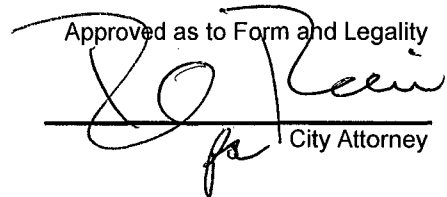


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Approved as to Form and Legality  
  
City Attorney

## OAKLAND CITY COUNCIL

RESOLUTION No. 86273 C.M.S.

Introduced by Councilmembers Rebecca Kaplan and Dan Kalb

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### RESOLUTION URGING THE STATE LEGISLATORS AND GOVERNOR TO REPEAL OR MODERNIZE THE COSTA HAWKINS RENTAL HOUSING ACT

**WHEREAS**, in 1995, the California State Legislature adopted the Costa-Hawkins Rental Housing Act (California Civil Code Sections 1954.50-1954.535), allowing a property owner to establish a new rental rate for each new tenancy, allowing unlimited increases upon vacancy and then re-control of rents, exempting certain units from rent control, including single family homes, condominiums, and Oakland homes constructed after 1983; and

**WHEREAS**, Oakland's Rent Adjustment Ordinance sets limits on residential rent increases; and

**WHEREAS**, in 2002, Oakland voters passed the Just Cause for Eviction Ordinance, which sets grounds for evictions; and

**WHEREAS**, there is a significant demand for rental housing in Oakland leading to rising rents, caused in part by the spillover of increasingly expensive housing costs in San Francisco, and the increased housing pressures for residents across a range of lower and middle income levels warrants improved rent stabilization and tenant protection policies; and

**WHEREAS**, the Costa-Hawkins law resulted in rent increases dramatically beyond the pace of inflation, and has not resulted in significant reinvestment in rent-controlled properties; and

**WHEREAS**, the reality is that Costa-Hawkins has resulted in "unwarranted" rent increases in unprotected rental units, exacerbating not only Oakland's housing crisis but regionally as well; and

**WHEREAS**, in this unprecedented housing crisis, it is important that we explore all viable options to preserve affordability, prevent displacement, and make it easier for people who work in Oakland to live in Oakland; and

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**WHEREAS**, by repealing or at least substantially modernizing the Costa-Hawkins law, thereby allowing local governments to stabilize rents through mechanisms including, but not limited to, de-exempting condominiums and post-1983 housing construction, cities will have an important tool to reduce displacement and keep rents from rising even further; now, therefore be it

**RESOLVED:** That the Oakland City Council hereby urges the California State Legislature and Governor Jerry Brown to repeal or substantially modernize the Costa Hawkins Rental Housing Act and return control to local cities, which have better understanding of the needs in their respective jurisdictions.

IN COUNCIL, OAKLAND, CALIFORNIA, *July 5, 2016*

**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, CAMPBELL, WASHINGTON, GALLO, GUILLÉN, KALB, KAPLAN, REID, AND PRESIDENT GIBSON MCELHANEY

NOES -

ABSENT -

ABSTENTION -

ATTEST:

*LaTonda Simmons*  
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California