



Tenant Move-Out Agreement Ordinance

(O.M.C. 8.22.700 et seq.)

Effective May 1, 2018, the Oakland City Council passed the Tenant Move-Out Ordinance (TMOO) which affords protections to tenants who are offered buyout agreements by their property owners. These protections apply where a tenant accepts payments in exchange for an agreement to vacate a rental unit protected by the Just Cause for Eviction provisions in Oakland Municipal Code Section 8.22.300. The vast majority of rental units are covered by the Just Cause for Eviction provisions, including some units that are not rent controlled.

Under TMOO, a tenant has the following rights when considering whether to accept a property owner's buyout offer:

- **The right NOT to enter into a buyout agreement:**
The tenant may refuse any buyout offer and the property owner is prohibited from retaliating for refusing the offer.
- **A twenty-five (25) day right to rescind:**
The tenant may rescind the buyout agreement within twenty-five (25) days after it is fully executed.
- **The right to consult an attorney:**
The tenant has the right to consult with an attorney before deciding whether to accept a buyout offer.

The City of Oakland requires that property owners make relocation payments to their tenants under certain circumstances in which the tenants are displaced or evicted through no fault of their own. These legally mandated relocation payments are not buyout agreements and do not limit the scope or applicability of a buyout agreement in any way. Tenants and property owners with questions about whether a relocation payment might be required by law and what amount is mandatory may contact the Rent Adjustment program for more information.

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