

CITY OF MOUNTAIN VIEW

MEASURE D

Shall the City Charter be amended to: prohibit paying Rental Housing Committee (RHC) members; clarify the RHC independently implements the Community Stabilization and Fair Rent Act and related initiatives delegated by the City Council; clarify the City Council may remove RHC members for reasons including misconduct; allow annual rent increases up to 4%; authorize additional rent increases for critical housing improvements like seismic retrofits; clarify mobile homes are exempt; and make technical revisions?

YES
NO

CITY ATTORNEY'S IMPARTIAL ANALYSIS OF MEASURE D

This measure is a charter amendment that would modify the Community Stabilization and Fair Rent Act (CSFRA). Currently, the CSFRA limits rent increases in most multi-family buildings constructed before 1995 and regulates the reasons for evicting a tenant in most multi-family buildings constructed before 2017. The Rental Housing Committee (RHC) oversees implementation of the CSFRA.

Under the measure, the RHC would be prohibited from paying themselves. The measure would clarify that the RHC is a part of the City and not a separate legal entity. The RHC would continue to implement the CSFRA with City employees and/or contractors, and the RHC would be authorized to implement other ordinances passed by the City Council.

Currently, the City Council appoints City residents to the RHC. The measure would allow the City Council to appoint non-residents to the RHC if they own or manage property regulated by the CSFRA and would clarify that the City Council may remove members of the RHC. The measure would also clarify that the City Council is not required to provide funds to the RHC or to implement the CSFRA.

The measure would discontinue annual rent increases based on the consumer price index and instead allow rent to increase each year by up to 4%.

Under the measure, the RHC must create rules to allow landlords to recover costs from specific capital improvements through temporary rent increases. The RHC would publish a list of eligible capital improvements that are necessary to comply with health and safety regulations that improve environmental sustainability or that extend the useful life of a building. Luxury improvements would be excluded from the cost recovery procedure. Temporary rent increases for capital improvements could not be charged until the improvement was completely constructed and could not result in a total annual rent increase above 10%.

The measure includes a new exemption to expressly exclude mobile homes and mobile home spaces from regulation under the CSFRA and clarifies that the City Council may adopt ordinances that provide greater protections for individuals who rent their primary residence.

The measure includes additional technical amendments for clarity and to comply with the Ellis Act and other state laws. Under the measure, a duplex would be exempt from the CSFRA only if it were the only building

CITY ATTORNEY'S IMPARTIAL ANALYSIS OF MEASURE D-Continued

on a single property; senior housing facilities would be exempt when qualified as tax-exempt such as a 501(c)(3); and units that are subject to a recorded regulatory agreement that guarantees affordability for extremely low, very low and low income tenants as defined in state law would be exempt.

This measure was placed on the ballot by the City Council.

The above statement is an impartial analysis of Measure D. If you desire a copy of the measure, please call the City Clerk at (650-903-6304) and a copy will be mailed at no cost to you. Copies are also available in the City Clerk's Office and on the City's website at www.mountainview.gov.

Submitted by:

Krishan Chopra
City Attorney, City of Mountain View

ARGUMENT IN FAVOR OF MEASURE D

Vote Yes on Measure D to allow critical earthquake and other safety upgrades for older apartments while keeping rents affordable and preventing displacement of Mountain View residents.

Since 2016, our City's rent control law has provided stability to 15,000 families, but technical fixes are needed to close unintended loopholes. Only you, the voters, have the power to close those loopholes.

Measure D is a balanced solution supported by a broad coalition. Vote YES to:

- **Reasonably limit rent increases.** Current law allows increases up to 5%; Measure D lowers that to 4%.
- **Protect affordable housing from being demolished.** Since 2016, we've lost hundreds of older apartments to demolition. Measure D creates a fair process to improve older apartments while protecting tenants from excessive rent increases.
- **Make older apartments earthquake safe.** Current law discourages landlords from making older buildings safer, endangering low-income renters. Measure D allows critical safety upgrades without overburdening renters.
- **Prevent abuse.** Current laws give Rental Housing Committee Members unfettered access to City funds to cover cost overruns. Measure D safeguards our tax dollars with reasonable checks and balances.
- **Limit the unelected Rental Housing Committee** from paying itself a salary or pension.
- **Protect mobile homes.** Measure D allows the City Council to adopt mobile home rent control without endless lawsuits. The Council is scheduled to adopt strong, legally sound mobile home protections in early 2020.

Measure D gives Mountain View renters the strongest protections in Santa Clara County; even stronger than the protections recently adopted by the State Legislature.

Vote Yes on Measure D to join a broad coalition including the Mountain View City Council, local residents, housing advocates, and educators to protect renters, defend the City from fiscal and bureaucratic abuse, and retain Mountain View's diversity.

Gregory H. Cooper
President, Mountain View Professional Firefighters Local 1965

Margaret Abe-Koga
Councilmember, City of Mountain View

Chris Clark
Councilmember, City of Mountain View

Jose Gutierrez, Jr.
Mountain View Whisman School District Trustee/Renter

L J Gunson, III
Renter

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE D

Mountain View's current voter-approved renter protections provide affordable rents, fiscal accountability, and are fair and reasonable to landlords, renters and the community.

Measure D is designed to weaken renter protections, increase the cost of housing, and give landlords higher rent increases than any allowed under current law.

- **Measure D does NOT improve earthquake safety.** *Measure D is written so landlords can charge residents for property investments but does NOT actually establish new safety rules.*
- **Measure D does NOT keep rents affordable.** *4% annual rent increases are guaranteed while additional rent increases for non-safety property upgrades **could total 10%--nearly triple** annual increases allowed today!*
- **Measure D will NOT protect residents from displacement.** *Social Security increase next year is 1.6%; inflation has ranged from 2.4%-3.6% since 2012--**unaffordable rent increases of 10% will increase displacement!***
- **Measure D is NOT needed to prevent paying the Rental Housing Committee (RHC).** *RHC members have never been paid!*
- **Measure D is NOT needed to safeguard taxpayers from "unfettered RHC access" to City funds.** *Current law allows the City to **reject** funding requests from the RHC!*
- **Measure D does NOT prevent apartment demolitions.** *City Staff reports more demolitions happened before current rent control than afterward. Studies show cities without rent control have comparable or higher demolition rates.*
- **Measure D does NOT protect Mobile Home residents.** *City Council's scheduled 2020 action is a study session. This does NOT guarantee protections will be provided.*

Measure D is unfair and unnecessary. **Vote NO on Measure D!**

Tamara Wilson
President, Mountain View Whisman School District

Alex Núñez
Mountain View Spanish Leadership Academy Graduate

Trey Bornmann
President of Mountain View Mobile Home Alliance

Patricia (Pat) Showalter
Former Mayor & Councilmember, City of Mountain View

Anthony Chang
Founding member, Mountain View Homeowners Against Displacement

ARGUMENT AGAINST MEASURE D

Vote NO on Measure D to maintain Mountain View's current renter protections and keep working families and seniors in their homes.

If passed, Measure D would result in higher rents, increased displacement of residents, and would give non-resident landlords new powers to interfere in our community.

Measure D unfairly increases Mountain View's already high housing costs

- Annual rent increases are currently limited to the inflation rate, most recently 3.5%
- Measure D allows landlords an arbitrary flat rate increase of 4% every year--*higher than any increase ever allowed by current renter protections in Mountain View*
- Measure D's fine print allows landlords to charge residents for expensive property upgrades beyond those required for safety; **this could result in total annual rent increases of 10%--nearly triple what residents pay today**

Measure D would increase the displacement and loss of Mountain View residents

- Measure D's increased housing costs would force working families and seniors out of Mountain View
- Measure D would cause the displacement of service workers that everyone depends on including teachers, nurses, and firefighters
- Measure D ends the possibility of rent protections for Mountain View's mobile home residents under our current law

Measure D is unnecessary; current protections are working

- Measure D says Rental Housing Committee (RHC) members shouldn't get paid for their service, even though no payments to members have ever been made
- Current protections *already* allow landlords to request rent increases from residents to pay for present and future city required upgrades like seismic retrofits
- Measure D allows non-resident landlords to serve on the RHC over actual Mountain View residents

Measure D is unfair and unnecessary. Current law protects the economic well-being of nearly half of Mountain View's 35,000 households. Don't risk harming our diverse community.

Vote **NO** on Measure D!!

Sally J. Lieber
Former Mayor and State Assemblywoman

REBUTTAL TO ARGUMENT AGAINST MEASURE D

Mountain View's rent control law has served our city well since 2016.

Measure D's modest changes were drafted after extensive public discussions to preserve and enhance Mountain View's renter protections, close loopholes that have led to expensive lawsuits, and preserve affordable housing.

VOTE YES on Measure D to Protect Renters and Taxpayers

- A YES vote **keeps the Rental Housing Committee balanced and accountable** by requiring members to abide by the City's Code of Conduct and not pay themselves. Council can only appoint non-Mountain View rental property owners if there aren't enough qualified Mountain View applicants.
- A YES vote **limits rent increases** to 4% per year, and those increases aren't automatic. Measure D lowers the maximum annual rent increase from 5% to 4% and preserves other existing limits that are working well.
- A YES vote **prevents displacement of long-term residents** by encouraging landlords to invest in older apartments instead of tearing them down. It does this while prohibiting excessive rent increases.
- A YES vote **ends uncertainty about protecting mobile homes**. Courts have ruled our current law doesn't cover mobile homes. Measure D clears the way for Council to pass legally sound mobile home renter protections in early 2020.
- A YES vote **makes apartments safer** by encouraging landlords to make earthquake and other safety improvements without large rent increases.

Vote YES on Measure D to join Mountain View city leaders, educators, renters, and homeowners who recognize that **VOTING YES ON MEASURE D** will preserve affordable housing and prevent displacement of long-term renters.

Learn more at www.VoteYesOnD.com

John McAlister
Councilmember, City of Mountain View

Fiona N. Walter
Mountain View/Los Altos High School District Trustee

William Cranston
City of Mountain View Environmental Planning Commissioner

Christopher Chiang
Former Mountain View Whisman School District Trustee and Mobile Home Park Resident

Cleave Frink
Parent/Renter