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MEMORANDUM

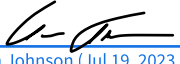
TO: HONORABLE MAYOR &
CITY COUNCIL

FROM: Emily Weinstein
Housing and Community
Development Interim Director

SUBJECT: Oakland Rent Registry Update

DATE: July 19, 2023

City Administrator
Approval


Jestin Johnson (Jul 19, 2023 10:45 PDT)

Date:
Jul 19, 2023

Introduction

On June 21, 2022, the Council adopted Ordinance No. 13695 C.M.S (“**Rent Registry Ordinance**”), which amended the Rent Adjustment Ordinance to establish a rent registry in Oakland, effective July 3, 2023. **The Rent Registry Ordinance requires rental property owners to annually report tenancy data with the Rent Adjustment Program (RAP)** and establishes that an owner’s failure to annually register tenancy data will result in denial of otherwise-allowable rent increases and will provide an affirmative defense in an eviction action.

[Oakland’s rent registry](#) is a database that allows the RAP to compile key data on rent-stabilized apartments, track allowable rent increases, monitor compliance with the city’s rent and just cause for eviction ordinances, and communicate rental unit data on a regular basis to both owners and tenants. Through collection, monitoring and dissemination of allowable rents and rent increases, the rent registry clearly establishes and makes accessible the rent limits for each covered unit. This in turn eliminates doubt regarding rent maximums and provides a clear basis for both owners and tenants to verify that their rents and rent increases comport with the Rent Adjustment Ordinance’s requirements. RAP’s Rent Registry Portal was built on Alameda County Recorder’s Office data. It includes any multi-unit property built more than 10 years ago and any single-family homes with no owner tax exemption on record.

RAP’s Rent Registry opened on May 1, 2023 with an initial deadline of July 3, 2023.

*There are more than 750 form submissions received via mail that have yet to be entered and another 700+ emails submitted (with any number of forms attached to each one) that the RAP Rent Registry Unit is processing. This report only represents online submissions.

RENT REGISTRY NUMBERS AS OF JULY 10, 2023* (May 1, 2023 through July 3, 2023)							
Estimated Properties/Units Subject to Registration		Properties/Units Reported		Properties/Units Claimed Exempt		Estimated Units not yet Reported	
Properties	Units	Properties	Units	Properties	Units	Properties	Units
48,614	113,441	13,327	42,664	2,849	3,850	35,287	70,777

RENT REGISTRY NUMBERS BY ZIP CODE								
District/ Zip Code	Estimated Properties/Units Subject to Registration		Properties/Units Reported		Properties/Units Claimed Exempt		Estimated Units not Yet Reported	
	Properties	Units	Properties	Units	Properties	Units	Properties	Units
94601	4,801	11,627	1,284	4,449	211	253	3,517	7,178
94602	3,438	6,912	1,033	2,864	291	334	2,405	4,048
94603	4,419	6,917	994	1,779	108	117	3,425	5,138
94604	2	3	0	0	0	0	2	3
94605	5,645	9,097	1,188	2,723	231	245	4,457	6,374
94606	3,581	13,361	1,339	5,834	246	325	2,242	7,527
94607	3,687	8,933	1,107	3,285	283	348	2,580	5,648
94608	3,059	6,742	843	2,230	221	258	2,216	4,512
94609	2,880	7,402	845	3,026	205	655	2,035	4,376
94610	2,997	11,225	1,029	5,270	249	297	1,968	5,955
94611	3,537	8,525	945	3,627	264	293	2,592	4,898
94612	1,344	7,425	360	2,862	69	209	984	4,563
94613	3	12	1	1	0	0	2	11
94618	2,046	3,723	603	1,442	189	210	1,443	2,281
94619	2,897	4,814	800	1,697	189	210	2,097	3,117
94621	3,939	6,312	903	1,504	69	71	3,036	4,808
Other	339	411	53	71	24	25	286	340
TOTAL	48,614	113,441	13,327	42,664	2,849	3,850	35,287	70,777

Estimated Property/Unit Data Source: Alameda County Recorder's Office

Outreach and Education

With Council's adoption of the Rent Registry in June 2022, RAP began to conduct outreach to Oakland property owners to prepare them for the upcoming registration requirement. In addition to providing an overview of the new Ordinance on its website, RAP also conducted eight informational rent registry workshops between September 2022 and April 2023; these included one workshop in Spanish and two in Chinese.

Upon launch of the rent registry in April 2023, the RAP team conducted comprehensive education and outreach to individual community members on the technical process of registering their rental units, as well as properties' rent registry requirements. RAP staff fielded high volumes of contacts from the public daily, including answering an average of 150 phone calls and responding to an average of 175 emails per week. With strong interest in engagement and requests for assistance, RAP staff pivoted to also conduct daily workshop sessions via Zoom to answer questions live and provide technical assistance. The live Zoom workshops saw an average of 65 attendees per week. Finally, in addition to conducting the daily Zoom sessions, RAP also conducted four additional "How to Register" workshops in May and June of 2023, which saw an average of 85 attendees per workshop.

Within the next few months, the RAP will continue the registration and exemption process through the portal, by email or mail. Staff expects a significant rise in compliance after the eviction moratorium ends on July 14, 2023, as property owners pursue eviction lawsuits. RAP also expects substantial compliance with the Rent Registry Ordinance of those properties covered by the Rent Adjustment Ordinance with the lifting of the rent increase moratorium scheduled for June 30, 2024.

Legal Implications if the Property Owner Failed to Register by July 3, 2023

There is no prohibition on curing a failure to register after the July 3 deadline. If property owners were not able to register by July 3, they are not prevented from registering after this deadline. There are no late registration penalty fees.

However, while property owners are not in substantial compliance with the rent registration requirements, they cannot:

- 1) legally increase rents,
- 2) evict any tenants from the residential dwelling units subject to registration, or
- 3) file or respond to a rent adjustment petition.

The RAP will dismiss any property owner petition or respond to a tenant rent adjustment petition if the property owner is not in substantial compliance with the rent registration requirements after July 3, 2023. Registration in future years will be due by March 1 annually as outlined in the Rent Registry Ordinance.

Next Steps

Looking ahead, RAP will continue to develop additional features of the rent registry to both expand access and improve the user experience for future registration cycles. Staff is working with the database developer to provide public access to limited rent registry data, and to allow property owners of larger buildings to upload tenancy data

more efficiently. Staff is also evaluating the feasibility of integrating the rent registration portal with the RAP fee online payment gateway.

The RAP team will continue to offer live rent registry workshops twice per week via Zoom to assist property owners in their registration. Live workshops occur on Tuesdays between 1 pm - 2:30 pm and Thursdays between 10:30 am - noon. Interested parties may join during the scheduled timeframes through this link:

<https://us02web.zoom.us/j/89581792400>

We encourage property owners to email RAP staff at rentregistry@oaklandca.gov if they have very specific questions, do not feel comfortable asking them at a live session, are unable to join at the scheduled times, or are seeking assistance with registering by mail. The RAP team has been providing one-one-one assistance to those property owners who are unable to register on their own.

For further information, please see the following press release distributed in early June 2023 on the Rent Registry: <https://www.oaklandca.gov/news/2023/oakland-launches-rent-registry>

HCD and the RAP team will continue providing updates and information on how to join our live sessions. More information on the rent registry can be found at: <https://www.oaklandca.gov/news/2023/rent-registration-in-oakland>.

Respectfully submitted,

Emily Weinstein

[Emily Weinstein \(Jul 18, 2023 14:16 PDT\)](#)

Emily Weinstein
Interim Director
Housing & Community Development

Attachment (1):

Attachment A: Rental Registry Data Collected

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The rental unit registration form collects the following information:

- a. The **address** of the rental unit (including rental unit number); and
- b. The **name, address, and contact information** of each person or entity that is the Rental Property Owner, or if more than one, each Rental Property Owner of the rental unit; and
- c. The name, **address, and contact information** of each person or entity that is the property manager of the rental unit; and
- d. **Current tenancy information**, including:
 - i. Tenant name and email address;
 - ii. Number of tenants occupying the unit (as listed on original lease or after adding additional occupant(s) as defined in O.M.C. 8.22.020);
 - iii. Occupancy status - if occupied, the tenancy start date (tenant move-in date);
 - iv. Effective date of last rent increase for each rental unit;
 - v. Amount of initial base rent at inception of tenancy;
 - vi. Whether the unit is subsidized or otherwise assisted;
 - vii. Amount of security deposit charged at inception of tenancy
- e. **Prior tenancy Information**, including:
 - i. Ending date of tenancy;
 - ii. Reason for end of tenancy -Voluntary, No Fault Eviction, Eviction, or Owner Move-in.
- f. **Rental Property Information** for the rental unit, including:
 - i. Number of bedrooms and bathrooms;
 - ii. Housing services included (water/sewer, refuse/recycle, natural gas, electricity, parking, etc.), along with any additional fees; and
 - iii. Whether each unit is sub-metered, master-metered, or unmetered;
- g. **The signature of the Rental Property Owner** of the rental unit affirming under penalty of perjury that the information provided in the annual registration is true and correct; and