

The Facts

Richmond Rent Control and Just Cause for Eviction Ordinance



On August 21st, 2015 the Richmond, CA City Council voted in favor of rent control and just cause for eviction protections in their city. This guide is meant to help tenants and advocates understand renters' rights under the new law.

WHEN DO RENT CONTROL PROTECTIONS START?

The Richmond Rent Control and Just Cause for Eviction Ordinance (RRCJCE) goes into effect **September 4th, 2015**.

WHAT RENTAL UNITS ARE COVERED BY RENT CONTROL?

- Rental units that were built (issued a certificate of occupancy) before February 1st, 1995 in the City of Richmond are protected by rent control, though there are some exceptions.
- The following are exempted from the ordinance and are not protected by rent control: Single family homes, condominiums, hotels and motels, school dorms, hospitals, non-profit homes for the aged, units used for child care or residential social services provided on a nonprofit basis.

CAN A LANDLORD RAISE RENT IF THE UNIT IS PROTECTED BY THE RICHMOND RENT CONTROL AND JUST CAUSE EVICTION ORDINANCE?

- Starting **September 4th, 2015**, a landlord may not raise the rent to an amount above the rent that was charged as of **July 21st, 2015** plus the annual allowable rent increase. The annual allowable rent increase will be 100% of the percentage increase in the Consumer Price Index. The last few years this increase has been between 2% or 3%.

- Each year-- by June 1st-- the rent board will announce the allowable increase that will go into effect by September 1st of that year. The first allowable annual increase will be announced no later than June 1st, 2016 and will be effective September 1st, 2016. **Thus, landlords are not able to raise rents on rent controlled units until September 1st, 2016.** *Limited exceptions apply in the following scenario:*

WHAT HAPPENS BETWEEN NOW AND SEPTEMBER 4TH? CAN MY LANDLORD LEGALLY RAISE MY RENT BEFORE SEPTEMBER 4TH?

- A landlord can only raise rent with a notice that goes into effect before September 4th, 2015. There is a window during which a landlord can legally raise rent above the rent charged July 21st, 2015. However, a landlord must serve a tenant with a 30-Day Notice if the rent increase is 9.9 % or less increase or a 60-Day Notice if the rent increase is 10% or more increase.
- **If your rent is raised before September 4th but after July 21st, on September 4th, the allowable rent must be rolled back to whatever the rent charged on July 21st, 2015.** The collection of rent of the increased rent between July 21, 2015 and September 4th, 2015, is lawful. **However, the increase will be invalid after September 4th, 2015 and must return to the rent charged as of July 21st, 2015.** If the landlord tries to collect more than the amount charged July 21st, 2015, he or she will be in violation of the RRCJCE and may be liable for attorney fees and triple the tenant's actual damages.

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TENANTS TOGETHER
California's Statewide Organization
for Renters' Rights
www.tenantsaltogether.org

WHEN DO JUST CAUSE FOR EVICTION PROTECTIONS START IN RICHMOND?

As of September 4th, 2015, a tenant may no longer be evicted without one of the just causes listed in the ordinance.

The following is a sample of some of the causes that can be cited in order to evict a tenant:

- Failure to pay rent;
- Breaching lease;
- Creating a nuisance;
- Committing illegal activities in unit;
- Taking the unit off the rental market.

WHAT UNITS ARE PROTECTED?

All rental units in the City of Richmond are covered by Just Cause requirements listed in the RRCJCEO. There are no exemptions.

WHAT IF A TENANT IS SERVED WITH AN EVICTION NOTICE BEFORE SEPTEMBER 4TH, 2015?

A tenant may not be evicted without one of the specific just causes listed in the ordinance if by September 4th, 2015 the landlord has not been granted possession.

For example, in the following scenarios the tenant could not be evicted without a just cause:

- Served with an eviction notice after September 4th, 2015;
- Served before September 4th, 2015 but notice has not expired;
- Served before September 4th, 2015, notice expired, but no eviction (*unlawful detainer*) has been filed in court yet;
- Served before September 4th, 2015, notice expired, where an eviction case (*unlawful detainer*) has been filed and a case is waiting to be adjudicated (decided by the judge or jury);
- Served, notice expired, an eviction (*unlawful detainer*) has been filed, adjudicated, but where the landlord has not yet been granted possession.

WHERE SHOULD A TENANT GO TO GET MORE INFORMATION?

Until the Rent Board is up and running the following are the best resources for assistance:

Bay Area Legal Aid: 510-233-9954

Tenants Together Hotline: 888-495-8020

Alliance of Californians for Community Empowerment (ACCE),
Richmond office: 925-348-9165

There will also be a monthly clinic hosted by ACCE and Tenants Together the Second Wednesday of each month at the ACCE offices in Richmond. For more info call ACCE at 925-348-9165.