



# Memorandum

**TO:** RULES AND OPEN  
GOVERNMENT COMMITTEE

**FROM:** Leslye Corsiglia

**SUBJECT:** ADVISORY COMMISSION ON  
RENTS 2011 ACCOMPLISHMENTS

**DATE:** March 26, 2012

Approved

Date

3/28/12

## RECOMMENDATION

It is recommended that the Rules and Open Government Committee approve the Advisory Commission on Rent's (ACR) 2011 report.

## OUTCOME

With the acceptance of its 2011 report, the ACR will continue to discuss and work on specific issues to study, review, evaluate, and make recommendations to Council and the Department of Housing regarding the City's Rental Rights and Referrals Program (RRRP).

## BACKGROUND

The ACR oversees the operation of the Rental Rights and Referrals Program's mediation and arbitration process as set forth in Section 2.08.200 of the San José Municipal Code. The Commission recommends to Council any changes and/or amendments which may be deemed necessary to insure the successful operation and administration of Rental Rights and Referrals Program Mediation and Arbitration, Section 17.23 of the San José Municipal Code. The Commission may also make recommendations to Council and Administration regarding the staffing and funding necessary to operate and maintain the rental dispute mediation and arbitration hearing process.

As part of the effort in 2007 to streamline operations and staffing for the City's existing boards and commissions, Council approved the recommendation to implement a new workplan and annual report template that each Board/Commission would use to prepare and focus on specific priorities, allowing direct and concise direction to the members of the bodies, while managing the time of the City support staff.

**ANALYSIS**

In 2011, the ACR met four times including a day-long retreat (See Attachment A). In addition, two of the ACR Commissioners participated in a RRRP Budget Sub-Committee meeting with two members of the Mobilehome Advisory Commission to provide recommendations on the program's annual fees. The Commissioners heard 14 presentations related to the RRRP. The vast majority (15) of the Commission's agenda items were from the workplan, while the remaining three items were within the Commission's purview.

/s/

LESLYE CORSIGLIA  
Director of Housing

For more information contact Leslye Corsiglia, Director of Housing, at (408) 535-3851

**Attachment A: Advisory Commission on Rents  
2011 Report**

<b>Date</b>	<b>Agenda Items</b>	<b>Action (Motion/Presentation/Report)</b>	<b>2011 Work Plan</b>
<b>January 20, 2011</b>	Legal Review/Update	<b>CAO presentation</b> on a December 2010 court decision regarding rent control in mobilehome parks with Commission discussion.	<b>Yes</b> (Litigation & Legal Report)
	RRRP Quarterly Report	<b>Staff presentation</b> with Commission discussion	<b>Yes</b> (Quarterly Report)
	Presentation on Brown Act, Sunshine and Conflicts	<b>CAO presentation</b> and Commission discussion.	<b>NA</b>
	Rental Housing Trends	<b>Presentation</b> by the California Apartment Association on the rental housing market and home sales in Santa Clara County and Commission discussion.	<b>Yes</b> (Rental Market Update)
<b>March 28, 2011</b>	RRRP Budget Sub-Committee meeting	<b>Sub-committee consisting of two members of the ACR and two members of the Mobilehome Advisory Commission.</b> The Commissioners voted to support staff's recommendation to keep the RRRP fees the same as in the previous year.	<b>NA</b>
<b>April 21, 2011</b>	RRRP Quarterly Report	<b>Staff presentation</b> with Commission discussion.	<b>Yes</b> (Quarterly Report)
	Landlord Challenges	<b>Presentation</b> by a representative from Westwood Properties on landlord challenges including normal wear and tear, remodeling, rents, and difficult tenants	<b>NA</b>
	Status and Conditions of rental properties under the Apartment Rent Ordinance	<b>Code Enforcement presentation</b> with Commission discussion.	<b>Yes</b> (Code Enforcement Buildings Structure Presentation)
	General Plan/Envision 2040 Update	<b>Staff presentation</b> with Commission discussion	<b>Yes</b> (Envision San Jose 2040 General Plan Update)
<b>July 21, 2011</b>	RRRP Quarterly Report	<b>Staff presentation</b> with Commission discussion.	<b>Yes</b> (Quarterly Report)
	Tenant Health and Safety Issues Concerns	<b>Presentation by Legal Aid Society</b> on tenant health and safety concerns with Commission discussion.	<b>Yes</b> (Landlord/Tenant Issues)

**Attachment A: Advisory Commission on Rents  
2011 Report**

<b>October 22, 2011</b>	Legal Review/Update	<b>CAO presentation</b> on AB 818, which would require recycling services for tenants at certain multi-family housing developments, and SB 332, which would implement stricter smoking restrictions at residential rental properties, with Commission discussion.	<b>Yes</b> (Litigation & Legal Report)
	RRRP Quarterly Report	<b>Staff presentation</b> with Commission discussion	<b>Yes</b> (Quarterly Report)
	Foreclosure update	<b>Staff presentation</b> with Commission discussion	<b>Yes</b> (Foreclosure update)
	RRRP Mediation Process	<b>Presentation</b> by one of the RRRP's Hearing Officers with Commission discussion.	<b>Yes</b> (Update on Mediation Services)
	Nominations and elections for ACR Chair & Vice-Chair and Joint Budget Subcommittee Representatives	The Commission elected Commissioner Padilla as Chair of the ACR and Commissioner Coombs as Vice-Chair.  The Commission elected Commissioners Fitzgerald and Ashok to the Joint Budget Subcommittee.	<b>Yes</b> (Nomination and elections chair and vice-chair)  <b>Yes</b> (Nomination of two representatives for the Budget Subcommittee)
	2012-13 Workplan	The Commission developed the ACR workplan for 1/1/12 - 6/31/13	<b>Yes</b> (Work Plan 2010/11)