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# Update on Measure V and Urgency Ordinance on Just Cause Terminations

[www.mountainview.gov/rentstabilization](http://www.mountainview.gov/rentstabilization)

## Measure V Temporarily Halted— Just Cause Eviction Urgency Ordinance Remains in Effect

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- Measure V, including the Rent Roll Back and Rent Stabilization provisions, is temporarily on hold per Temporary Restraining Order issued on December 22, 2016
- Landlords need to continue to comply with Just Cause Termination provisions under the Urgency Ordinance

In the meantime, the  
**Rental Housing Dispute Resolution Program**  
remains in full force and effect:  
[www.mountainview.gov/disputeresolution](http://www.mountainview.gov/disputeresolution)

# Background

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February, 2010

- Tenant Relocation Assistance Ordinance

January 7, 2016

- Right to Lease Ordinance

May 26, 2016

- Rental Housing Dispute Resolution Program

June, 2016

- Signatures submitted to put Measure V on ballot

November 8, 2016

- Election day: Measure V received majority votes

November 15, 2016

- Just Cause Urgency Ordinance

December 22, 2016

- Temporary Restraining Order on Community Stabilization and Fair Rent Act (CSFRA) but NOT on Just Cause Urgency Ordinance

# Rental Units covered under Just Cause:

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First Certificate of Occupancy:	Rent Increases	Just Cause	Rent Roll Back
Before February 1, 1995	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>
Between February 1, 1995 & December 23, 2016	No	<b>Yes</b>	No
After December 23, 2016	No	No	No
<b>Exempt:</b> <ul style="list-style-type: none"> <li>✓ Single Family Homes</li> <li>✓ Condominiums</li> <li>✓ Companion Units</li> <li>✓ Duplexes</li> <li>✓ Units in hotels, motels, etc. rented out for less than 30 days</li> <li>✓ Units in hospital, medical care facility, dormitory, etc.</li> <li>✓ Government or subsidized rental units</li> </ul>	No	No	No

# Just Cause Terminations

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## **BEFORE:**

State Law allows “no cause” 30/60 day termination notice.

**NOW** landlord only permitted to issue **termination notice** permitted for the following reasons (**causes**):

1. Failure to pay rent
2. Breach of lease
3. Nuisance
4. Criminal activities
5. Failure to give access

# Just Cause Terminations

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**AND ALSO** a landlord is permitted to issue a **termination notice** for the following reasons (**causes**):

6. Temporary vacancy due to necessary/substantial Repairs
7. Owner move-in
8. Withdrawal units from market
9. Demolition

# Just Cause Terminations

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## WHAT IS NEW?

### **Written Notice to Cease required for causes #2-5**

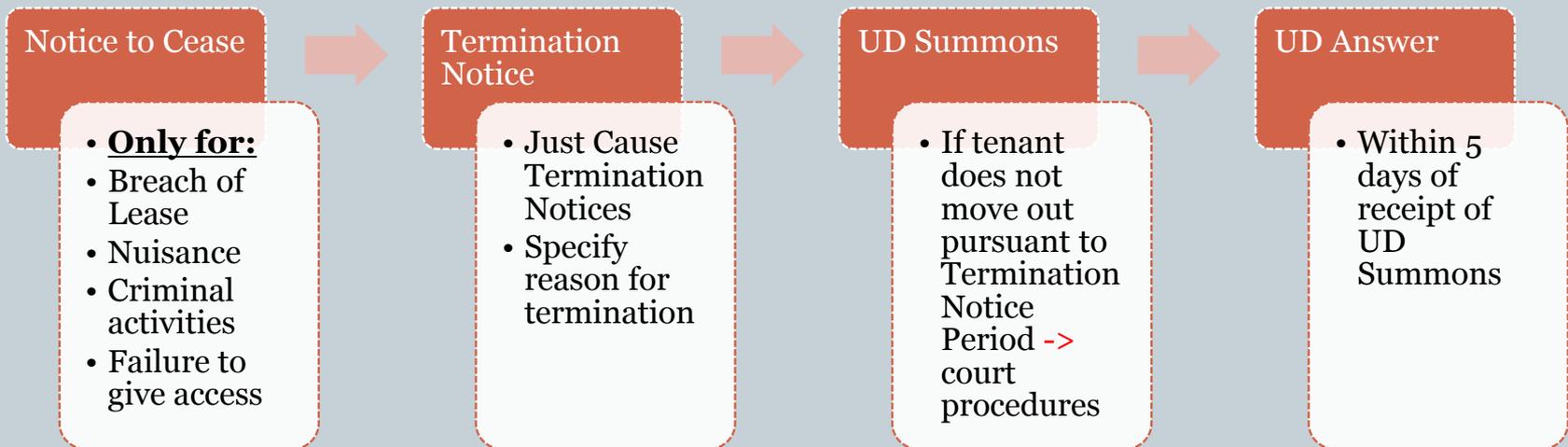
to give tenant the opportunity to cure an alleged violation or problem prior to the service of a Notice to Terminate. Notice to Cease must:

- (1) Provide tenant reasonable period to cure
- (2) Inform tenant that failure to cure may result in the initiation of eviction process
- (3) Inform tenant of right to request reasonable accommodation
- (4) Inform tenant of City contact number (650) 903-6379
- (5) Include sufficient details about underlying conduct that allows a reasonable person to comply

# Just Cause Terminations

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## “Just cause” termination process:



# Just Cause Terminations

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1. Failure to Pay Rent:
  - After proper service of three (3) day notice to pay rent or quit, provided rent is legally due

# Just Cause Terminations

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## 2. Breach of Lease

- Written Notice to Cease
- Substantial violation of terms
- Lease terms reasonable and legal and signed by tenant
- **Subleasing** – not a violation if:
  - Tenant remains in unit
  - Sub-tenant replacement 1:1
  - LL unreasonably withheld approval
  - Close relative or domestic partner of Tenant

# Just Cause Terminations

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## 3. Nuisance

- Written Notice to Cease
- A substantial interference with peace and quiet of other persons living in vicinity

# Just Cause Terminations

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4. Criminal Activities
  - Written Notice to Cease
  - Behavior so disorderly that it destroys the peace and quiet or threatens the safety of other tenants or landlord, including violations of state or federal law

# Just Cause Terminations

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5. Failure to give access
  - Written Notice to Cease
  - Tenant without good cause refuses to allow landlord access to property which is authorized under state or local law

# Just Cause Terminations

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6. Temporary vacancy due to Substantial Repairs:
  - Necessary repairs over 30 days to comply with health and safety code, provided tenant is given option to relocate to comparable unit or right of first refusal to return to current unit
  - Rent maintained at prior level
  - Necessary repairs need to be initiated within 2 months of Notice
  - Otherwise tenant right of return to his/her unit for same rent and seek civil remedies
  - Tenant Relocation assistance is applicable

# Just Cause Terminations

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## 7. Owner Move-in:

- Natural person with at least 50% ownership
- Notice must include name/relationship to landlord
- Does not apply to tenant of over 5 years, and 62 or disabled or terminally ill
- Owner move-in needs to be initiated within 2 months of Notice and remain at least 6 months in unit
- Otherwise tenant right of return to his/her unit for same rent and seek civil remedies
- Tenant Relocation Assistance is applicable

# Just Cause Terminations

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8. Permanent Removal of all units from rental market:
  - 120 day notice required
  - 1 year notice for seniors or disabled
  - Removal of units needs to be initiated within 2 months of Notice
  - Otherwise tenant right of return to his/her unit for same rent and seek civil remedies if unit is not removed
  - Tenant Relocation assistance is applicable

# Just Cause Terminations

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## 9. Demolition:

- All permits need to be obtained
- Notice as required by state law
- Demolition needs to be initiated within 2 months of Notice
- Otherwise tenant right of return to his/her unit for same rent and seek civil remedies if rental unit is not demolished
- Tenant relocation assistance is applicable

# Tenant Relocation Assistance

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In Just Cause termination cases (#6-9 above), tenants **may** be eligible for tenant relocation assistance if Household Income is not greater than **120% AMI**

## Includes:

- Refund security deposit
- 60-day subscription to Rental Agency
- 3-months median rent for similar unit in MV
- \$3000 for special circumstances: seniors, minors, disabled

# First Right of Return

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- In Just Cause termination cases (#6-9 above), tenants have **right of first return** if their unit is returned to market by current or successor landlord.
- Rent shall be amount at time of termination notice.

# Just Cause Terminations

## Requirements:

- All termination notices must specify the basis for the termination
- Any unlawful detainer action must allege compliance with the Urgency Ordinance
- Tenant may not be terminated for rightfully exercising his/her rights
- Termination notice must be filed with the City of Mountain View (Housing & Neighborhoods Dept., 500 Castro Street, Mountain View, CA 94040) within 3 days of serving notice to tenant

# Services for both Landlords and Tenants

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## City Resources:

**Website:** [www.mountainview.gov/rentstabilization](http://www.mountainview.gov/rentstabilization)

**Updates:** [www.mountainview.gov/mymv](http://www.mountainview.gov/mymv)  
check “Rent Stabilization updates”

# Services for both Landlords and Tenants

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Mountain View Rental Housing Helpline: (habla espanol)  
(Information, Review your issues, options, resources)

**Tel:** (650) 282-2514

**Email:** [ehislop@housing.org](mailto:ehislop@housing.org)

**Weekly Office Hours** at City Hall, resuming January 5:

Mondays 11am-1pm

Thursdays 12pm-2pm