to Ordinance</a>	<a href="#">Link to Ordinance</a> <a href="#">Link to FAQ for Formerly Incarcerated People</a> <a href="#">Link to FAQ for Housing Providers</a>
<b>What the Ordinance Does</b>	Prohibits housing providers from asking about and using criminal history and checks in rental housing advertising, applications, or decision-making.	Criminal background checks are still allowed, but the Ordinance prohibits discrimination on the basis of criminal history	Prohibits housing providers from asking about and using criminal history and checks in rental housing advertising, applications, or decision-making.	Prohibits housing providers from asking about and using criminal history and checks in rental housing advertising, applications, or decision-making.
<b>Public Policy Rationale</b>	Focus on racial justice and addressing racial inequities in the criminal justice system, as well as the direct link between stable housing and successful reintegration.	Focus on racial justice, and eliminating screening barriers that prevent people's right to housing.	Focused on homeless prevention. There's a California State pre-emption on local anti-discrimination policies.	Focused on homeless prevention. There's a California State pre-emption on local anti-discrimination policies.
<b>Housing Type Explicitly Covered</b>	All Housing Units- Including Private, Section 8 or other Federal Housing Authority, and affordable housing units (including those operated by nonprofits)	All housing units- Including Private and Section 8 housing units.	All housing units- Including Private, Section 8 or other Federal Housing Authority, and affordable housing units (including those operated by nonprofits)	All housing units- Including Private, Section 8 or other Federal Housing Authority, and affordable housing units (including those operated by nonprofits)
<b>Housing Type Explicitly Exempted</b>	<ul style="list-style-type: none"> <li>Single family home where owner occupies part of the home</li> <li>Accessory Dwelling Units where the owner resides on the same lot</li> </ul>	<ul style="list-style-type: none"> <li>Units shared with a Landlord, roommate, or a sub-lessor using the unit as a primary residence</li> <li>Accessory Dwelling Units where the owner resides on the same lot</li> <li>Duplexes where the owner occupies the second unit as a principal residence</li> <li>Non-profit housing</li> <li>Units not rented to, or advertised for rental to the general public</li> </ul>	<ul style="list-style-type: none"> <li>Single-family homes, duplexes, triplexes, and Accessory Dwelling Units where the owner occupies one of the units or bedrooms as a principal residence</li> <li>Tenants who seek to add a co-tenant or a roommate</li> </ul>	<ul style="list-style-type: none"> <li>Single-family homes, duplexes, triplexes, and Accessory Dwelling Units where the owner occupies one of the units or bedrooms as a principal residence</li> <li>Tenants who seek to add a co-tenant or a roommate</li> </ul>
<b>Advertisement, Housing Application &amp; Review process</b>	Removes any requirement to disclose any Conviction History unless it's for a "legitimate business reason"	<b>Option 1: Low-barrier (lookback period)</b> <ul style="list-style-type: none"> <li>Denial only for misdemeanor offences that occurred within the past 3 years</li> </ul>	Prohibits advertisement, applications, and review process that would require disclosure of criminal history	Prohibits advertisement, applications, and review process that would require disclosure of criminal history

		<p>and felony offenses that occurred within the past 7 years</p> <p><b>Option 2: Individualized assessment model</b></p> <ul style="list-style-type: none"> <li>Landlords can set the criteria they choose if they disagree with the low-barrier criteria, but must provide information to the applicant about what they were denied for, the specific business interest reason the landlord has determined as basis for mandate automatic exclusion, and allow applicants opportunity to provide mitigating evidence</li> </ul> <p>Landlords are not able to deny applicants on the basis of arrests that did not result in conviction; participation/completion of a deferral of judgement program; convictions that have been judicially dismissed, expunged, voided or invalidated; conviction for a crime that is no longer illegal in the state of Oregon; or convictions issues through the juvenile justice system.</p>		
<p><b>When would the Background Check be Allowed/What kind of Background Check is Allowed</b></p>	<p>Landlord can check to see if applicant's on the Sex Offenders Registry per county, statewide, or national sex offender registry</p> <p>HUD funded housing subject to HUD regulations that mandate automatic exclusion if applicant is subject to lifetime sex offender registration and/or convicted of meth manufacture/production on federally assisted housing</p>	<p>Under the low-barrier option, background checks may be conducted for Misdemeanor offenses that occurred within the past 3 years and felony offenses that occurred within the past 7 years</p> <p>Landlords can set the criteria they choose if they disagree with the low-barrier criteria, but must provide information to the applicant about what they were denied for, the specific business interest reason the landlord has determined as basis for mandated automatic exclusion, and allow applicants opportunity to provide mitigating evidence</p>	<p>Housing providers may check the State's Lifetime Sex Offender List, but must first make a conditional housing offer, receive the written consent of an applicant to check, and allow the applicant the chance to provide rebutting or mitigating information</p> <p>If required by federal or state law, HUD funded units may conduct limited background checks. HUD funded housing subject to federal regulations that mandate automatic exclusion if applicant is subject to lifetime sex offender registration and/or convicted of meth manufacture/production</p>	<p>Housing providers may check the State's Lifetime Sex Offender List, but must first make a conditional housing offer, receive the written consent of an applicant to check, and allow the applicant the chance to provide rebutting or mitigating information</p> <p>If required by federal or state law, HUD funded units may conduct limited background checks. HUD funded housing subject to federal regulations that mandate automatic exclusion if applicant is subject to lifetime sex offender registration and/or convicted of meth manufacture/production</p>

## Comparison of National North Star Fair Chance Housing Laws

		HUD funded housing subject to HUD regulations that mandate automatic exclusion if applicant is subject to lifetime sex offender registration and/or convicted of meth manufacture/production on federally assisted housing	on HUD funded housing. However, these housing providers must seek written consent from the applicant, provide the applicant with a copy of the background check, and provide the applicant a chance to submit rebutting or mitigating information.	on HUD funded housing. However, these housing providers must seek written consent from the applicant, provide the applicant with a copy of the background check, and provide the applicant a chance to submit rebutting or mitigating information.
<b>Does the City have a First in Time rental requirement policy?</b>	Yes	Yes	No	No
<b>Allowable Disqualification of Applicant</b>	<p>If on Sex Offenders registry for adult conviction and there's a "legitimate business interest" where there must be "reliable evidence" of a nexus between resident or property safety in light of:</p> <ul style="list-style-type: none"> <li>Nature &amp; severity of conviction</li> <li>Number &amp; types of conviction</li> <li>Time lapsed from conviction date</li> <li>Age at time of conviction</li> <li>Evidence of good tenant history before and/or after conviction</li> <li>Any supplemental info re rehabilitation, good conduct, and additional info from applicant</li> </ul>	<ul style="list-style-type: none"> <li>Misdemeanor and felony offenses that occurred within the lookback periods. Applicants denied for criminal history have an automatic right to appeal and provide supplemental evidence.</li> </ul>	<ul style="list-style-type: none"> <li>Applicant is on the State's Lifetime Sex Offender Registry</li> <li>For HUD funded units, applicant has been convicted for manufacturing methamphetamine on the premises of federally assisted housing</li> </ul>	<ul style="list-style-type: none"> <li>Applicant is on the State's Lifetime Sex Offender Registry</li> <li>For HUD funded units, applicant has been convicted for manufacturing methamphetamine on the premises of federally assisted housing</li> </ul>
<b>Administrative Complaint Process</b>	<p>File complaint with Director of Seattle Office for Civil Rights. Applicant can appeal Director's decision to the Seattle Human Rights Commission</p> <p>Civil Penalties are no more than:</p> <ul style="list-style-type: none"> <li>\$11,000 if the respondent has not been determined to have committed any prior violation</li> <li>\$27,500 if the respondent has been determined to have</li> </ul>	N/A	<p>File a complaint with the City of Berkeley. Close family members may file a complaint on behalf of their formerly incarcerated family member(s), even if <b>they do not reside in the unit</b> that their family member lives in or is seeking to move into. Close family members include a spouse, domestic partners, parents, children, siblings, grandparents, grandchildren.</p>	<p>File a complaint with the City of Oakland.</p> <p>Housing providers can be fined for up to \$1,000 per violation.</p>

## Comparison of National North Star Fair Chance Housing Laws

	<p>committed one other violation during the five-year period ending on the date of the filing of this charge</p> <ul style="list-style-type: none"> <li>\$55,000 if the respondent has been determined to have committed two or more violations during the 7 year period ending on the date of the filing of this charge</li> </ul>		<p>Housing providers can be fined at least \$1,000 and up to \$10,000 for each violation</p> <p>Additional civil penalties of up to \$5,000 per violation committed against a person who is disabled within the meaning of California Government Code section 12926 et seq., or is aged sixty-five (65) or over.</p>	
<b>Right of Individuals to Sue to Enforce</b>	<b>No</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>
<b>Landlord Retaliation Protection</b>	Explicitly covered		Explicitly covered	Explicitly covered
<b>Limits to Financial Screening Criteria</b>	<b>No</b>	<p>Yes- Limits the income to rent ratio to 2.5 times the rent for units with a monthly rent amount below 80% of Median Family Income (MFI), and to 2 times the rent amount for units with a monthly rent above 80% MFI</p> <p>Applicants with multiple adults in the household can choose who is legally responsible for the rent and only those they choose can be screened for income.</p> <p>Under the low-barrier screening criteria, landlords agree not to reject applicants for insufficient credit history, or having a credit score of 500 or higher.</p>	<b>No</b>	<b>No</b>