

Buying or selling a dwelling unit that has been or will be rented in Alameda?

With few exceptions, all rental units in Alameda are subject to the City's Rent Review, Rent Stabilization and Limitations on Evictions Ordinance (Ordinance No. 3148) and the City's "urgency ordinances" (Ordinance Nos. 3140 and 3143) that were in effect prior to Ordinance No. 3148. Although a rental unit may not be subject to strict rent control, almost all rental units in Alameda are subject to providing notices to tenants concerning any rent increase and limiting the reasons for terminating tenancies under Ordinance No. 3148. If you are buying or selling a rental unit, it is important that you are aware that these regulations may apply. A new owner may be held responsible for a prior owner's violations of these Ordinances, and future rents may be restricted by reason of these regulations.

Below are a few reminders to ensure compliance with City of Alameda's rent related Ordinances.

- ✓ **Inform prospective purchasers about Ordinance No. 3148, 3140, 3143, 3131 and related regulations**
 - Disclose the existence of these Ordinances and the City's Rent Program in the disclosure statement for any property listed for sale, even if the property is not currently a rental.
 - Additional informational materials are available at www.alamedarentprogram.org.

- ✓ **Obtain the rental history of the unit since October 1, 2015 (date of first Ordinance No. 3131)**
 - Request documentation that tenants renting on March 31, 2016 (when the Ordinance went into effect) were informed about Ordinance 3148 and that tenants whose tenancies started after March 31, 2016 were also informed of the Ordinance.
 - Request copies of all notices of rental increases and notices of all terminations of tenancies, for any rent increase or termination of tenancy since - October 1, 2015.
 - Verify that any rent increases or termination of tenancies were done in compliance with the Ordinance(s). (You are welcome to contact Rent Program staff (rrac@alamedahsg.org) but you will need to provide copies of the documents in order for staff to review. Please allow a 10-day turn around.

- For in-place tenants, understand whether the tenancy is under a lease or is month-to-month and, in particular, determine whether the tenant was on a month-to-month tenancy as of March 31, 2016 and whether there has been a rent increase in compliance with the Ordinance since that time.
 - Request information about any tenants currently subject to a notice of a rent increase or termination of tenancy.
 - If there is an onsite manager or other renter who receives a discount for services provided, understand and document the nature of that arrangement.
- ✓ **Understand that prior rent increases and termination of certain tenancies may have financial consequences**
- A new owner may be held financially responsible for a prior owner's violations of Ordinances 3148, 3140 3143, and 3131. This could include reimbursing tenants improperly charged rents and/or reducing rents raised illegally.
 - Relocation payments may be due if a tenant's tenancy was improperly terminated or the amount of the relocation payment was less than required by the Ordinance.
 - A property may not be rented for a number of years if it has been the subject of an eviction on grounds of a "Withdrawal from the Rental Market" and will be subject to a number of qualifying restrictions.
 - Other terminations of tenancy, such as for "No Cause", an "Owner Move In" or an approved "Capital Improvement Plan (CIP)" may restrict rent increases.
- ✓ **Ensure any rental property is properly registered with the City**
- Obtain proof that the rental unit has been registered with the Rent Program and that the annual housing program fee has been paid. This can be verified with the City Finance Department at 510-747-4881 or finance@alameda.ca.gov.

For more information visit www.alamedarentprogram.org or call 510-747-4346.