



COMMUNITY DEVELOPMENT AGENCY
HOUSING AND FEDERAL GRANTS DIVISION

August 21, 2018

Board of Supervisors
County of Marin
3501 Civic Center Drive
San Rafael, California 94903

SUBJECT: Merit Hearing of proposed ordinance to amend Chapter 5.95 of the Marin County Code, titled Rental Housing Dispute Resolution, to simplify the eligibility criteria and clarify certain provisions that describe Good Faith participation and notice requirements.

Dear Board Members:

RECOMMENDATIONS:

1. Conduct the Merit Hearing and consider approval of an ordinance amending the County's Rental Housing Dispute Resolution program.

SUMMARY:

The County's Rental Housing Dispute Resolution program was established to provide mandatory mediation services for landlords and tenants who are party to a rent increase and/or change in Housing Services¹ equivalent to a rent increase greater than 5% over a 12-month period. Since implementation of the program in January 2018, all applicants have requested program services based on monetary increases in rent; no applicants have asserted reductions in Housing Services to establish eligibility for program participation. To simplify the eligibility determination process, and thereby promote greater transparency and clarity for all parties, staff recommends that the program be amended to allow eligibility determinations to be based solely on changes in monetary rent.

The proposed amendment also includes revisions intended to clarify specific provisions of the ordinance that describe Good Faith participation in the program and notice requirements. These revisions do not constitute a diversion from the existing legal implications of the ordinance; they are submitted only to create a document that is more comprehensible for a broader audience.

CONCLUSION:

Staff recommends that your Board adopt the proposed revisions to the Marin County Code Chapter 5.95, "Rental Housing Dispute Resolution," to promote greater transparency and clarity for the public.

¹ "Housing Services" are those provided for and associated with the use or occupancy of a dwelling unit including, but not limited to, repairs, replacement, maintenance, painting, light, heat, water, elevator service, laundry facilities and privileges, janitorial service, removal of refuse and recycling, furnishings, telephone, utilities, parking, storage, and any other benefits, privileges, or facilities.

FISCAL/STAFFING IMPACT:

To date, the District Attorney's Office and CDA have implemented and administered the Rental Housing Dispute Resolution program within existing staffing and monetary resources. Participants do not pay a fee for services. If the volume of requests increases to exceed current capacities, staff will work with the County Administrator's Office (CAO) to develop potential program funding opportunities for consideration by your Board. If cities and towns choose to expand the dispute resolution program to their jurisdictions, the Consumer Protection Unit would likely require additional staffing. Staff would collaborate with the CAO and those jurisdictions to develop a cost-sharing agreement.

REVIEWED BY:

- | | |
|--|---|
| <input type="checkbox"/> Auditor Controller | <input checked="" type="checkbox"/> N/A |
| <input checked="" type="checkbox"/> County Counsel | <input type="checkbox"/> N/A |
| <input type="checkbox"/> Human Resources | <input checked="" type="checkbox"/> N/A |

Respectfully submitted,



Debbi La Rue
Planner



Brian C. Crawford
Director

ATTACHMENTS:

1. Ordinance amending County of Marin Code of Ordinance Chapter 5.95, Rental Housing Dispute Resolution.
2. Track-changed document identifying amendments to Ord. 3680, titled Rental Housing Dispute Resolution.
3. Staff report from First Reading, August 7, 2018.