

City of Santa Rosa



Legislation Details

File #: 19-0803 **Version:** 1 **Name:** Ord Amending Ch10-44 of City Code Price Gouging
Type: CC- Report **Status:** Agenda Ready
File created: 10/4/2019 **In control:** City Council
On agenda: 12/10/2019 **Final action:**
Title: REPORT - POTENTIAL TERMINATION OF THE CITY'S TEMPORARY PROHIBITION ON RENTAL HOUSING PRICE GOUGING THROUGH REPEAL OF CHAPTER 10-44 OF THE CITY CODE

BACKGROUND: In response to reports of price gouging following the October 2017 wildfires, the Council adopted Urgency Ordinance ORD-2017-020 adding Chapter 10-44 to the City Code. Chapter 10-44 established a temporary prohibition on rental housing price gouging as well as associated limitations on tenant evictions. By its initial term, the Ordinance was to remain in effect until April 18, 2018. The term of the Ordinance was extended twice, and remains in effect at this time.

In general, the Ordinance places a ten percent cap on residential rental increases over the life of the Ordinance. Specifically, the Ordinance prohibits any person from increasing rent on any dwelling unit, vacation rental, hotel or motel room more than ten percent above the rental price charged on October 9, 2017. In addition, the Ordinance prohibits a landlord from evicting an existing tenant or terminating an existing lease or rental agreement and subsequently renting or leasing the same unit for more than the rental price of the unit in the thirty day period immediately preceding October 9, 2017. A landlord may obtain limited relief from these provisions if he or she can establish that the excess is directly attributable to additional costs resulting from the labor or materials necessary to provide the rental or in certain other defined circumstances.

In November 2018, at the time of Council's last consideration of the price gouging ordinance, it directed that the Ordinance be continued in effect "until at least October 9, 2019, at which time it shall be subject to review by the City Council at a regularly scheduled Council meeting." This agenda item is the opportunity for that review.

RECOMMENDATION: Pursuant to Council request, it is recommended by the City Attorney that the Council consider whether to repeal Chapter 10-44 of the Santa Rosa City Code. Repeal of Chapter 10-44 would terminate the City's temporary prohibition on rental housing price gouging and associated temporary limitations on tenant evictions, originally adopted following the 2017 wildfires.

Sponsors: City Attorney

Indexes: Not a Project

Code sections:

Attachments: 1. Staff Report, 2. Attachment 1 - Late Correspondence (Uploaded 12/9/2019), 3. Late Correspondence (Uploaded 12-13-2019), 4. Ordinance, 5. Presentation

Date	Ver.	Action By	Action	Result
12/10/2019	1	City Council	introduced on first reading	Fail
12/10/2019	1	City Council	introduced on first reading	Pass