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## A Wave of Concord Rental Property Owners Object to Extreme Housing Policies

By Chris Tipton

On Tuesday, January 30th, 2024, the city council meeting in Concord, CA, set the stage for a standoff between property owners (rental and homeowners) and city officials pushing controversial housing policies -- Rent Control and Just Cause. The discussion was a continuation of the council's January 9th meeting and focused solely on the introduction of an updated ordinance amending the Concord Municipal Code "Residential Tenant Protection Program" to increase Just Cause eviction protections, expand the city's rent registry, and establish a Rent Control program. The almost five-hour spectacle grew more tense as the gathering of small rental housing providers, many of whom were first-generation immigrants, people of color, and women, voiced their vehement opposition to the proposed changes.

Prior to the meeting, this diverse group of housing providers and homeowners arrived, carrying signs expressing their concerns about the potential impact of the proposed ordinance. Their stories amplified the American Dream – tales of hard work and sacrifice to invest in rental properties to support their families. As the group grew, frustration among attendees became palpable. A smaller renter advocacy group was also present expressing their concerns about the lack of affordable housing and fears of being evicted.

At 6:15 pm, the council chamber doors opened, resulting in a packed room that was insufficient to accommodate everyone. A second overflow room was hastily arranged to ensure everyone had a seat.

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# Programs & Resources

## Small Property Owner Representation Services (SPORS)



Provides small rental property owners and operators with, representation, and mediation if they have a renter-related issue. EBRHA will assist from beginning to end with Oakland Rent Adjustment Program (RAP) petition cases and in Housing, Residential, Rent, and Relocation Board (HRRRB) appeal proceedings.

## Vacancy Preparedness Consultations

An in-depth consultation designed to support members who have vacant units and need to get prepared for listings and viewings. Includes move-out checklist (maintenance, repairs, renovations, etc), application review, screening tools and reports, market rent rates, and security deposit guidelines.



## TRio Plus: Housing Teachers Can Afford

Members can access a new pilot program in collaboration with Trio Plus to help Oakland Unified School District teachers and staff find rental housing! Help Oakland educators obtain rental housing and live in the communities where they teach. Helps you achieve lower vacancy rates.



## Renter Resource Directory

The new Renter Resources Directory on the EBRHA website provides renters with quick references and guides to commonly asked questions. We are committed to fostering positive owner-renter relationships, and renters should feel confident and informed as they navigate the rental landscape.



## Market Rate Estimates

This exclusive service will remove the guesswork and streamline how to determine multifamily apartments and single-family home rental rates. EBRHA helps provide members with real-time insights for more data-driven decision-making.



## Cash Assistance Program

These grants from the County of Alameda are a lifeline for small rental housing providers facing foreclosure due to the non-payment of rent during the eviction moratorium. With the potential for up to \$75,000 in cash assistance, the program aims to alleviate the financial stress faced by property owners.



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The atmosphere was charged as the Concord Housing Community Development Manager, Sophia Huckabay, presented the elements of the new Rent Control and Just Cause ordinance, attempting to clarify the complexities and answer questions from the Councilmembers.

It immediately became apparent that not only was the law arbitrary in its calculation of a rent cap – capping annual increases to 60% of CPI or 3% – but it was also one of the strictest compared to similar ordinances in other cities. The confusion persisted among council members regarding the nonprofit owner and property type exemptions and renter relocation nuances of the proposed ordinance.

When public comment opened, Mayor Edi Birsan announced a reduction in the usual 3-minute speaking time to 2 minutes due to an overwhelming number of comment card submissions. The opposition toward the Rent Control ordinance was overwhelming, with 80-90 percent of comments expressing strong opposition. Attendees intelligently discussed the economic infeasibility, the negative impact on housing production, the decrease in capital for maintenance and improvements, and the redundancy of the proposed law given the existence of California's AB 1482, which already significantly protects renters.

After an exhaustive 4-hour public comment session, it was clear that the majority of voices were against the new ordinance. Councilmembers continued their banter about Pay or Quit notification filings data versus Unlawful Detainer filing data versus actual eviction displacement data offered by a member of the renter organizing groups who indicated that there was a total of only 33 sheriff evictions in 2023. Councilmember Hoffmeister astutely pointed out that Concord has over 18K rental units, and that represents just 0.0018% of actual eviction displacement. Council members proceeded with

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more staff inquiries about Concord's rent registry data (and lack of) and other cities' Rent Control and Just Cause policies.

Sensing the intensity of opposition, the council made the decision not to vote on the proposal that evening and voted to continue the discussion on February 13th. They instructed city staff to gather more data from cities that currently have rent control in place, acknowledging their lack of comprehensive understanding. This revelation highlighted the fact that the council members may not fully comprehend the implications of the proposed ordinance. The decision to seek more information reflects a significant gap in their knowledge and a potential lack of awareness about the long-term consequences of strict Rent Control and Just Cause policies.

A key figure leading the push for extreme rent control measures and housing policy, and someone that communities should all be aware of, is tenant lobbyist Leah Simon-Weisberg, an attorney from Berkeley, CA. Simon-Weisberg's nonprofit ACCE, backed by wealthy tech individuals and big-money investors, organizes and funds multiple pro-tenant groups. She has made it her mission to implement stringent rent control and housing policies across the Bay Area. Simon-Weisberg authors complicated and vague housing enforcement legislation for municipal leaders (literally writing the laws for these ill-informed legislators) who have mistaken her as a subject matter expert. However, given her stated goal to put small, private housing providers out of business and her inexperience as a rental property owner or manager raises serious questions about her qualifications and biased intentions.

After five hours, the council meeting finally ended around 11:45 pm. The decision not to vote on the ordinance may be a temporary relief for housing providers, but the battle is far from over. The Council's reluctance to abandon the proposal suggests a determination to push forward despite overwhelming opposition. However, the strong community response from rental housing providers has made a significant impact, hopefully moving the needle and forcing the council to reconsider removing or modifying some of the more extreme elements in the proposed ordinance.

While the future remains uncertain, the housing providers have gained some valuable time to continue applying pressure and influencing the Council's decision. The possibility of a ballot measure allowing voters to decide could be the only off-ramp for the council, but that option would require a concerted effort and significant community engagement to make it a reality. The journey ahead is challenging, but the unity and resilience displayed by rental housing providers at the meeting have set the stage for continued advocacy against extreme rent control and Just Cause provisions in Concord.

## Why Join EBRHA?

### MEMBER BENEFITS:

- No processing fees
- No per-unit charges (Up to 50 Units)
- No mandatory contributions
- No hassle payments
- Exclusive Pricing: 2024 Tech Conference & Trade Expo!
- Over 70 webinar presentations a year from industry pros
- Monthly Networking Mixers
- Local & State Advocacy
- Weekly Housing Industry News & Updates
- Rentrospect & Rental Housing Magazine
- 1:1 Property Management Consultations

### JOIN NOW & RECIEVE A \$40 CREDIT

Contact membership team services at: [membership@ebrha.com](mailto:membership@ebrha.com)

# EBRHA EVENTS CALENDAR

## February 2024

9th

### REAL ESTATE INFORMATIONAL

Thursday, Feb 8th  
@ 2 - 3:30PM

13th

### THE ROUNDTABLE WITH WAYNE ROWLAND

Tuesday, Feb 13th  
@ 2 - 3:30PM

15th

### OAKLAND HOUSING AUTHORITY

Thursday, Feb 15th  
@ 2 - 3:30PM

20th

### MEMBER MEETING & LEGISLATIVE UPDATE

Tuesday, Feb 20th  
@ 3 - 4:30PM

22th

### RENTAL HOUSING FORUM

Thursday, Feb 22nd  
@ 2 - 3:30PM

22th

### EXTERNAL MIXER AT CROGAN'S MONTCLAIR

Thursday, Feb 22nd  
@ 5:30 - 7PM

27th

### GETTING THE MOST OUT OF TECHNOLOGY

Tuesday, Feb 27th  
@ 2 - 3:30PM

29th

### UPDATE ON NEW FORMS

Thursday, Feb 29th  
@ 3 - 4:30PM

# CONTRA COSTA CALLING

County Specific News



## Pittsburg Announces Façade Improvement Program

The City recognizes the importance of investing in its local businesses, including rental housing providers, to help them thrive. These businesses are the heart and soul of the Pittsburg community and are incubators of opportunity and creativity. Businesses with storefronts or apartment buildings in commercial areas greatly benefit from investment on those parts of the building that are most visible to the public and face publicly accessible areas such as streets and sidewalks. Investments in these façades provide a number of benefits that include more inviting storefronts, improvements to neighborhood characteristics, reinvestment into older buildings, and more potential foot traffic. The City's Façade Improvement Grant Program aims to spur that investment opportunity by offering up to \$10,000 for facade improvements to qualified businesses all across the community. Visit: [www.pittsburgca.gov](http://www.pittsburgca.gov) for more information

# ALAMEDA AHEAD

County Specific News



## Alameda County Minor Home Repair Grant Program

The Minor Home Repair Program serves the Unincorporated County, including the communities of Ashland, Cherryland, Castro Valley, Hayward Acres, Hillcrest Knolls, Fairview, San Lorenzo, and Sunol. Minor Home Repairs can include minor plumbing repairs, carpentry, electrical repairs, railings, grab bars, toilets, doors, locks, water heaters, and more. Grants are available for both Rental and Owner-Occupied housing. Eligible households for minor home repairs must have incomes at or below the income limits. For Lead Hazard Repair Grants, properties must be pre-1960 residential properties in Alameda County. The units must be family housing. SRO hotels are not eligible. Owner-occupied units must be home to a child under six years old or a pregnant woman or be regularly visited by a child under six at least two visits per week of at least three hours each visit. Studio units must be home to a child under six years old or a pregnant occupant. The units must have low-income occupants. Rental Property Owners and Renters can contact us at 510-567-8280 to apply for these grants.