

rental. Housing

EAST BAY RENTAL HOUSING ASSOCIATION | NOVEMBER/DECEMBER 2021 | \$9.95

**WHAT'S
AHEAD
AND THE YEAR
IN REVIEW**

New Horizons

**HOUSE
HACKING
IS IT FOR YOU?**

**HIT
PRINT
MIGHTY
BUILDINGS**



EBRHA
EAST BAY RENTAL
HOUSING ASSOCIATION

SERVING ALAMEDA AND CONTRA COSTA COUNTIES



LOCAL KNOWLEDGE, LOCAL ADVOCACY, LOCAL SUPPORT, **WHEN YOU NEED IT.**

EAST BAY RENTAL HOUSING ASSOCIATION (EBRHA) is a nonprofit trade organization representing owners and managers of apartments, condominiums, duplexes, single-family homes and other types of rental housing. EBRHA members range in size from small investors with just one property to large property management companies that own or manage hundreds of units.

Our membership consists of more than 1,500 rental housing owners, property managers, attorneys and other service contractors. Altogether, EBRHA represents over 30,000 rental units and serves over **25 cities throughout Alameda and Contra Costa counties.**

INTRODUCING NEW **EBRHA MEMBERSHIP LEVELS**

EBRHA is thrilled to present new membership levels tailored to your specific needs!

- **Standard: Tier 1**
(Small-Medium Owners/Managers, 1-20 Units)
- **Advanced: Tier 2**
(Medium Owners/Managers, 21-50 Units & Suppliers)
- **Enterprise Pro: Tier 3**
(Large Properties/Owners/Managers, 51+ Units)
- **NEW! EBRHA Affiliate Membership**
Get introduced to rental property ownership/management, or simply stay abreast with the industry.

MEMBERSHIP BENEFITS

- Property management advice by phone or in person
- Renter screening service
(application/report fees apply)
- Annually updated legal forms, including forms online 24/7
- Monthly workshops on new laws, rental agreements, security deposits, legal notices, fair housing, rent control and more
- Vendor directory of local businesses that offer exclusive member discounts
- Annual Trade Expo and monthly networking mixers
- Monthly educational membership meetings
- Community outreach and education
- Local and state lobbying
- An active and growing Legal Action Fund and Political Action Committee
- Subscription to *Rental Housing and Units*
- Membership with the National Apartment Association and CalRHA



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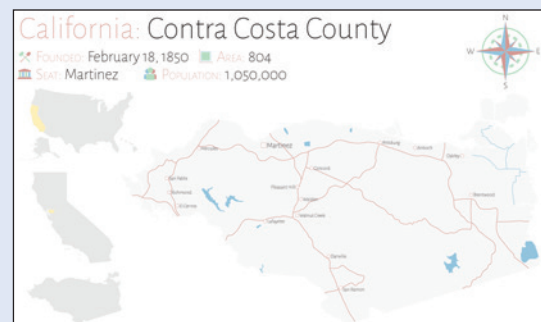
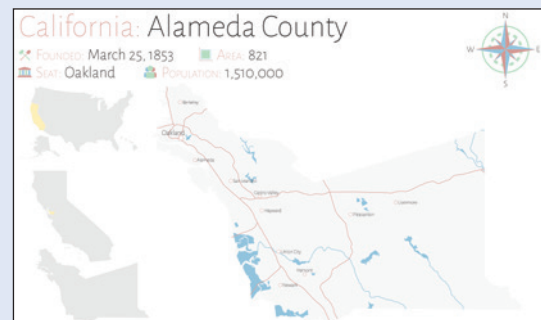
WHY SHOULD YOU RENEW YOUR EBRHA MEMBERSHIP? ASK YOURSELF:

1. Has managing rental property expectations/relationships been a challenge in recent months?
2. Are there unit vacancies you need to fill right now?
3. Is it difficult to constantly navigate all the housing legislative changes?
4. Are you worried about the protection of your property rights?
5. Do you have at-risk renters who have been paying rent reliably this year?
6. Have any of your renters not paid rent OR are they paying reduced rent?
7. Are you unsure who's defending your business interests?
8. Are you concerned about the health of your rental housing business in 2022?

If you answered **“YES”** to any of the questions above, then EBRHA is a partner you can't afford to be without. Membership provides these benefits:

- ✓ Helps you navigate complex housing laws to ensure you're on the right path.
- ✓ Provides the latest forms and information for legal compliance and risk mitigation.
- ✓ Stays on top of relief resources and programs to help your business remain viable.
- ✓ Amplifies your voice and stories when it matters the most.
- ✓ Educates members and the community on rental housing best practices.
- ✓ Helps you keep long-term residents happy and safe through uncertain times.
- ✓ Bridges the gap between housing providers and policymakers.
- ✓ Advocates as a community for property owner rights.
- ✓ Offers on-call support and monthly events to help you succeed, one step at a time.

DID YOU KNOW? EBRHA SERVES ALAMEDA AND CONTRA COSTA COUNTIES



EBRHA IS RIGHT BY YOUR SIDE. RENEW YOUR MEMBERSHIP
ONLINE AT EBRHA.COM -> MEMBER PORTAL OR CONTACT MEMBERSHIP@EBRHA.COM

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equity by sharing space.

By Brian Boucher, courtesy of Mynd

HIVEBOX/UNSPLASH. COVER: DALIU/ISTOCK



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EAST BAY RENTAL HOUSING ASSOCIATION

Volume XXIII Number 18 | Nov/Dec 2021

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PUBLISHED BY

East Bay Rental Housing Association

PUBLISHER Derek Barnes

EDITOR Suzanne Ennis

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Rental Housing (ISSN 1930-2002-Periodicals Postage Paid at Oakland, California. POSTMASTER: Send address changes to **RENTAL HOUSING, 3664 Grand Ave., Suite B, Oakland, CA 94610.**

Rental Housing is published bimonthly for \$9.95 per issue by the East Bay Rental Housing Association (EBRHA), 3664 Grand Ave., Suite B, Oakland, CA 94610.

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Elliot A.

"I love all the valuable education and support I receive when I participate in workshops presented by EBRHA leadership. I feel like I have a trusted partner. EBRHA has provided true leadership on complicated issues faced by rental property owners. EBRHA's rental housing forms are invaluable too—well worth the price of membership!"

Ellen T.

"I joined EBRHA due to a specific COVID-era challenge. I appreciate the organization's legal knowledge and legislative advocacy. I also got good leads from their Supplier Directory's law office list. EBRHA feels like a friendly, evenhanded and supportive organization. I would recommend the association to any property owner looking for information and resources."

Kit C.

"I find the rental housing forms and political advocacy support provided by EBRHA highly valuable."

Noemi Z.

"My renter stopped paying the rent during the eviction moratorium after she lost her job. As small property owners, we were very affected. Fortunately, with EBRHA's guidance, we were able to apply early for the Emergency Rental Assistance Program. I received one-on-one assistance from EBRHA staff, which reassured me about the application. After four months of waiting, we received the payment for the back rent. We are very grateful and happy to be part of EBRHA."

Tomoko N.

"Member Services staff are knowledgeable—they help educate new members like me with kindness and patience."

Bill M.

"I find EBRHA's rental housing forms and timely updates very helpful. The association has added value to my property ownership journey by fighting for my interests as a housing provider."

Lawrence B.

"As an EBRHA member, I get important information regarding rental matters without delay, especially in the current climate. The association helps me manage my rental property ownership as a business."



EBRHA
EAST BAY RENTAL
HOUSING ASSOCIATION

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UPDATES ON EBRHA.COM!**



**NEW CHAT
FEATURE!**
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HOUSING NEWS**
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Welcome

A LETTER FROM EBRHA CEO



Derek Barnes

Faster, Forward: A Year in Review

For rental property owners, 2021 may seem like the long second act of 2020. It roared in with the promise of billions in federal dollars for a new Emergency Rental Assistance Program, or ERAP. Finally, help was on the way. However, flawed program rollouts led to the slow distribution of aid to property owners and set funding priorities of 50% AMI or lower for “qualified tenants” in most East Bay municipalities, leaving many with unpaid back rent little to no relief at all. In addition to more restrictions on housing providers, AB 1482 provided monetary relief and protections for households impacted by COVID-19.

The year also delivered extensions of national and statewide eviction moratoria, with no requirement for means-testing. They finally expired Sept. 30 with SCOTUS backing but were complicated by health

emergency mandates at the local level that did not lift the moratorium on evictions in areas like Alameda County—leaving many rental property owners in a dilemma and wondering what to do next.

This situation reached a fever pitch midyear with the passage of AB 832. It necessitated a lawsuit against the State of California by CalRHA, our state association, on behalf of more than 19,000 housing providers with over 500,000 rental units in California. EBRHA, along with other CalRHA affiliate associations, funded the lawsuit that challenged the constitutionality of AB 832, and we advised our members to serve nonpaying renters critical notification by July 31 to protect their property rights.

Active conversations initiated by CalRHA and other real estate lobbying groups with Gov. Newsom’s office during a recall election year made it possible to deliver more monetary relief for households and rental property owners impacted by COVID-19 even under AB 832—no back-rent dollar limits, 100% payment of past due rent and additional state rent relief aid (\$5.2B).

Since opening ERAP application portals at the state, county and city levels in March-April, EBRHA has worked with housing and community development program coordinators to improve processes, transparency and funds distribution. Anticipating complexity, confusion and a lack of access to information and technology in launching ERAP, we initiated our direct ERAP support in March, both in-person and online. To date, EBRHA has helped almost 200 rental property owners/managers and renters apply for ERAP funds. Alameda County recognized our efforts, and we were awarded a grant in August to partner with the county to continue providing these direct ERAP support services through next year.

“Engaging collectively is our strength. Sharing our stories authentically and with dignity is powerful. Collaborating and looking out for others in a partnership has enormous benefits and impact.”

Under California’s rental assistance program, 85,000 households have received about \$1B in distributed funds to date. Money is being distributed faster today for housing providers and households in need of assistance, but not fast enough. The state has received almost 500,000 applications; about 340,000 are approved, with approximately \$5B in requested aid of the approximate \$10.4B available. While the overwhelming majority of renters are paying their rent, many small rental property owners and managers still need financial help after almost two years into the pandemic.

Another milestone this year is the passage of California Senate Bills 8, 9 and 10. These are extraordinary pieces of recent legislation, attempting to create ease in the housing industry—addressing density, costs and policy. Legislation can only get us to a point. Compliance, accountability and shared commitment are also needed. For example, while there might be “permitted zoning” for accessory dwelling units (ADUs), there’s evidence that building ADUs in some municipalities still takes way too long, costs too much, and meets with too much resistance and uninformed bureaucracy.

Companies like Mighty Buildings, featured in this issue, are using technology in extraordinary ways to lower the cost of construction. At the company’s invitation in October, we toured the Mighty Buildings facility and were blown away by their innovative thinking.

Many pieces of housing legislation were also advanced this year, including TOPA in Berkeley, and we should thoroughly interrogate anything that prom-

ises alternative, equitable or affordable housing that pits renters against property owners (and vice versa). These political tactics can distract, do little to increase the housing stock, and create more operating overhead for rental property owners/managers, typically small family-owned businesses. Unvetted and uninformed legislation can also restrict new construction. Ultimately, this shifts the burden of decades of underproduction in California to small rental property owners who don’t have similar restrictions or protections on skyrocketing operating and building costs. Good legislation and policies should promote the development of more alternative, safe and affordable housing while creating conditions that ensure a strong partnership between renters and property owners.

As we bring this year to a close, there are extraordinary things we’ve discovered about ourselves as housing providers and the resilience of our businesses. EBRHA, CalRHA and our sister associations see profound lessons learned and light at the end of this two-year-long tunnel. Engaging collectively is our strength. Sharing our stories authentically and with dignity is powerful. Collaborating and looking out for others in a partnership has enormous benefits and impact. Engagement, collaboration, innovation and empathy are organizational values to embed and share as part of EBRHA’s winning formula to support our members and their renters in the years ahead.



* NON-EBRHA EVENTS



* NOVEMBER 4

Diwali

NOVEMBER 4**2-3:30 PM**New Technology for the
New Year*Presented by Yardi** NOVEMBER 4 &
DECEMBER 2, 2-4 PM;
NOVEMBER 18 &
DECEMBER 16, 6-8 PM

Informational Workshop

Presented by
[alamedarentprogram.org/
workshops-clinics](http://alamedarentprogram.org/workshops-clinics)**NOVEMBER 9****2-3:30 PM**

The Roundtable

*Presented by EBRHA Board
President Wayne Rowland*

* NOVEMBER 10

10-11:30 AMSecurity Deposits:
Rights and Responsibilities
webinar*Presented by the City of
Berkeley Rent Stabilization
Board. [cityofberkeley.info/
Rent_Stabilization_Board/
Home/Landlord_and_
Tenant_Workshops_—
Seminars.aspx](http://cityofberkeley.info/Rent_Stabilization_Board/Home/Landlord_and_Tenant_Workshops_Seminars.aspx)***NOVEMBER 23****10 AM-NOON**Member Meeting
Board Elections

* NOVEMBER 25

Thanksgiving

* NOVEMBER 28-
JANUARY 6

Hanukkah

DECEMBER 2**2-3:30 PM**Using Real Estate &
Charitable Gifting
Strategies to Reduce Taxes*Presented by Brad Barth***DECEMBER 14****2-3:30 PM**

The Roundtable

*Presented by EBRHA Board
President Wayne Rowland***DECEMBER 15****2-3:30 PM**

The Forum

*Presented by Dan Lieberman***DECEMBER 16****5:30-8 PM**Holiday Member Mixer
*at Eve's Waterfront***DECEMBER 21****3-4:30 PM**Member Meeting
Year in Review

* DECEMBER 25

Christmas Day

* DECEMBER 26-
JANUARY 1

Kwanzaa

* DECEMBER 31

New Year's Eve

TO PITCH AN EVENT FOR
OUR CALENDAR, EMAIL
EDITOR@EBRHA.COM



“We partnered with AppFolio and our business has been growing very quickly. We’ve been increasing unit count by a lot. We have a lot of data at our fingertips and we’re able to let our management team make faster, more nimble decisions with managing their teams.”

Brooks Baskin

CEO & Founder, 2B Living Property Management

1300+ Units

Bay Area

94% of surveyed AppFolio customers found our software instrumental in their company’s growth.* See how AppFolio can help your business at appfolio.com.

appfolio Property Manager

*Source: April 2021 TechValidate survey of 500+ satisfied AppFolio customers

Inform

INDUSTRY NEWS & MARKET TRENDS

APARTMENTS ON THE RISE

According to an October blog post by RealPage, Inc., 2021 demand for multifamily product across the U.S. was at an all-time high. However, ongoing construction of market-rate apartments in the nation's gateway metros—which include the Bay Area trio of metro San Francisco, metro Oakland and metro San Jose—was down about 5% from early 2020 volume. (For context, 8,000 market-rate apartments were under construction in Oakland, according to its graph.) On the upside, that's a smaller decline than many expected in the wake of COVID-19, given that pre-pandemic construction was atypically robust. Rather, today's building activity is more in line with more typical levels. Read the whole story at realpage.com/analytics/apartment-construction-substantial.

RENTAL PRICE TRENDS

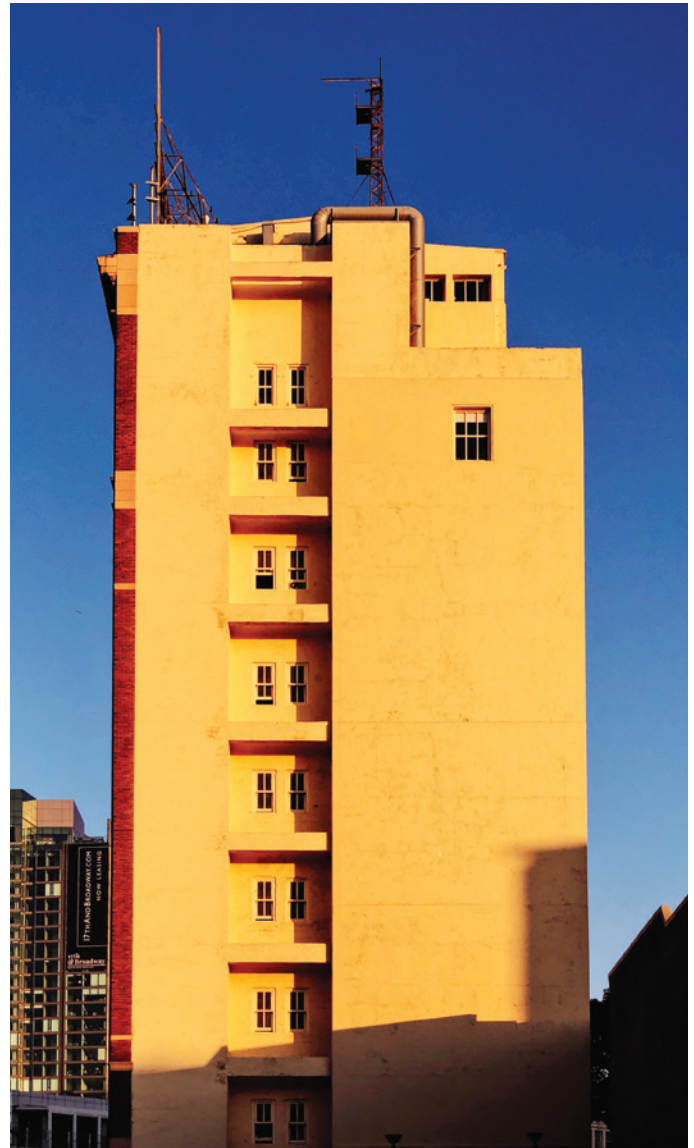
According to the Zumper National Rent Report published in September 2021, national rent growth continues to accelerate at an astonishing pace. Bay Area statistics, however, are more mixed. In September, the median rent for a one-bedroom apartment in Oakland was \$2,000—a 0% change month-over-month, but down 6.10% year-over-year. Two-bedroom rent in Oakland was \$2,620, which represented a 0.8% increase month-over-month, but a 3% decrease year-over-year. On the other hand, San Leandro and Richmond both saw 3% year-over-year rent increases for one bedrooms, and Walnut Creek one-bedroom rents were up 7.9% year-over-year. See how the Bay Area stacks up compared to other regions at zumper.com/blog/rental-price-data.

PUT IT IN YOUR POCKET

The City of Alameda's Rent Program recently updated its Pocket Guides for rental property owners and renters. These handy, compact publications provide an overview of current rent regulations in the City of Alameda, a summary of rights and responsibilities for providers and renters, and resources for both. Visit alamedarentprogram.org/News-articles/Revised-Pocket-Guides to download your guide.

FLIPPING OUT

According to a recent RENTCafé analysis of U.S. Census data, the number of suburban areas where renters are the majority grew by 69% over the past decade. Among them



are the East Bay cities of Richmond (up 13% to 50.9% renter share in 2019) and San Pablo (up 28% to 60.4% renter share) in Contra Costa County, and Albany (up 7% to 51.7% renter share in 2019) in Alameda County. RENTCafé predicts that Pittsburg and Bay Point are soon to follow. All in all, nationwide, renters are now the majority in 103 suburbs that were previously homeowner territory 10 years ago, and 57 other suburbs are expected to follow suit in the next five years. Source: rentcafe.com/blog/rental-market/market-snapshots/picket-fences-for-rent-100-suburbs-turned-renter-majority-this-decade.

Advocate

LEGISLATION, ADVOCACY & POLICY UPDATES



Prepare for Elevated Building Standards

By Ron Kingston

By Jan. 1, 2025, minimum inspections for the exterior elevated elements (including balconies and decks) of buildings with three or more multi-family dwelling units must be completed by state law. In the East Bay, thousands of properties will need to be inspected. Given the likelihood of a flurry of demand for inspections and subsequent repairs close to that deadline, we have two words of advice: Plan ahead.

At the minimum, residential rental property owners/agents must have inspected each type of exterior elevated element that would, in the opinion of the inspector, constitute a threat to the health or safety of the occupants if it were found to be defective, decayed or deteriorated to the extent that it does not meet its load requirements. The inspection must also include an assessment of the load-bearing components and associated waterproofing elements.

Evaluation and assessment must address each of the following as of the date of the evaluation:

- The current condition of the exterior elevated elements
- Expectations of future performance and projected service life

- Recommendations for any necessary further inspection. Written reports of the evaluation will be required. They should be stamped or signed by the inspector and presented to the residential property owner/agent of the building (or the owner's designated agent) within 45 days of completion of the inspection. The reports should include:

- Photographs, test results and a narrative sufficient to establish a baseline of the condition of the components inspected that can be compared to results of subsequent inspections

- Advice as to which, if any, exterior elevated elements pose an immediate threat to the safety of the occupants; and whether preventing occupants' access or conducting emergency repairs, including shoring, is necessary.

The initial inspection is to be completed by Jan. 1, 2025 and by Jan. 1 every six years thereafter.

The inspector who conducts the inspection must produce an initial report and, if requested by the residential property owner/agent, a final report indicating that any required repairs have been completed. A copy of that report must be provided by the inspector to the owner/agent and to the local enforcement agency within 15 days of completion of that report. Reporting to the local enforcement agency is a material change in law.

Local enforcement agencies may determine whether any additional information is to be provided in the report and may require a copy of the initial or final reports to be submitted to the local jurisdiction. Copies of all inspection reports must be maintained in the building owner's permanent records for not less than two inspection cycles, and must be disclosed and delivered to the buyer at the time of any subsequent sale of the building.

Go to leginfo.legislature.ca.gov/faces/home.xhtml and search for SB-721 (Chapter 445, Stats. 2018) to read the full text of the law, including who can and can't perform inspections and repairs. Then, get to work identifying licensed, qualified contractors so you complete all requirements—and rest easy—well before the state-mandated inspection deadline.

Ron Kingston is the EBRHA state lobbyist and president of California Strategic Advisors.



New split-roll property tax ballot initiative could adversely impact multifamily properties

By California Rental Housing Association (CalRHA)

Proponents of a new, split-roll property tax ballot initiative have submitted their proposal to the California attorney general's office requesting preparation of a "title and summary."

Inadequately named the "Housing Affordability and Tax Cut Act of 2022," the proposal is a mere wealth transfer in disguise that would penalize owners of properties with full cash (assessed) values of \$5 million or greater through a property tax surcharge of 1.2% or more, and a prorated, lesser surcharge amount for properties with full cash (assessed) values between \$4 million and \$5 million.

Under the proposed initiative, "covered properties" include any commercial, residential, industrial, or mixed-use real estate, or vacant land with a full cash value of \$4 million or more. Certain types of properties are exempt from the surcharge, including commercial agricultural land, deed-restricted properties that house "low" and "very

low" income residents, and vacant land protected and used for open space, among others.

Under California law, "full cash value" means "the county assessor's valuation of real property as shown on the 1975-76 tax bill under 'full cash value' or, thereafter, the appraised value of real property when purchased, newly constructed, or a change in ownership has occurred after the 1975 assessment" (*Section 2 of Article XIII A of the California Constitution*).

The proposed initiative benefits homeowners by increasing the \$7,000, current homesteading exemption to \$200,000, which would save homeowners approximately \$2,000 in property taxes each year. In addition, the proposal seeks an increase in the renters' credit and also seeks to encourage housing development and construction by streamlining local government approvals.

See cal-rha.org/split-roll-property-tax/ for a link to the proposal.



New bills fight the housing crisis

On Sept. 16, Gov. Gavin Newsom signed bipartisan legislation intended to fight California's housing crisis. The suite of bills also will "help address the interrelated problems of climate change and housing affordability by promoting denser housing closer to major employment hubs," according to a press release from the governor's office.

Three Senate bills topped the news release:

- SB 8**, which extends the Housing Crisis Act of 2019 to jump-start more housing production
- SB 9**, which gives homeowners additional tools to add critically needed new housing and help ease California's housing shortage

—**SB 10**, which establishes a voluntary, streamlined process for cities to zone for multiunit housing

According to the release, on the same date, California officials also announced the California Housing Accelerator—a \$1.75 billion component of Gov. Newsom's California Comeback Plan to expedite construction of an estimated 6,500 affordable multi-family units in projects.

To read the full release, visit cal-rha.org/newsom-fight-housing-crisis.

**FIND BILLS AND OTHER CALIFORNIA
LEGISLATIVE INFORMATION AT
LEGINFO.LEGISLATURE.CA.GOV**

Connect

COMMUNITY RESOURCES & OUTREACH



Cindy Wu is the executive director of LISC (Local Initiatives Support Corporation) Bay Area, which invests in affordable housing, local economic development and family financial stability in underinvested communities in the nine-county Bay Area. It's one of 38 LISC sites across the country (the non-profit has a large rural program too).

"I have seen firsthand the dramatic change that investments in local organizations can make," says Wu, who, prior to joining LISC, spent 13 years working in the affordable housing and community planning space. "This made me incredibly excited to work at LISC, where the work centers on partnering with local actors on the ground to make change happen."

Wu spoke with Rental Housing about the innovative ways the office collaborates with rental housing providers and developers to help create resilient, prosperous and equitable communities in the East Bay.

Who is LISC Bay Area?

Every local office of LISC is unique and makes investments that address the particular needs of communities on the ground. In the Bay Area we focus on investing in BIPOC communities with programs and products in affordable housing, economic inclusion and capacity building. Our LISC office also advocates for local and regional policies and system changes to close equity gaps and foster broadly shared prosperity and well-being. One of the key priorities is to increase capacity—whether financially or technically—of partners and community leaders so they can further their important work in creating equitable communities throughout the Bay Area.

A lot of our work focuses on preserving and producing affordable housing, and we also invest in economic development and financial stability. Our economic development efforts have evolved over time, but center on investing in BIPOC neighborhoods and organizations to shape prosperous communities that exceed their needs and dreams. This could include strengthening small businesses and the organizations that support them.

How do you work with rental housing providers to address housing issues?

We provide grants, loans and equity for nearly every aspect of affordable rental housing development and preservation, from planning and acquisition to construction and renovation. We also offer technical assistance, data and mapping tools to community-based organizations working to develop and manage affordable housing.

Our mission is to bring more affordable housing stock to the Bay Area, in-

cluding the East Bay, and to make sure that units are appropriately distributed across a wide range of affordability. We need more permanent affordable housing for the most disenfranchised in our communities—including the formerly homeless—but we also need more options for those making up to 150% of average median income who can't find a place for their families to live due to skyrocketing housing costs. LISC Bay Area finds partners who share our mission and provides them with the low-cost financing they need to be able to acquire and renovate properties and cap rents at the desired affordability levels.

How do these programs benefit rental housing providers and communities?

Our lending ethos centers on the spirit of collaboration—truly listening to and soliciting feedback from our partners in order to provide the creativity and technical assistance needed to get their projects funded. This has not only resulted in a wide range of great projects, but [also] the creation of an array of nimble products to meet the needs of an ever-changing market. For instance, we learned that there was little to no funding available for renovation-only projects, leaving a lot of owners of aging affordable housing unable to improve conditions to an acceptable standard or having to consider leaving the building empty and taking the units off the market. In response, we adjusted the Affordability Preservation and Production Loan product in the Bay's Future Fund, a loan fund we manage that is housed under the Partnership for the Bay's Future. We evolved the product to include projects that renovate existing



LISC Bay Area supports a diverse range of types of housing to meet the needs of various communities.

affordable units to extend the useful life and to improve quality of the housing, and we have gotten a tremendous response.

LISC also believes strongly in raising the capacity of the affordable housing developer sector. We are currently in the 33rd year of our Housing Development Training Institute, which was launched by LISC in response to an unmet need for comprehensive, practical and intensive skill training in affordable housing development and community development strategies.

We also support participants who choose to move forward with an affordable housing development through the process of entering into an equitable joint venture partnership with an experienced developer. ... In many cases, the emerging developers we support are led or owned by people of color—members of our community who are successfully diversifying the future of affordable housing development. We are very proud to support the diversification of this industry.

Can you provide an example that specifically involves an East Bay rental property owner?

We have supported several rental properties in the East Bay over the years, and aim to support a diverse range of

types of housing to meet the needs of various communities.

An example of a new construction project in the East Bay is The Bosco, a 59-unit new building in Berkeley from developer eSix, which will provide housing for low-income families, as well as the often-overlooked “missing middle” with some apartment rents restricted up to 50% AMI and others up to 90%.

Foothills Square Apartments, in the Toler Heights neighborhood of Oakland, is a great example of the preservation of existing affordable housing. Purchased by the Richmond Neighborhood Housing Services in order to protect it from rising rents, Foothills Square’s 17 units will now be permanently capped at up to 80% AMI, providing accessible housing for families for years to come.

And in 2023, Hayward’s Mount Eden neighborhood in Alameda will be home to a new, 125-unit, permanent supportive housing development with integrated services for the most vulnerable members of our community. When complete, this building will provide homes for individuals and families earning 20%-60% AMI and may ultimately be able to house residents earning as little as 15% AMI. In addition to homes, the Mount Eden development will offer integrated

services to individuals who live there to help them get back on their feet. The purchase by Abode Services, a nonprofit organization committed to ending homelessness, was funded by the Corporation for Supportive Housing, with support from Capital Impact Partners, by leveraging capital from the Bay’s Future Fund. This shows the collaboration often necessary to make these deals pencil—collaboration that LISC works to facilitate wherever possible.

How can, and why should, EBRHA members get involved?

I think it’s important for your members to take to heart that they can be part of the affordable housing solution. Rental housing is, of course, a business, but rental housing providers can rent with compassion. Is it possible for them to structure a financial model that allows for even one or two of their units to be reserved for families earning at or below average median income? They may eligible for resources to help them achieve that.

There are also a range of resources available for those who are looking to build or purchase and preserve affordable housing. You do not need to have experience to roll up your sleeves and get involved. For more information on resources, visit lisc.org/bay-area.

Educate

TIPS & HOW-TOS



10 Important Fall Maintenance Jobs for Property Managers

Courtesy of Yardi Breeze

As much as we love autumn, we're less thrilled about the extra property maintenance that comes with the leafy clutter. But no matter how you feel about it, there's plenty of work to do at your properties! These are some of the most important fall maintenance jobs property managers need to take care of before winter.

1. Let your residents know what to expect

It's always a good idea to let your community know when extra noise and maintenance may be going on — the earlier, the better. And due to the pandemic, there's a good chance you have more people working from home. That means they might be exposed to noises and distractions that usually go on while they're away at work.

If you're stepping up your fall

maintenance, use Yardi Breeze to send an email to your residents. Let them know what's going on, what days and times they can expect extra noise in the neighborhood and how long you think it will last.

Remember to build value when you're communicating anything to a resident. In other words, explain *why* you're doing maintenance and *how* the community will benefit. (Be specific!)

2. Rake leaves at least once per week

When there's a lot of raking to be done, you have a few options:

- Hire a professional gardener
- Put your renters in charge of cleaning around their units (put this in the lease)
- Do it yourself

If you have the time, only a few properties and want to save money, by all means do it yourself. However, this is a weekly job if done properly. Plan your workload wisely.

3. Prune overgrown, loose and dangerous tree branches

Branch trimming may need to be done annually. As branches grow in the spring and summer, they can become hazards for residents:

- Snow buildup can make them heavy, causing them to fall
- They're more likely to snap off in high wind
- Lightning may cause them to catch fire or shatter
- Any of the above can damage property and cause injury

This is not a job to take lightly or attempt to do by yourself, even if you know what you're doing. Prune branches with at least two people, and let professionals handle larger branches.

4. Keep the critters out

When the temperature drops, as it often does in the fall, nature will start to find its way inside. That's when it's time for a little property maintenance.

A professional will know where to spray for insects, which substances to use and how to protect themselves and others from potentially toxic materials.

It might be best to let the pros handle this one. However, if you're mostly getting service requests for rodents, you may simply need to patch some holes.

Without seeing the culprit, it can be hard to tell what kind of infestation you're dealing with. If there are any "leave-behinds," ask renters to snap a picture. They can send it via their renter portal, and you can give it to a professional.

5. Inspect HVAC systems before it gets cold

HVAC systems tend to be used frequently in cold weather. That makes this the perfect time of year to do some routine maintenance.

- Replace or clean any dirty filters
- Repair or replace parts that are showing signs of wear
- Schedule this maintenance in advance—don't wait for a renter to call about an issue

As managers of older properties know, some furnaces need to have their air bled out each year, which means loosening a release valve. It's fast, easy and makes the room smell like rotten eggs, but just for a few seconds. Email your renters if they need to perform this task or if you need to set up a time to do it.

6. Clean chimneys and fireplaces

Over time, wood fires in home fireplaces produce a buildup of creosote, a tar-like substance that is highly flammable and dangerous. It's important to clean chimneys on a regular basis, at least every other year.

Be sure you hire a chimney sweep professional or take a look yourself during your annual/official property inspection. The flue should be free of any serious buildup, and there should be no other obstructions. In other words, you should be able to open the damper and see the sky.



“Remember to build value when you’re communicating anything to a resident. In other words, explain why you’re doing maintenance and how the community will benefit. (Be specific!)”

7. Get your mind in the gutter

Gutter cleaning may seem like routine fall maintenance, but it’s potentially dangerous. It’s easy to slip off a ladder, especially when your body is leaning, stretching and straining to push out leaves.

However, gutters need to be kept clean to avoid property damage caused by heavy rain. Here are some simple ways to make this job safer:

- Use a high-quality gutter cleaning tool
- Hire a professional contractor
- Always use a ladder stabilizer

8. Ask residents to detach their garden hoses

If you do an annual inspection of your occupied units, this may be something you and your team can look out for and handle yourselves. Otherwise, you’ll have to remind your residents to unscrew their garden hoses and store them in a safe, dry location. Failure to do this could result in burst or damaged pipes, especially if you live in an area that experiences sudden, extreme drops in temperature.

9. Inspect smoke and carbon monoxide detectors

According to the CDC, carbon monoxide poisoning is most common during cold weather. Virtually all good detectors are now 2-in-1 smoke and carbon monoxide detectors. Even though you rarely have to worry about replacing them (10-year, nonremoveable batteries are increasingly common), it’s important to inspect them once a month.

In fact, you should make it a habit to inspect all appliances whenever you do routine property maintenance.

10. Fireproof your property

Wildfire season can be a scary time for property managers. The season has gotten longer and more dangerous. Fires are also covering more ground. Here are a few tips on protecting your property from wildfires.

- Create a fireproof space around the property
- Keep water sources accessible to first responders
- Clean roofing and gutters (this is one of the basic fall maintenance tips anyway!)
- Use appropriate fireproof materials for your buildings
- Create and share the emergency exit plan for each door you manage
- Get insured with the right fire policy
- Show your residents how to make an emergency kit

FALL MAINTENANCE IS BEST DONE EARLY

Don’t wait to get started on these jobs. Gutter cleaning and leaf raking are routine tasks, but tree branch trimming, pest control and HVAC inspections only need to be done once per year. The longer you wait to do your fall maintenance, the more likely you are to run into problems.

Source: yardibreeze.com/blog/2021/09/important-fall-maintenance-jobs-property-managers



Brent Kernan is a real estate property lawyer representing rental property owners and managers in the Bay Area. He has practiced this area of law for over 20 years. He is also an EBRHA board member and a rental property owner himself.

OUNCE OF PREVENTION

By Brent Kernan

TREES Trees that touch a building create an easy path for roof rats. That sort of infestation is difficult and expensive to eradicate. You are required under California Civil Code 1941.1 to keep the premises “free from all accumulations of debris, filth, rubbish, garbage, rodents, and vermin.” Not doing so can potentially lead to the dreaded breach of implied warranty of habitability.

SIDEWALKS Public sidewalks are not your property. They are owned by the city where the rental property is located. California law creates no liability for injuries to pedestrians due to an unrepaired sidewalk. However, many cities such as Oakland, Berkeley, Richmond and others have created laws that do impose liability upon the owner of property abutting that portion of the sidewalk. This is especially true when the cause of the fault to the sidewalk emanates from something on or under the owner’s property. Property maintenance includes maintenance of the sidewalks. Neglect them at your own peril.



EBRHA
EAST BAY RENTAL
HOUSING ASSOCIATION



EMERGENCY RENTAL ASSISTANCE PROGRAM (ERAP) POP-UP EVENTS

PRESENTED BY EBRHA IN PARTNERSHIP WITH ALAMEDA COUNTY

RENTAL PROPERTY OWNERS

TO RECEIVE ERAP APPLICATION ASSISTANCE, PROPERTY OWNERS
MUST BRING COPIES, PICTURES, OR SCREENSHOTS OF THE
FOLLOWING TYPES OF DOCUMENTS:

Proof of Ownership

- Property deed
- Mortgage note
- Tax record
- Copy of Property Insurance Statement
- If applicant is a Property Management Company or Legal Representative, the applicant must also attach documentation showing authorization to act on behalf of the property owner such as an Authorization Agreement Contract/Memorandum of Understanding (MOU)/Memorandum of Agreement (MOA)

Proof of Identity

This may include:

- Driver's license
- Government-issued photo identification
- U.S. Military photo ID
- Tribal photo ID
- Passport

Financial Documentation

- IRS W-9 Form
- ACH Direct Deposit form

Proof of Renter's Residency

This may include:

- A lease agreement
- A government-issued library card
- Utility statement from service providers

View the full document checklist at
www.ac-housingsecure.org

FOR POP-UP LOCATIONS, VISIT WWW.EBRHA.COM/EVENTS

**TO BOOK AN ERAP APPLICATION ASSISTANCE SESSION,
EMAIL ACERAP@EBRHA.COM / CALL 510.347.8333**

Inspire

DESIGN TRENDS



RIGHT MAKES MIGHT

Oakland-based Mighty Buildings harnesses 3D printing, advanced materials and robotic automation to make high-quality, sustainable homes.



Not long ago, the idea of printing a home sounded like a futuristic, even fantastical, idea. But in order to meet California's demand for 3.5 million new homes by 2025—and do so without exacerbating the climate crisis—construction companies are being forced to think outside the stick-built box of yesterday. Among the most buzzy of those companies is Oakland-based Mighty Buildings, which is tackling California's housing shortage by producing high-quality single-family homes and ADUs quickly, efficiently and with minimal emissions using 3D printing, automation and robotics.

At its 79,000-square-foot production facility in Oakland, Mighty Buildings fabricates its modular houses and building components using steel and a patented 3D-printed Light Stone Material, a composite similar to Corian, that cures and hardens immediately with exposure to UV light. The company's Mighty Mods ADUs are fully printed and assembled in the Oakland facility, put on an oversized trailer and craned into the customer's backyard. Their Mighty House single-family-home units, which range from 864 to 1,440 square feet, use the Mighty Kit panel system. Panels are 3D printed at the facility, put on a flatbed truck and then assembled over 6-8 weeks in the field.

Robotic automation makes the building process remarkably speedy: A 3D-printed 350-foot ADU can be printed in 24 hours or less, using 95% fewer labor hours than a traditional stick-built home. (Note: The process is quick, but

there's currently a long waitlist.) And because only what's needed is printed, the process creates 1/10 of the waste and scrap compared to a standard home. That results in a savings of 1,100–2,000 kg of CO₂ emission per 3D-printed home, the company claims. What's more, the units have the best possible rating for flame resistance and are both designed to meet the highest earthquake classification for residential buildings. The cost is competitive too: "Turnkey" pricing starts at \$204,000.

Mighty Buildings continues to innovate and push toward its housing and efficiency goals. It has partnered with Palari Group, a sustainable real estate developer, to use its 3D-printing technology to build a community of 15 zero-net-energy-capable homes in Palm Springs using zero-waste construction processes. Recently, it announced a partnership with Fortera, a materials technology company that produces a cement that reduces CO₂ emissions by more than 60% compared to traditional cement. In 2022, it also hopes to launch multistory and multifamily projects, including townhomes and low-rise apartment buildings, with a new fiber-reinforced printing technology.

The idea of printing entire communities and multistory houses might sound as Jetsons-like as 3D printing itself once sounded, but such innovative solutions will be key to achieving a sustainable, equitable future for California—and Mighty Buildings is helping to build that future right now.

leaping FORWARD...

As 2021 wraps up, we reflect on some top stories in rental housing over this past year and highlight a few things in store for 2022.

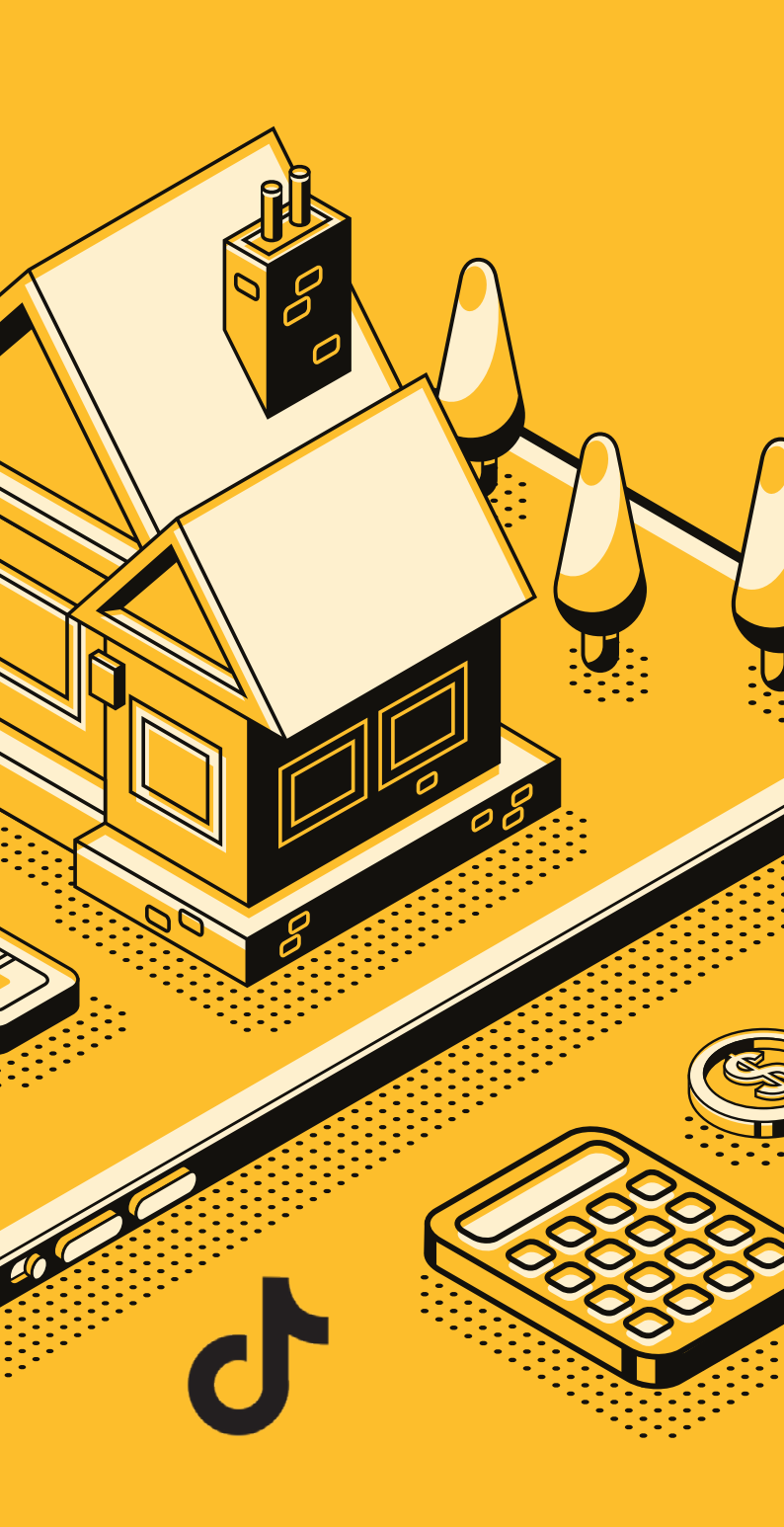
Learn more



2022 LAWS

Heads up! Several rental housing industry laws have recently taken effect or will take effect in 2022 that directly impact rental property owners in Alameda and Contra Costa counties. AB 838 will prohibit local code enforcement agencies from placing restrictions or preconditions, such as mandating that the rent be paid in full, before responding to habitability complaints. On the emotional support animal front, AB 468 will require (among other stipulations) that a health care practitioner establish a client-provider relationship with an individual seeking documentation re-

lating to an individual's need for an emotional support dog for at least 30 days prior to providing the documentation. SB 60, meanwhile, authorizes localities to impose increased penalties from \$1,500 for a first-time violation up to \$5,000 for multiple offenses when an individual violates a short-term rental ordinance. And finally, AB 491 will require that occupants of affordable housing units within mixed-income multifamily structures must have the same access to the common entrances, areas and amenities as the occupants of the market-rate housing units. The law will also prohibit isolating affordable housing units within the mixed-income multifamily structure.



INDUSTRY TRENDS

BUILD-TO-RENT HOUSING

According to a recent story in the New York Times, single-family homes built exclusively for the purpose of renting increased 30 percent from 2019 to 2020, and that percentage continues to rise, making build-to-rent homes the fastest growing sector in the American housing market. Build-to-rent housing developers are even establishing entire neighborhoods of single-family homes to rent rather than sell to homebuyers. Why? The high cost of housing, the difficulty qualifying for a mortgage loan and the flexibility

that renting affords are all reasons cited by families. *Read more about it at yardibreeze.com/blog/2021/08/build-to-rent-housing-is-the-future-of-property-management.*

TIKTOK

Are you targeting Gen Z or millennial renters for your apartments? If so, your marketing strategy for 2022 needs to include creating and posting content on the video-only platform TikTok. Increasingly, younger renters are searching for apartments on the latest social media darling. Read all about it at naahq.org/news-publications/how-utilize-apartment-marketing%E2%80%99s-newest-weapon-tiktok.

ADUs

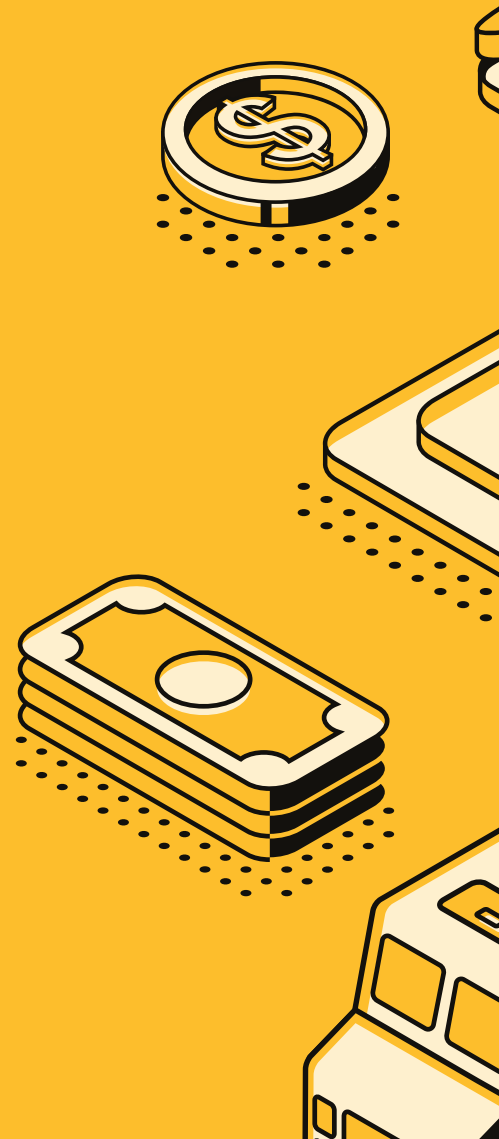
Thanks to the relaxing of state and local laws governing accessory dwelling units over the past several years, the ADU boom shows no sign of slowing. According to a recent report on planning.org, San Jose and Oakland each saw a ninefold or higher increase in ADU permits issued between 2016 and 2020. And a story on bloomberg.com notes that a forthcoming report by Chapple based on a survey of 800 California homeowners who built ADUs finds that about half (51%) serve as income-generating rental units. Between relaxed regulations, the work-from-home revolution, the push for more affordable housing and a proliferation of prefab ADU builders in the Bay Area, 2022 is likely to be another blockbuster year for ADU growth. *Sources: planning.org/planning/2021/summer/whats-blocking-an-adu-boom/ and bloomberg.com/news/articles/2021-03-25/can-granny-flats-fill-california-s-housing-gap.*

UPSCALE CO-LIVING

Granny flats aren't the only what's-old-is-new-again trend in rental housing; the last few years have seen a renaissance in high-end co-living. Even during the pandemic, reports on businessinsider.com, demand was high—though more so in ex-urban areas popular with remote workers, like Lake Tahoe. Pre-pandemic, “affordability was the main driver. That relationship has been reversed by a mental-health crisis centered on the need for (or lack of) companionship,” the report reads, adding, “If co-living spaces largely attracted millennials looking to save money before the pandemic, they’re now attracting those who have enough money to uproot their lives.” In short, co-living may continue to evolve, but it appears that it’s here to stay. *Source: businessinsider.com/millennial-co-living-spaces-evolved-during-the-pandemic-2021-2*

looking BACK

Learn more

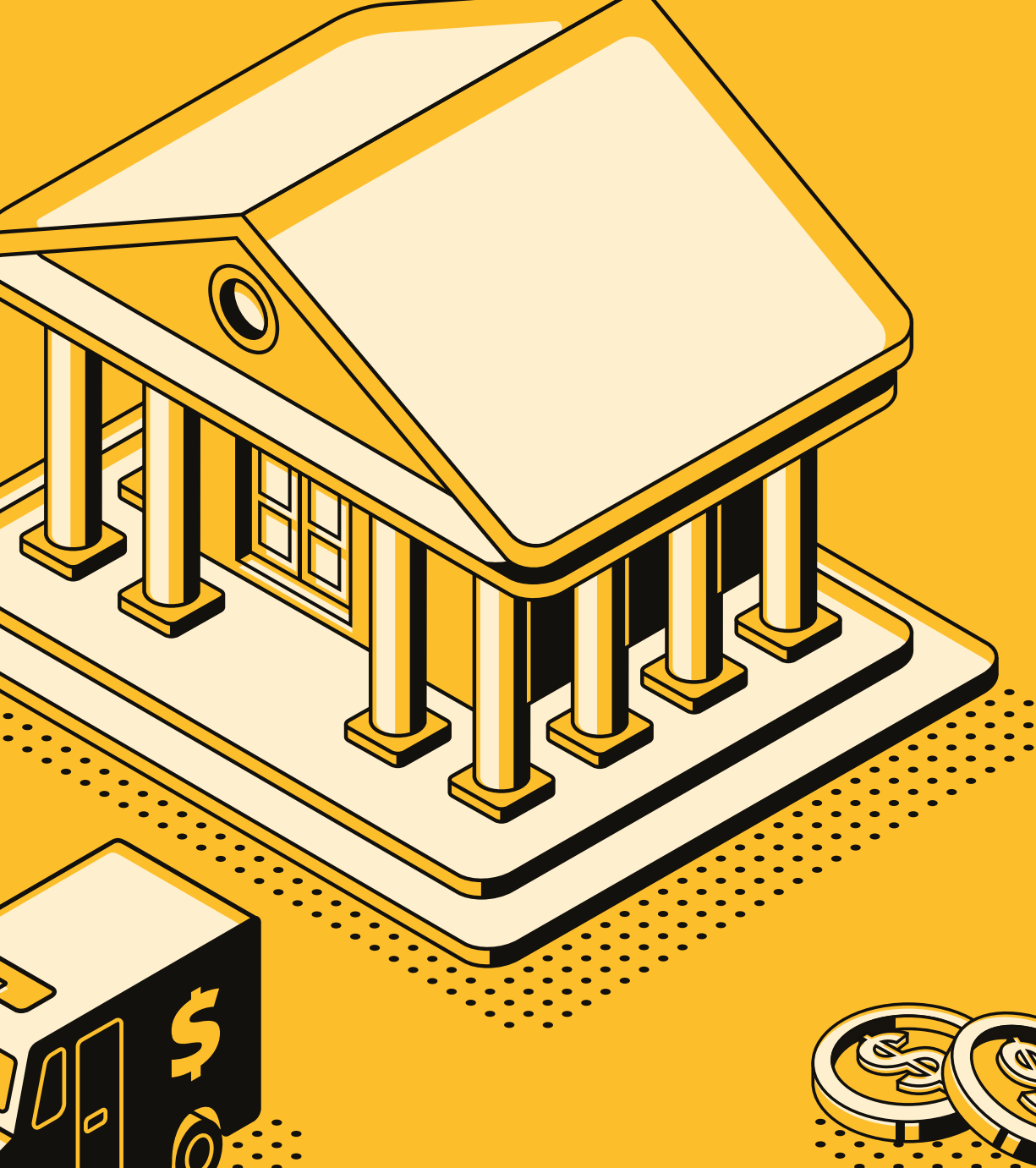


LEGISLATIVE YEAR IN REVIEW INDUSTRY WINS AND LOSSES

2021 saw a number of wins for the rental housing industry. Among the bills signed into law by Gov. Gavin Newsom were AB 602 (Grayson), which imposes new requirements on local agencies preparing impact fee nexus studies; SB 219 (McGuire), which will give county tax collectors the ability to cancel late payment penalties or other charges for property tax payers who have experienced financial hardship due to a shelter-in-place order; and SB 607 (Min)—Professions and Vocations, which allows balcony inspectors to do repairs. (See page 13 for news about the signing of SB 8, SB 9 and SB 10 too.) AB 1487 (Gabriel), which sought to establish a Homelessness Prevention Fund at the state level, was vetoed.

A number of rental-housing-related bills also died in the Legislatures. Among them were AB 854 (Lee), an attempt to reform the Ellis Act, which protects a rental property owner's right to leave the rental housing business in a timely fashion; AB 1188 (Wicks), which, as written, would have required cities and counties to create and administer a rental registry and online portal designed to receive specified information from property owners who own or operate five or more rental dwellings; and AB 1199 (Gipson), which would have imposed an annual excise tax on a person or entity owning 10 or more multifamily or single-family rental properties.

On the flip side, the signing of AB 838 (Friedman)—which will prohibit local code enforcement agencies from placing restrictions or preconditions, such as mandating that the rent be paid in full, before responding to complaints about substandard housing—was widely considered an industry loss.



TOP 2021 HEADLINES RENT RELIEF, RECOVERY AND EVICTION MORATORIUMS

The big story in rental housing this year was the one-two punch of the COVID-19 Tenant Relief Act (CTRA) and COVID-19 Rental Housing Recovery Act (Recovery Act). Federal and state eviction moratoriums have been lifted, but many local moratoriums remain in place. Considering that as of October 12th the state had given out only \$815.5 million in rent relief out of the nearly \$4.2 billion requested, rent recovery and eviction moratoriums will likely continue to be top news stories into 2022.

NAA AND CALRHA LAWSUITS

Related to the above, the NAA filed a lawsuit to recover losses due to the CDC's eviction moratorium, and CalRHA filed

a lawsuit against the State of California that challenged the constitutionality of AB 832, the State's third extension of the statewide eviction moratorium. *Read all about the lawsuits at naahq.org/CDC-eviction-moratorium-lawsuit and calrha.org/wp-content/uploads/2021/08/CalRHA_Lawsuit-Statement-08052FINAL.pdf.*

CONSTRUCTION WOES

Material costs increases and delays have plagued the industry since the onset of the pandemic, and they've been compounded by labor shortages. One result is that apartment operators haven't been able to turn units or reposition quickly. *Learn more about the topic at naahq.org/news-publications/units/october-2021/article/renovation-strategies-balance-materials-price-increases.*

HOUSE HACKING

The property investment game

By Brian Boucher, courtesy of Mynd

For many wanting to buy a house, raising the down payment and covering the closing costs can be barriers to entry. While investing in a single-family home is one of the most dependable ways to build generational wealth, most think that building equity is a long slog, but it doesn't have to be. Some buyers can jumpstart the process through what's called house hacking.

Hacking is seen as a clever way to solve problems, or to take advantage of a system. Black hat hackers in the computer world are the bad guys, the white hats the good. House hacking is a powerful tool because it allows investors, especially beginners and those without deep pockets, to learn the ropes of property investing and build equity—fast.

Put simply, house hacking involves buying a property that the investor lives in, and then renting out part of it. This way, they can reduce their mortgage payments with the money renters pay, and in some cases even make a profit. The house hacker can spend this so-called passive income any way they

want—pay down the mortgage, make a large purchase, or even save for another home.

Stephanie Engel, who works in accounts payable/receivable at Mynd, and her husband have had good luck hacking their three-bedroom home in Mesa, Arizona. They've had renters whom they consider roommates, so they've handled things informally, without contracts, but it's mostly worked out. In their case, the bedrooms are all on the same level, which hasn't provided a great deal of privacy.

"I bought at a very fortunate time, before the market picked up, for under \$90,000," she says, "so the mortgage payments, which were under \$700, have never been an issue. But we decided on a flat rate for each room, which coincidentally covered more than our mortgage. Because of this, we got our house paid off last year, after nine years."

House hacking requires some extra effort, but millions have done it, and there are numerous ways that investors employ the strategy to buy different kinds of properties.



RENTERS WITH BENEFITS

House hacking has plenty of advantages for the hacker.

The greatest benefit is that, because the investor lives in the property, it gives them access to residential mortgages, where interest rates are lower and the required down payment significantly less than a commercial mortgage.

Investment properties require down payments as high as 25 to 30%, but house hackers can often purchase with a down payment as low as 5%, or even less. Loans through the U.S. Federal Housing Administration have down payments as low as 3.5%, and can be used to purchase properties of one to four units. (These loans are targeted at first-time buyers, but others can qualify, though the government limits borrowers to only one FHA loan as a way to discourage using them to buy investment properties.) Veterans can qualify for loans with no money down through the Veterans Administration.

With a down payment of less than \$10,000, a home priced at \$250,000 can be financed through an FHA loan. Closing costs, which can range from 2 to 7% depending on the location (\$5,000-\$17,000), can be rolled into the loan in some cases. With mortgage rates hovering near 3%, monthly loan payments are around \$1,100.

Investment, or commercial, mortgages typically carry interest rates of a half a percentage point to a full percentage point higher than residential loans, so a house hacker saves on interest payments every month. Moreover, house hackers can take advantage of the tax benefits associated with home ownership, while saving on taxes by deducting rental-related expenses and accounting for depreciation. Hacking allows people with modest incomes to live in nicer areas, pay off other expenses or make repairs they might otherwise need to defer.

Not having to make mortgage payments allowed the Engels to pay off other debts, like her husband's student loans.

"We still have roommates even though we're debt-free, since there's no reason to kick them out," Ms. Engel says. "It helps pay for home improvements we want to do, including a new roof and a new AC system."

THERE ARE MANY WAYS TO HACK IT

Investors are diverse, and so is real estate, and there are, accordingly, many ways for investors to hack their housing. Which one they choose depends on factors like what level of privacy they need, what degree of comfort they prefer, and what sort of neighborhood they want to live in.

RENT BY THE ROOM

Some hackers buy a single-family home with multiple bedrooms, live in one, and rent the other room(s) out. If privacy isn't paramount, they might even choose to sleep in the living area (or dining room or other bonus room) and rent out the bedroom(s). Folding screens, curtains, or other dividers can provide some privacy, and renting bedrooms brings in more cash. A little creativity can pay off.

Cheryl Lemons, manager of property services at Mynd, purchased a home in Sacramento with her husband in summer 2019, and has had a terrific experience hacking her home.

"It's a three-bedroom with a large bonus room that was added on at some point," she says. "It wasn't our original plan to rent, but a friend was looking, and we worked out a rental agreement, and she moved in shortly after we closed. A year later, another friend was going through a breakup, and since we had the 400-square-foot bonus room, she converted it into a bedroom."

With the two roommates, the couple cut their mortgage payments approximately in half. The house dates from 1952, and the extra cash has allowed them to follow the rule of thumb of investing 1-3% of their purchase price into maintenance.

"The income has helped us save money, and we use it for home improvements," she says. "For example, we updated our fence, there's an electrical panel we probably need to replace, and we'll have to upgrade our HVAC in the coming years."

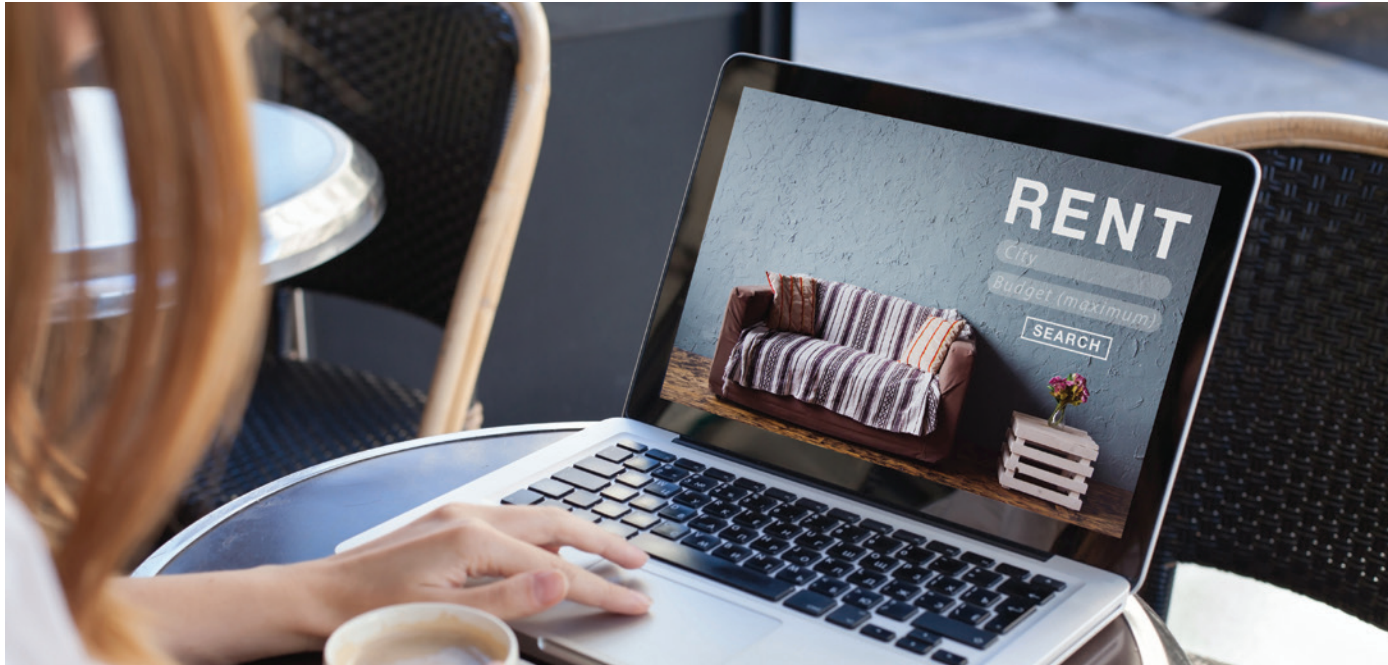
THE FINISHED BASEMENT

Finished basements provide more privacy than sharing rooms in a home, ideally if they have a separate entrance. If the basement has features like a kitchenette and multiple bedrooms, all the better, as it may bring in more rent money.

If the investor has a family, she can live upstairs and rent out the basement. If she lives alone, she may save by living in the basement and renting the larger, upper floors to a family or roommates.

MULTIFAMILY HOUSING

Many choose to go big: invest in properties with two, three, or four units (duplexes, triplexes, or fourplexes), live in one themselves, and rent the others. (Anything above four units gets into commercial real estate, which presents a higher degree of difficulty.) The more units, the more income, so



if their expenses allow it, investors can generate cash flow after making mortgage payments.

Single-family homes tend to appreciate more than multifamily homes because institutional investors and private buyers are competing for them, driving up prices. The premium on single-family homes may be easier to recoup than on a multifamily property.

ADDITIONAL DWELLING UNITS

Often referred to as in-law housing or guest housing, accessory dwelling units (ADUs), physically separate from the main property and often in a backyard, provide maximum privacy for both investor and renter. Not all municipalities allow ADUs, so property owners should check local regulations before buying a truckload of two-by-fours and erecting a cottage in the yard.

THE LIVE-IN FLIP

Investors willing to put in some labor can purchase a property that needs some work, live there for at least two years while making improvements, then sell it after sprucing it up. After two years, an investor can sell and pay no capital gains on the first \$250,000 of net proceeds.

NOT EVERYONE IS A HACKER

House hacking isn't for everyone. To get the benefits, one has to put in the work.

It can take some effort to find the right property in the right area. Some HOAs (homeowner associations) prohibit non-owner occupancy. Similarly, some areas don't allow for short-term rentals through popular services like Airbnb. Homes in areas with low demand, on the other hand, may be affordable but difficult to rent out.

To get the tax benefits, hackers also file the correct paperwork at tax time. They'll have to fill out Schedule E, the Supplemental Income and Loss form, and account for expenses to maximize their savings.

THERE ARE DOWNSIDES TO HACKING, INCLUDING:

- Unrealistic expectations about rents. The house hacker is ultimately responsible for the mortgage so if rents fall short, the investor needs to make up the difference.
- Vacancy periods need to be taken into account. Again, the property owner needs to pay the mortgage monthly.
- Loss of privacy. Those with children may be wary of having unfamiliar people around.
- The house hacker has to assume the costs of all repairs.
- Renters have rights and rental property owners and operators have to respect those rights.
- Evicting an unpleasant or unruly renter can be a difficult process.

Being a rental property provider isn't for everyone. Renter screening is an important part of the success of any property owner. House hackers can hire agencies to perform background checks and credit checks for potential renters, as well as verify their income. For house hackers, it's crucial to find the right renter, since they are sharing space.

Mynd serves the single family residential real estate sector with a combination of on-the-ground experts and innovative technology. The company manages approximately 8,000 units in 16 markets nationwide (including the East Bay) and plans to expand into additional markets so investors, regardless of their geographic location, can expand their investment portfolios. *Learn more at mynd.co.*

Original story appeared Oct. 11, 2021 at mynd.co/knowledge-center/house-hacking-the-property-investment-game

Mynd serves the single family residential real estate sector with a combination of on-the-ground experts and innovative technology. The company manages approximately 9,500 units in 16 markets nationwide (including the East Bay) and plans to expand into additional markets so investors, regardless of their geographic location, can expand their investment portfolios. [Learn more at mynd.co](https://mynd.co).

Tax Talk

ASK THE EXPERT



Geraldine Serrano, a specialty tax consultant with Veracity, has been helping real estate investors reduce their tax liability and increase their cash flow since 2014.

I wish so badly that I owned a crystal ball and could see the future of tax legislation. Unfortunately, all we can do is watch and wait.

What should rental property do now in order to maximize deductions/minimize tax burden for the 2021 tax year?

My favorite tax mitigation strategy for residential property owners is cost segregation. Cost segregation is the process of breaking down a rental property into its component parts and reclassifying them for tax purposes. The benefit from cost segregation is accelerated depreciation, which will help reduce taxable income in the near term. The amount of accelerated depreciation an investor can take via cost segregation depends on a multitude of factors, including whether or not the property is new construction or an existing building, the date it was placed in service as a rental property, the condition of the property and even where the property is located. An experienced cost segregation provider, like myself, will be able to assist the real estate investor in navigating the complexities of a cost segregation study.

What rental property-related tax changes are on the horizon for 2022, and how should rental property owners prepare for them?

I wish so badly that I owned a crystal ball and could see the future of tax legislation. Unfortunately, all we can do is watch and wait. We have heard about many new tax proposals from the new administration. No one knows if any of them will become law. Since the U.S. Senate is evenly divided 50-50, it's unlikely that any extreme tax increase

measure would be able to pass. Since we have so little clarity on what's going to happen from a tax standpoint, we need to make sure that we take advantage of the very generous existing laws surrounding real estate ownership. My advice to real estate owners for 2022 would be to BUY MORE REAL ESTATE before Congress can figure out how to eliminate the positive changes that were included in the 2017 TCJA (Tax Cuts and Jobs Act). For example, the 100% additional first-year depreciation deduction that was part of the TCJA goes away at the end of 2022, with the percentage being reduced to 80% in 2023, then to 60% in 2024, and 40% in 2025, and so on until it gets to zero. So, there's no better time than NOW to get into that next property. If you're waiting to see what's going to happen from a tax perspective, don't! Buy now and take advantage of the most generous depreciation expense environment in history before it fades away.

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INTRODUCING 2022 EBRHA BOARD NOMINEES

LUKE BLACKLIDGE

Luke is a real estate broker and has specialized in East Bay apartment buildings for over 30 years. He owns and manages several apartments in Oakland and surrounding areas. Luke has been an active EBRHA board member for 20 years, is a past president, and is the current vice president of the association. He currently chairs the EBRHA Board Nomination Committee and also serves on the Legislation and Political Action Committee.

IRINA GELFENBEYN

An Oakland-based housing provider and longstanding member of the EBRHA Board, Irina has played an active role in various committees and functions, including legislation, events, membership, and communications. Irina is currently the second vice president of EBRHA and serves as the association's Branding and Marketing Communications Committee chair.

CARMEN MADDEN

Carmen is a resident of Oakland and also owns commercial and residential property in the city. Carmen has

been a part of the EBRHA Board since 2013 and currently serves on the Programs and Content and Board Nomination Committees. She often teaches the Rental Property Management series at EBRHA and loves advising and working with EBRHA members on various property management issues. Carmen is also an educator at Ohlone College and is the writer, producer, and director of the independent film Everyday Black Man. Carmen thoroughly enjoys being a part of the EBRHA community and looks forward to serving another term as Board Member.

JOSHUA POLSTON

Joshua Polston is a small property owner, micro-developer, and investor in the East Bay. His background includes economic analysis, urban planning, and aviation planning. Originally from Los Angeles, Joshua came to the East Bay in 1991 to earn his bachelor's degree in political economy. Joshua regularly presents webinars on rental property management, accessory dwelling units (ADUs), and local housing laws. He currently co-chairs EBRHA's Legislation and Political Action Committee and also serves on the Programs and Content Committee.

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The Office of Chief Trial Counsel reviews complaints of unethical conduct by attorneys licensed to practice in California (this includes Rent Board hearing officers and tenant attorneys engaged in suspicious misconduct). To file a complaint, go to calbar.ca.gov, find the "Quick Links" on the left side, and then click on "Attorney Complaints" and complete the application.

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Last Look

GIVING THANKS



CLOCKWISE FROM TOP LEFT: Adapt Dwellings exhibit/exhibitor; the Trade Expo floor; EBRHA CEO Derek Barnes; EBRHA team members; EBRHA Board President Wayne Rowland

On Sept. 29, more than 200 attendees, 50 sponsor-exhibitor representatives and eight industry experts and presenters gathered at the beautiful Sequoyah Country Club in Oakland for EBRHA 360 Trade Expo 2021. The immersive, multisensory experience featured an array of service providers, dynamic panel discussions, insightful industry presentations, networking op-

portunities and seasonal food and beverages, setting the stage for a new era of EBRHA excellence and innovation in support of those in the rental housing industry. What's more, a silent auction and expo ticket sales, in combination with EBRHA's community forward fundraiser, raised more than \$10,000 toward a \$15,000 goal for four non-profits: Bay Area Community Services, Housing Consortium of the East Bay,

Richmond Promise and SHELTER, Inc. EBRHA's community-forward campaign will continue to raise money for these organizations through November, so visit igfn.us/form/tSNXww or text "expofund" to 41444 to donate today.

EBRHA is grateful for the continued support and commitment from our community of East Bay housing and service providers. Thank you, and see you next year!



City of Oakland Rent Adjustment Program *Announcements*

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250 Frank H. Ogawa Plaza Suite 5313
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oaklandca.gov/RAP
rap@oaklandca.gov
(510) 238-3721

CPI

Effective July 1, 2021, to June 30, 2022, the CPI is 1.9%.

Contemplating a rent increase above the CPI? Contact the Rent Adjustment Program.

Oakland's Emergency Moratorium

California's Eviction Moratorium expired on September 30, 2021. However, Oakland's Emergency Moratorium will continue to prohibit most evictions, rent increases beyond the CPI, and late fees on covered units until the City Council lifts the local emergency.

For questions about Oakland's Emergency Moratorium, contact a RAP Housing Counselor at 510-238-3721 or rap@oaklandca.gov.

Emergency Rental Assistance Program

Beginning October 1, 2021, the City of Oakland's Emergency Rental Assistance Program (ERAP), administered by Keep Oakland Housed (KOH), has reopened for new applications. Property owners may apply for rental assistance at bit.ly/Oakland-rent-help or call 510-238-6182.

Questions about the eviction/
rent increase moratorium?

Ask Before You Act!

Contact a Rent Adjustment Program Counselor!

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